

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

ENGROSSED

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

LLS NO. 19-0498.01 Jacob Baus x2173

SENATE BILL 19-063

SENATE SPONSORSHIP

Priola and Story,

HOUSE SPONSORSHIP

Buentello and Valdez A.,

Senate Committees

Health & Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A STRATEGIC ACTION PLAN TO ADDRESS INFANT AND**
102 **FAMILY CHILD CARE HOME SHORTAGES IN COLORADO.**

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 requires the department of human services (department), in consultation with the early childhood leadership commission (commission) and various stakeholders, to draft a strategic action plan addressing the declining availability of family child care homes and infant child care.

The bill requires the department to submit the completed strategic

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

SENATE
Amended 2nd Reading
February 12, 2019

action plan to the commission, the state board of human services, the joint budget committee, the health and human services and education committees of the senate or any successor committees, and the public health care and human services and education committees of the house of representatives or any successor committees no later than December 1, 2019.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Family child care homes provide an essential element of the
5 child care network in both urban and rural areas of the state;

6 (b) In certain counties, there are no child care centers, making
7 family child care homes the only option working families have for
8 licensed child care;

9 (c) Eighty-nine percent of child care businesses in the nation are
10 owned by women, making the viability of child care businesses an
11 important component of the state's economic success;

12 (d) Many parents prefer family child care homes, where children
13 experience a home-like environment conducive to healthy and safe
14 development;

15 (e) The state has a shortage of licensed, safe, and affordable child
16 care options, and there is a growing need for child care facilities due to
17 the increase in working parents;

18 (f) Since 2010, the state has experienced a decline of one thousand
19 five hundred eighty-two family child care homes, at an average of
20 approximately two hundred family child care homes closing each year;
21 and

22 (g) Because infant child care is more often provided in family

1 child care homes than in child care centers, the decline of family child
2 care homes has resulted in over seven thousand three hundred fewer
3 infant slots in the state in 2018 than in 2010.

4 (2) The general assembly declares, therefore, that it is necessary
5 that the state department, in consultation with the early childhood
6 leadership commission, study the decline of family child care homes and
7 available infant child care in the state to identify the reasons for these
8 shortages and to recommend strategies for improving the recruitment and
9 retention of family child care homes and available infant child care
10 throughout the state.

11 **SECTION 2.** In Colorado Revised Statutes, **add** part 2 to article
12 6.2 of title 26 as follows:

13 PART 2

14 INFANT AND FAMILY CHILD CARE

15 STRATEGIC ACTION PLAN

16 **26-6.2-201. Family child care homes strategic action plan -**
17 **creation - definitions.** (1) THE STATE DEPARTMENT AND THE
18 COMMISSION SHALL CREATE A STRATEGIC ACTION PLAN TO ADDRESS THE
19 DECLINE OF FAMILY CHILD CARE HOMES AND AVAILABLE INFANT CHILD
20 CARE THROUGHOUT THE STATE.

21 (2) AS USED IN THIS PART 2, UNLESS THE CONTEXT OTHERWISE
22 REQUIRES:

23 (a) "CHILD CARE CENTER" HAS THE SAME MEANING AS SET FORTH
24 IN SECTION 26-6-102 (5).

25 (b) "EXEMPT FAMILY CHILD CARE HOME PROVIDER" HAS THE SAME
26 MEANING AS SET FORTH IN SECTION 26-6-102 (12).

27 (c) "FAMILY CHILD CARE HOME" HAS THE SAME MEANING AS SET

1 FORTH IN SECTION 26-6-102 (13).

2 **26-6.2-202. Strategic action plan - requirements.** (1) THE
3 STRATEGIC ACTION PLAN CREATED IN SECTION 26-6.2-201 MUST INCLUDE,
4 AT A MINIMUM:

5 (a) STATE-SPECIFIC RESEARCH CONCERNING THE LACK OF
6 LICENSED FAMILY CHILD CARE HOMES, EXEMPT FAMILY CHILD CARE HOME
7 PROVIDERS, AND AVAILABLE LICENSED INFANT CHILD CARE AND THE
8 EFFECT IT HAS ON FAMILIES AND INFANTS;

9 (b) OBSTACLES TO OBTAINING AND RETAINING A FAMILY CHILD
10 CARE HOME LICENSE AND RECOMMENDED STRATEGIES TO REDUCE THESE
11 OBSTACLES;

12 (c) RESEARCH REGARDING THE REASONS WHY PROVIDERS STOP
13 OPERATING LICENSED FAMILY CHILD CARE HOMES AND RECOMMENDED
14 STRATEGIES TO ADDRESS THESE REASONS;

15 (d) RESEARCH REGARDING THE REASONS WHY LICENSED FAMILY
16 CHILD CARE HOMES AND LICENSED CHILD CARE CENTERS DO NOT PROVIDE
17 INFANT CHILD CARE AND RECOMMENDED STRATEGIES TO ADDRESS THESE
18 REASONS;

19 (e) INFORMATION CONCERNING STATE AND LOCAL BUILDING,
20 ZONING, LAND USE, BUSINESS LICENSING, AND PROPERTY TAX LAWS OR
21 POLICIES THAT CREATE POSITIVE OR NEGATIVE CONDITIONS FOR
22 OPERATING LICENSED FAMILY CHILD CARE HOMES OR PROVIDING INFANT
23 CHILD CARE, AND RECOMMENDED LAWS OR POLICIES FOR STATE AND
24 LOCAL JURISDICTIONS THAT WOULD IMPROVE CONDITIONS FOR OPERATING
25 LICENSED FAMILY CHILD CARE HOMES OR PROVIDING INFANT CHILD CARE;

