

## CHAPTER 128

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**HUMAN SERVICES - SOCIAL SERVICES**

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**SENATE BILL 19-063**

BY SENATOR(S) Priola and Story, Bridges, Court, Crowder, Danielson, Donovan, Fields, Foote, Ginal, Gonzales, Lee, Pettersen, Todd, Williams A., Winter, Zenzinger, Garcia;  
also REPRESENTATIVE(S) Buentello and Valdez A., Bird, Caraveo, Cutter, Duran, Esgar, Exum, Galindo, Gonzales-Gutierrez, Gray, Herod, Jaquez Lewis, Kipp, Lontine, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Snyder, Tipper, Becker.

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

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

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

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

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

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

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

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

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

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(g) Because infant child care is more often provided in family child care homes than in child care centers, the decline of family child care homes has resulted in over seven thousand three hundred fewer infant slots in the state in 2018 than in 2010.

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

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

**PART 2  
INFANT AND FAMILY CHILD CARE  
STRATEGIC ACTION PLAN**

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

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

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

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

(c) "FAMILY CHILD CARE HOME" HAS THE SAME MEANING AS SET FORTH IN SECTION 26-6-102 (13).

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

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

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

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

(d) RESEARCH REGARDING THE REASONS WHY LICENSED FAMILY CHILD CARE HOMES AND LICENSED CHILD CARE CENTERS DO NOT PROVIDE INFANT CHILD CARE

AND RECOMMENDED STRATEGIES TO ADDRESS THESE REASONS;

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

(f) THE EXTENT TO WHICH STATE CHILD CARE LICENSING REQUIREMENTS, INCLUDING EXEMPTIONS FROM LICENSING AND EXEMPT FAMILY CHILD CARE HOME PROVIDERS, QUALITY IMPROVEMENT INITIATIVES, AND THE COLORADO CHILD CARE ASSISTANCE PROGRAM PROVIDE HEALTHY, SAFE, AND HIGH-QUALITY LICENSED CHILD CARE FACILITIES WHILE ALSO PROMOTING AVAILABLE AND AFFORDABLE FAMILY CHILD CARE HOMES AND INFANT CHILD CARE;

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

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

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

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

(k) RECOMMENDATIONS THAT DO NOT REQUIRE ADDITIONAL RESOURCES.

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

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

(b) CHILD CARE CENTERS AND ORGANIZATIONS REPRESENTING THEM;

(c) EARLY CHILDHOOD EDUCATORS AND ORGANIZATIONS REPRESENTING THEM;

(d) COUNTY DEPARTMENTS OF HUMAN OR SOCIAL SERVICES;

(e) COUNTIES AND MUNICIPALITIES;

(f) BUILDING, PLANNING, AND ZONING PROFESSIONALS AND ORGANIZATIONS REPRESENTING THEM;

(g) EARLY CHILDHOOD COUNCILS AND ORGANIZATIONS REPRESENTING THEM;

(h) BUSINESS AND ECONOMIC DEVELOPMENT ORGANIZATIONS;

(i) EARLY CHILDHOOD ADVOCACY AND POLICY ORGANIZATIONS AT THE STATE OR NATIONAL LEVEL WITH EXPERTISE ON STRATEGIES TO INCREASE AVAILABLE AND AFFORDABLE FAMILY CHILD CARE HOMES AND INFANT CHILD CARE;

(j) PARENTS OF INFANTS AND ORGANIZATIONS THAT REPRESENT THEM; AND

(k) ANY OTHER INTERESTED PERSONS OR ORGANIZATIONS.

(3) TO THE EXTENT PRACTICABLE, THE STATE DEPARTMENT MUST IDENTIFY RECOMMENDATIONS THAT HAVE SUPPORT AMONG THE PARTIES LISTED IN SUBSECTION (2) OF THIS SECTION. THE STATE DEPARTMENT MUST INDICATE THE EXTENT OF SUPPORT FOR RECOMMENDATIONS AMONG THE PARTIES LISTED IN SUBSECTION (2) OF THIS SECTION WITHIN THE STRATEGIC ACTION PLAN.

**26-6.2-203. Report.** ON OR BEFORE DECEMBER 1, 2019, THE STATE DEPARTMENT SHALL SUBMIT THE STRATEGIC 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. THE STATE DEPARTMENT SHALL POST THE COMPLETED STRATEGIC ACTION PLAN ON THE STATE DEPARTMENT'S WEBSITE.

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

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

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

Approved: April 23, 2019