

## CHAPTER 401

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**HUMAN SERVICES - SOCIAL SERVICES**

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## SENATE BILL 03-037

BY SENATOR(S) Nichol, Groff, Grossman, Hanna, and Tapia;  
also REPRESENTATIVE(S) Mitchell, Boyd, Jahn, Tochtrop, Vigil, Weddig, and Williams S.

## AN ACT

**CONCERNING MODIFICATIONS TO THE COUNTY MAINTENANCE OF EFFORT CALCULATIONS FOR THE COLORADO CHILD CARE ASSISTANCE PROGRAM.**

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

**SECTION 1.** 26-2-804 (4), Colorado Revised Statutes, is amended, and the said 26-2-804 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

**26-2-804. Funding - allocation - maintenance of effort - repeal.** (4) (a) For state fiscal year 1997-98 ~~and each state fiscal year thereafter~~ THROUGH STATE FISCAL YEAR 2002-03, each county shall be required to meet a level of county spending for the Colorado child care assistance program that is equal to the county's proportionate share of the total county funds referenced in the state fiscal year 1996-97 general appropriation bill for employment-related child care. THE LEVEL OF COUNTY SPENDING SHALL BE KNOWN AS THE COUNTY'S MAINTENANCE OF EFFORT FOR THE COLORADO CHILD CARE ASSISTANCE PROGRAM.

(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2005.

(5) (a) FOR STATE FISCAL YEARS 2003-04 AND 2004-05, THE STATE DEPARTMENT, WHILE USING THE COUNTY MAINTENANCE OF EFFORT CALCULATION DESCRIBED IN SUBSECTION (4) OF THIS SECTION AS A BASE, SHALL EQUITABLY PHASE-IN THE IMPLEMENTATION OF THE COUNTY MAINTENANCE OF EFFORT CALCULATION DESCRIBED IN SUBSECTION (6) OF THIS SECTION. THE STATE BOARD SHALL PROMULGATE RULES TO CALCULATE, PURSUANT TO THIS SUBSECTION (5), THE COUNTY MAINTENANCE OF EFFORT CALCULATION FOR STATE FISCAL YEARS 2003-04 AND 2004-05.

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

(b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2005.

(6) FOR STATE FISCAL YEAR 2005-06 AND FOR EACH STATE FISCAL YEAR THEREAFTER, EACH COUNTY SHALL BE REQUIRED TO MEET A LEVEL OF COUNTY SPENDING FOR THE COLORADO CHILD CARE ASSISTANCE PROGRAM THAT IS EQUAL TO THE COUNTY'S PROPORTIONATE SHARE OF THE TOTAL COUNTY FUNDS SET FORTH IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE COLORADO CHILD CARE ASSISTANCE PROGRAM FOR THAT STATE FISCAL YEAR. THE LEVEL OF COUNTY SPENDING SHALL BE KNOWN AS THE COUNTY'S MAINTENANCE OF EFFORT FOR THE PROGRAM FOR THAT STATE FISCAL YEAR. FOR ANY STATE FISCAL YEAR, THE STATE DEPARTMENT IS AUTHORIZED TO ADJUST A COUNTY'S MAINTENANCE OF EFFORT, REFLECTED AS A PERCENTAGE OF THE TOTAL COUNTY FUNDS SET FORTH IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE COLORADO CHILD CARE ASSISTANCE PROGRAM FOR THAT STATE FISCAL YEAR, SO THAT THE PERCENTAGE EQUALS THE COUNTY'S PROPORTIONATE SHARE OF THE TOTAL STATE AND FEDERAL FUNDS APPROPRIATED FOR THE COLORADO CHILD CARE ASSISTANCE PROGRAM FOR THAT STATE FISCAL YEAR, REFLECTED AS A PERCENTAGE. FOR ANY STATE FISCAL YEAR, THE SUM OF ALL COUNTIES' MAINTENANCE OF EFFORT SHALL BE EQUAL TO OR GREATER THAN THE TOTAL COUNTY FUNDS SET FORTH IN THE GENERAL APPROPRIATION ACT FOR THE STATE FISCAL YEAR 1996-97 FOR EMPLOYMENT-RELATED CHILD CARE.

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

Approved: June 5, 2003