

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 17-0806.01 Jane Ritter x4342

SENATE BILL 17-110

SENATE SPONSORSHIP

Crowder and Kefalas,

HOUSE SPONSORSHIP

(None),

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING EXPANDING THE NUMBER OF UNRELATED CHILDREN TO**
102 **NO MORE THAN FOUR TO QUALIFY FOR LICENSE-EXEMPT FAMILY**
103 **CHILD CARE.**

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://leg.colorado.gov>.)

The bill increases the accessibility of legal child care by expanding the circumstances under which an individual can care for children from multiple families for less than 24 hours without obtaining a child care license.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-6-103, **amend** (1)
3 introductory portion; **repeal** (1)(g); and **add** (1)(i) as follows:

4 **26-6-103. Application of part - study - definitions.** (1) This part
5 ~~shall~~ DOES not apply to:

6 (g) ~~A family child care home receiving one child for less than~~
7 ~~twenty-four-hour care or receiving two or more children who are related~~
8 ~~to each other as brother or sister from the same family household for less~~
9 ~~than twenty-four-hour care or such additional number of children as may~~
10 ~~be specified by rules promulgated by the state board of human services.~~
11 ~~The department shall conduct a study on whether rules should be~~
12 ~~modified to allow an additional number of children to be cared for in a~~
13 ~~family home that is exempt from licensing and shall present options and~~
14 ~~recommendations to the state board on or before October 1, 1996. The~~
15 ~~department shall consult with individuals and organizations who express~~
16 ~~to the department an interest in participating in the development of such~~
17 ~~recommendations, and the department shall notify such individuals and~~
18 ~~organizations of the date and location of the board hearing. The~~
19 ~~department shall examine the relationship between the licensing~~
20 ~~regulations governing larger family care homes and child care centers and~~
21 ~~shall present options and recommendations to the state board on or before~~
22 ~~October 1, 1996. In making such recommendations, the department shall~~
23 ~~consult with individuals and organizations who express to the department~~
24 ~~an interest in participating in the development of such recommendations,~~
25 ~~and the department shall notify such individuals and organizations of the~~
26 ~~date and location of the board hearing. Notwithstanding any provision of~~

1 ~~this paragraph (g) to the contrary, an exempt family child care home~~
2 ~~provider shall comply with the provisions of section 26-6-120 if he or she~~
3 ~~provides care for a child whose care is funded in whole or in part with~~
4 ~~moneys received on the child's behalf pursuant to the Colorado child care~~
5 ~~assistance program created in part 8 of article 2 of this title.~~

6 (i) AN INDIVIDUAL WHO PROVIDES LESS THAN TWENTY-FOUR-HOUR
7 CHILD CARE IN A PLACE OF RESIDENCE WHEN ONE OF THE FOLLOWING
8 CONDITIONS IS MET:

9 (I) THE CHILDREN BEING CARED FOR ARE RELATED, AS DEFINED IN
10 SECTIONS 26-6-102 (31) AND 26-6-102 (32), TO THE CAREGIVER, ARE
11 CHILDREN WHO ARE RELATED TO EACH OTHER FROM A SINGLE FAMILY
12 THAT IS UNRELATED TO THE CAREGIVER, OR A COMBINATION OF SUCH
13 CHILDREN; OR

14 (II) THERE ARE NO MORE THAN FOUR CHILDREN BEING CARED FOR,
15 WITH NO MORE THAN TWO CHILDREN UNDER TWO YEARS OF AGE FROM
16 MULTIPLE FAMILIES, REGARDLESS OF THE CHILDREN'S RELATION TO THE
17 CAREGIVER.

18 **SECTION 2.** In Colorado Revised Statutes, 26-6-108.5, **amend**
19 (3) as follows:

20 **26-6-108.5. Notice of negative licensing action - filing of**
21 **complaints.** (3) The department shall track and record complaints made
22 to the department that are brought against family child care homes and
23 shall identify which complaints were brought against licensed family
24 child care homes, as defined in section 26-6-102 (13), unlicensed family
25 child care homes, or legally exempt family child care homes, as defined
26 in section ~~26-6-103 (1)(g)~~ 26-6-102 (12).

27 **SECTION 3.** In Colorado Revised Statutes, 26-6-102, **amend** the

1 introductory portion and (12) as follows:

2 **26-6-102. Definitions.** As used in this ~~article~~ ARTICLE 6, unless
3 the context otherwise requires:

4 (12) "Exempt family child care home provider" means a family
5 child care home provider who is exempt from certain provisions of this
6 part 1 pursuant to section 26-6-103 ~~(1)(g)~~ (1)(i).

7 **SECTION 4. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2018 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.