

CHAPTER 90

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 06-1207

BY REPRESENTATIVE(S) Coleman, Boyd, Stafford, McFadyen, and Todd;
also SENATOR(S) Sandoval.

AN ACT

**CONCERNING THE DEFINITION OF A SALARIED FOSTER PARENT, AND, IN CONNECTION THEREWITH,
ALLOWING A SALARIED FOSTER PARENT TO BE AN EMPLOYEE OF A CHILD PLACEMENT AGENCY.**

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

SECTION 1. 26-6-102, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

26-6-102. Definitions - repeal. As used in this article, unless the context otherwise requires:

(8.7) "SALARIED FOSTER PARENT" MEANS A PERSON WHO IS EMPLOYED BY A CHILD PLACEMENT AGENCY FOR THE PURPOSES OF THE DEMONSTRATION PILOT PROGRAM AUTHORIZED PURSUANT TO SECTION 26-6-104 (1) (d) (IV), AND WHO IS EMPLOYED FOR THE SOLE PURPOSE OF PROVIDING FOSTER CARE AND WHO SERVES IN NO OTHER CAPACITY FOR THE CHILD PLACEMENT AGENCY.

SECTION 2. 26-6-104 (1) (d) (III), Colorado Revised Statutes, is amended, and the said 26-6-104 (1) (d) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

26-6-104. Licenses - out-of-state notices and consent - repeal. (1) (d) (III) Notwithstanding any other provision of this part 1, no owner, officer, executive, member of the governing board, or employee of a child placement agency licensed pursuant to this part 1, or any relative of said owner, officer, executive, member, or employee, shall hold a beneficial interest in any property operated, or intended to be operated, as a foster care home, when the property is certified by the child placement agency as a foster care home. THE PROVISIONS OF THIS SUBPARAGRAPH (III) SHALL NOT APPLY TO SALARIED FOSTER PARENTS.

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

(IV) (A) THE DEPARTMENT IS HEREBY AUTHORIZED TO CREATE AND IMPLEMENT, IN CONJUNCTION WITH THE COUNTY DEPARTMENTS OF SOCIAL SERVICES, A DEMONSTRATION PILOT PROGRAM TO ALLOW FOR THE EMPLOYMENT OF A SALARIED FOSTER PARENT BY A CHILD PLACEMENT AGENCY. A SALARIED FOSTER PARENT SHALL NOT BE A MEMBER OF THE GOVERNING BOARD OR AN OWNER, OFFICER, OR EXECUTIVE OF THE CHILD PLACEMENT AGENCY CERTIFYING THE FOSTER CARE HOME, OR A RELATIVE OF ANY SUCH PERSON.

(B) THIS SUBPARAGRAPH (IV) IS REPEALED, EFFECTIVE JULY 1, 2009.

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of 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 (August 9, 2006, if adjournment sine die is on May 10, 2006); except that, if 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.

Approved: March 31, 2006