

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 16-1273.02 Jane Ritter x4342

SENATE BILL 16-212

SENATE SPONSORSHIP

Crowder,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING ALIGNING CHANGES MADE TO THE FEDERAL CHILD CARE**
102 **AND DEVELOPMENT BLOCK GRANT REAUTHORIZATION OF 2014**
103 **TO THE TWELVE-MONTH ELIGIBILITY REQUIREMENT OF THE**
104 **COLORADO CHILD CARE ASSISTANCE PROGRAM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill aligns state statute with changes in federal law related to the Colorado child care assistance program (CCCAP). The state law is modified to specify that a child receiving CCCAP supports continues to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
May 5, 2016

be eligible for those supports for an entire 12-month period before eligibility is redetermined, as long as the child's family income remains below 85% of the state median income for that family size, as required by federal law.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 26-2-805, **amend** (2)
3 and (7) (b) as follows:

4 **26-2-805. Services - eligibility - assistance provided - waiting**
5 **lists - rules.** (2) (a) The county may provide child care assistance for any
6 ~~other~~ family whose income MEETS THE REQUIREMENTS OF SUBSECTION (1)
7 OF THIS SECTION BUT does not exceed THE MAXIMUM FEDERAL LEVEL FOR
8 ELIGIBILITY FOR SERVICES OF eighty-five percent of the state median
9 income for a family of the same size. ~~Upon notification to counties by the~~
10 ~~state department that the relevant human services case management~~
11 ~~systems, including the Colorado child care automated tracking system, are~~
12 ~~capable of accommodating this subsection (2), and for a participant or a~~
13 ~~person or family whose income rises to the level set by the county at~~
14 ~~which the county may deny the participant, person, or family child care~~
15 ~~assistance, the county shall immediately notify the family that it is no~~
16 ~~longer eligible for CCCAP and continue to provide the current CCCAP~~
17 ~~subsidy to that family for no less than ninety days while the family makes~~
18 ~~appropriate arrangements for child care. The county is strongly~~
19 ~~encouraged to continue to provide child care assistance for a period of six~~
20 ~~months; except that in no event shall child care assistance be provided if~~
21 ~~the income exceeds the maximum level for eligibility for services set by~~
22 ~~federal law for a family of the same size. During the six-month period the~~
23 ~~county shall work with the participant, person, or family to provide a~~

1 ~~gradual transition off child care assistance provided pursuant to this~~
2 ~~subsection (2).~~

3 (b) IF, DURING A PARTICIPANT'S, PERSON'S, OR FAMILY'S
4 TWELVE-MONTH ELIGIBILITY PERIOD, THE PARTICIPANT'S, PERSON'S, OR
5 FAMILY'S INCOME RISES TO THE LEVEL SET BY THE COUNTY AT WHICH THE
6 COUNTY MAY DENY SUCH PARTICIPANT, PERSON, OR FAMILY CHILD CARE
7 ASSISTANCE, THE COUNTY SHALL CONTINUE PROVIDING THE CURRENT
8 CCCAP SUBSIDY UNTIL THAT PARTICIPANT'S, PERSON'S, OR FAMILY'S NEXT
9 TWELVE-MONTH REDETERMINATION.

10 (c) IF, AT THE TIME OF A PARTICIPANT'S, PERSON'S, OR FAMILY'S
11 TWELVE-MONTH ELIGIBILITY REDETERMINATION, THE PARTICIPANT'S,
12 PERSON'S, OR FAMILY'S INCOME RISES TO OR ABOVE THE LEVEL SET BY THE
13 COUNTY AT WHICH THE COUNTY MAY DENY CHILD CARE ASSISTANCE, OR
14 IF THAT INCOME LEVEL RISES ABOVE THE MAXIMUM FEDERAL ELIGIBILITY
15 LEVEL OF EIGHTY-FIVE PERCENT OF THE STATE MEDIAN INCOME FOR A
16 FAMILY OF THE SAME SIZE, THE COUNTY SHALL IMMEDIATELY NOTIFY THE
17 PARTICIPANT, PERSON, OR FAMILY THAT IT IS NO LONGER ELIGIBLE FOR
18 CCCAP, BUT MAY BE PROVIDED TRANSITION CCCAP BENEFITS PURSUANT
19 TO THE PROVISIONS OF PARAGRAPHS (d) AND (e) OF THIS SUBSECTION (2).

20 (d) EXCEPT AS PROVIDED FOR IN PARAGRAPH (e) OF THIS
21 SUBSECTION (2), THE COUNTY SHALL CONTINUE TO PROVIDE THE CURRENT
22 CCCAP SUBSIDY TO A PARTICIPANT, PERSON, OR FAMILY WHO HAS LOST
23 ELIGIBILITY PURSUANT TO THIS SUBSECTION (2) FOR A PERIOD OF NO LESS
24 THAN NINETY DAYS FROM THE TIME OF NOTIFICATION TO ALLOW THE
25 PARTICIPANT, PERSON, OR FAMILY TO MAKE APPROPRIATE ALTERNATIVE
26 ARRANGEMENTS FOR CHILD CARE. ADDITIONALLY, THE COUNTY IS
27 STRONGLY ENCOURAGED TO CONTINUE TO PROVIDE CHILD CARE

1 ASSISTANCE FOR A PERIOD OF SIX MONTHS FROM THE TIME OF
2 NOTIFICATION. DURING THE SIX-MONTH PERIOD THE COUNTY SHALL WORK
3 WITH THE PARTICIPANT, PERSON, OR FAMILY TO PROVIDE A GRADUAL
4 TRANSITION OFF CHILD CARE ASSISTANCE PROVIDED PURSUANT TO THIS
5 SUBSECTION (2).

6 (e) NOTWITHSTANDING ANY ELIGIBILITY LEVEL SET BY A COUNTY
7 PURSUANT TO THIS SECTION, UNDER NO CIRCUMSTANCE MAY A COUNTY
8 PROVIDE CHILD CARE ASSISTANCE PURSUANT TO THIS SECTION IF THE
9 PARTICIPANT'S, PERSON'S, OR FAMILY'S INCOME EXCEEDS THE MAXIMUM
10 LEVEL FOR ELIGIBILITY FOR SERVICES SET BY FEDERAL LAW OF
11 EIGHTY-FIVE PERCENT OF THE STATE MEDIAN INCOME FOR A FAMILY OF
12 THE SAME SIZE.

13 (7) (b) If a county reduces its income eligibility requirements, THE
14 COUNTY SHALL CONTINUE TO ENROLL a child enrolled in CCCAP when
15 the change is implemented ~~must continue to be enrolled in CCCAP~~ until
16 the family's next eligibility redetermination or for six months, whichever
17 is longer.

18 **SECTION 2. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.