

CHAPTER 109

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 00-1029

BY REPRESENTATIVES Tupa, Alexander, Hefley, S. Williams, Bacon, Coleman, Gagliardi, Hagedorn, Mace, Tapia, Tochtrop, Veiga, Vigil, Windels, and Zimmerman;
also SENATORS Pascoe, Linkhart, and Wham.

AN ACT

CONCERNING ELIGIBILITY FOR THE COLORADO CHILD CARE ASSISTANCE PROGRAM.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that the levels of eligibility for receiving child care assistance pursuant to the Colorado child care assistance program no longer accurately reflect the varying levels of income of those needing child care services. The general assembly further finds and declares that counties ought to have greater flexibility in setting levels of eligibility for child care assistance within the full range of eligibility allowed by federal law and in order to better reflect the various economies and diverse needs of all counties in the state.

(2) Therefore, the general assembly determines that it is in the best interests of the state to adjust the level of eligibility for discretionary child care assistance and to work to mitigate the precipitous effects of the sudden loss of such assistance when a recipient's income exceeds the applicable eligibility level.

SECTION 2. 26-2-805 (1) (b), Colorado Revised Statutes, is amended to read:

26-2-805. Services - assistance provided. (1) (b) Subject to available appropriations and pursuant to rules promulgated by the state department, a county may provide child care assistance for a family transitioning off the works program or for any other family whose income ~~is below one hundred eighty-five percent of the federal poverty level~~ DOES NOT EXCEED TWO HUNDRED TWENTY-FIVE PERCENT OF THE FEDERAL POVERTY LEVEL FOR A FAMILY OF THE SAME SIZE. A recipient of child care assistance shall be responsible for paying a portion of such child care based upon the recipient's income and the formula developed by rules of the state board. FOR

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

ANY PARTICIPANT OR ANY PERSON OR FAMILY WHOSE INCOME RISES TO THE LEVEL SET BY THE COUNTY AT WHICH THE COUNTY MAY DENY SAID PARTICIPANT, PERSON, OR FAMILY CHILD CARE ASSISTANCE, THE COUNTY IS STRONGLY ENCOURAGED TO CONTINUE TO PROVIDE SUCH ASSISTANCE FOR A PERIOD OF SIX MONTHS; EXCEPT THAT IN NO EVENT SHALL ASSISTANCE BE PROVIDED IF SAID INCOME EXCEEDS THE MAXIMUM LEVEL FOR ELIGIBILITY FOR SERVICES SET BY FEDERAL LAW FOR A FAMILY OF THE SAME SIZE. DURING SUCH PERIOD THE COUNTY SHALL WORK WITH SAID PARTICIPANT, PERSON, OR FAMILY TO PROVIDE A GRADUAL TRANSITION OFF OF THE CHILD CARE ASSISTANCE PROVIDED PURSUANT TO THIS PARAGRAPH (b) OVER A SIX MONTH PERIOD.

SECTION 3. Effective date - applicability. (1) This act shall take effect September 1, 2000, unless a referendum petition is filed during the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution. If such a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to applications and reapplications for child care assistance submitted on or after the applicable effective date of this act.

Approved: April 11, 2000