26 (f) THE EXTENT TO WHICH STATE CHILD CARE LICENSING
27 REQUIREMENTS, INCLUDING EXEMPTIONS FROM LICENSING AND EXEMPT

1 FAMILY CHILD CARE HOME PROVIDERS, QUALITY IMPROVEMENT
2 INITIATIVES, AND THE COLORADO CHILD CARE ASSISTANCE PROGRAM
3 PROVIDE HEALTHY, SAFE, AND HIGH-QUALITY LICENSED CHILD CARE
4 FACILITIES WHILE ALSO PROMOTING AVAILABLE AND AFFORDABLE FAMILY
5 CHILD CARE HOMES AND INFANT CHILD CARE;

6 (g) THE EXTENT TO WHICH PUBLIC INVESTMENTS IN CHILD CARE
7 CREATE ADEQUATE INCENTIVES FOR OPERATING LICENSED FAMILY CHILD
8 CARE HOMES OR PROVIDING INFANT CHILD CARE;

9 (h) A LIST OF AVAILABLE FINANCIAL RESOURCES AND GAPS IN
10 AVAILABLE RESOURCES, TRAINING, AND TECHNICAL ASSISTANCE THAT
11 WOULD ASSIST POTENTIAL FAMILY CHILD CARE HOME PROVIDERS IN
12 BECOMING LICENSED AND STAYING IN BUSINESS;

13 (i) AN EXAMINATION OF AVAILABLE FINANCIAL RESOURCES,
14 TRAINING, AND TECHNICAL ASSISTANCE THAT MAY BE AVAILABLE TO
15 ASSIST POTENTIAL FAMILY CHILD CARE HOME PROVIDERS IN BECOMING
16 LICENSED AND STAYING IN BUSINESS;

17 (j) THE ANTICIPATED COSTS ASSOCIATED WITH IMPLEMENTING THE
18 RECOMMENDATIONS IN THE STRATEGIC ACTION PLAN; AND

19 (k) RECOMMENDATIONS THAT DO NOT REQUIRE ADDITIONAL
20 RESOURCES.

21 (2) THE STATE DEPARTMENT, IN PREPARING THE STRATEGIC
22 ACTION PLAN, MUST CONSULT WITH, TO THE EXTENT PRACTICABLE:

23 (a) FAMILY CHILD CARE HOME PROVIDERS AND ORGANIZATIONS
24 REPRESENTING THEM;

25 (b) CHILD CARE CENTERS AND ORGANIZATIONS REPRESENTING
26 THEM;

27 (c) EARLY CHILDHOOD EDUCATORS AND ORGANIZATIONS

- 1 REPRESENTING THEM;
- 2 (d) COUNTY DEPARTMENTS OF HUMAN OR SOCIAL SERVICES;
- 3 (e) COUNTIES AND MUNICIPALITIES;
- 4 (f) BUILDING, PLANNING, AND ZONING PROFESSIONALS AND
- 5 ORGANIZATIONS REPRESENTING THEM;
- 6 (g) EARLY CHILDHOOD COUNCILS AND ORGANIZATIONS
- 7 REPRESENTING THEM;
- 8 (h) BUSINESS AND ECONOMIC DEVELOPMENT ORGANIZATIONS;
- 9 (i) EARLY CHILDHOOD ADVOCACY AND POLICY ORGANIZATIONS AT
- 10 THE STATE OR NATIONAL LEVEL WITH EXPERTISE ON STRATEGIES TO
- 11 INCREASE AVAILABLE AND AFFORDABLE FAMILY CHILD CARE HOMES AND
- 12 INFANT CHILD CARE;
- 13 (j) PARENTS OF INFANTS AND ORGANIZATIONS THAT REPRESENT
- 14 THEM; AND
- 15 (k) ANY OTHER INTERESTED PERSONS OR ORGANIZATIONS.

16 (3) TO THE EXTENT PRACTICABLE, THE STATE DEPARTMENT MUST

17 IDENTIFY RECOMMENDATIONS THAT HAVE SUPPORT AMONG THE PARTIES

18 LISTED IN SUBSECTION (2) OF THIS SECTION. THE STATE DEPARTMENT

19 MUST INDICATE THE EXTENT OF SUPPORT FOR RECOMMENDATIONS AMONG

20 THE PARTIES LISTED IN SUBSECTION (2) OF THIS SECTION WITHIN THE

21 STRATEGIC ACTION PLAN.

22 **26-6.2-203. Report.** ON OR BEFORE DECEMBER 1, 2019, THE

23 STATE DEPARTMENT SHALL SUBMIT THE STRATEGIC ACTION PLAN TO THE

24 COMMISSION, THE STATE BOARD OF HUMAN SERVICES, THE JOINT BUDGET

25 COMMITTEE, THE HEALTH AND HUMAN SERVICES AND EDUCATION

26 COMMITTEES OF THE SENATE OR ANY SUCCESSOR COMMITTEES, AND THE

27 PUBLIC HEALTH CARE AND HUMAN SERVICES AND EDUCATION

1 COMMITTEES OF THE HOUSE OF REPRESENTATIVES OR ANY SUCCESSOR
2 COMMITTEES. THE STATE DEPARTMENT SHALL POST THE COMPLETED
3 STRATEGIC ACTION PLAN ON THE STATE DEPARTMENT'S WEBSITE.

4 **26-6.2-204. Repeal of part.** THIS PART 2 IS REPEALED, EFFECTIVE
5 JULY 1, 2020.

6 **SECTION 3. Federal funds.** For the 2019-20 state fiscal year,
7 the general assembly anticipates that the department of human services
8 will receive \$50,688 in federal funds to implement this act. This figure is
9 included for informational purposes only.

10 **SECTION 4. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2020 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.