

## CHAPTER 423

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**HUMAN SERVICES - SOCIAL SERVICES**


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**SENATE BILL 08-210**

BY SENATOR(S) Shaffer, Bacon, Mitchell S., Schwartz, Tochtrop, Tupa, and Windels;  
also REPRESENTATIVE(S) Scanlan, Buescher, Green, Madden, McGihon, Merrifield, Middleton, Solano, Stafford, and Todd.

**AN ACT****CONCERNING COLORADO CHILD CARE ASSISTANCE PROGRAM PROVIDER REIMBURSEMENT RATES.**

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

**SECTION 1.** 26-2-802, Colorado Revised Statutes, is amended to read:

**26-2-802. Legislative declaration.** (1) The general assembly hereby finds and declares that the state's policies in connection with the provision of child care assistance and the effective delivery of such assistance are critical to the ultimate success of any welfare reform program. THE GENERAL ASSEMBLY FURTHER FINDS THAT CHILDREN IN LOW-INCOME FAMILIES WHO RECEIVE SERVICES THROUGH A CHILD CARE ASSISTANCE PROGRAM NEED AND DESERVE THE SAME ACCESS TO A BROAD RANGE OF CHILD CARE PROVIDERS AS DO CHILDREN IN FAMILIES WHO DO NOT NEED ASSISTANCE.

(2) Therefore, the general assembly hereby finds and declares that it is in the best interests of the state to adopt the Colorado child care assistance program set forth in this part 8. THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT IT IS IN THE BEST INTERESTS OF THE STATE TO ADOPT CONSISTENT, STATEWIDE CHILD CARE PROVIDER REIMBURSEMENT RATES SET AT A FLOOR OF THE SEVENTY-FIFTH PERCENTILE OF EACH COUNTY'S MARKET RATE OR THE PROVIDER'S RATE, WHICHEVER IS LOWER, TO FACILITATE AND INCREASE ACCESS TO HIGH-QUALITY CHILD CARE FOR LOW-INCOME FAMILIES.

**SECTION 2.** Part 8 of article 2 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**26-2-807. Child care provider reimbursement rate task force - creation - duties - repeal.** (1) (a) (I) THERE IS HEREBY CREATED THE CHILD CARE PROVIDER

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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.*

REIMBURSEMENT RATE TASK FORCE, REFERRED TO IN THIS SECTION AS THE "TASK FORCE", TO STUDY THE MOST EFFICIENT AND COST-EFFECTIVE WAY FOR THE STATE TO ADOPT CONSISTENT, STATEWIDE CHILD CARE PROVIDER REIMBURSEMENT RATES SET AT A FLOOR OF THE SEVENTY-FIFTH PERCENTILE OF EACH COUNTY'S MARKET RATE OR THE PROVIDER'S RATE, WHICHEVER IS LESS, WHICH WILL FACILITATE AND INCREASE ACCESS TO HIGH-QUALITY CHILD CARE FOR LOW-INCOME FAMILIES.

(II) ON OR BEFORE JULY 1, 2008, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE SHALL JOINTLY APPOINT THIRTEEN MEMBERS TO THE TASK FORCE AS FOLLOWS:

(A) TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES, ONE OF WHOM REPRESENTS THE MINORITY PARTY;

(B) TWO MEMBERS OF THE SENATE, ONE OF WHOM REPRESENTS THE MINORITY PARTY;

(C) THE DIRECTOR OF THE DIVISION OF CHILD CARE IN THE STATE DEPARTMENT, OR HIS OR HER DESIGNEE;

(D) THREE MEMBERS WHO REPRESENT EARLY CHILDHOOD COUNCILS;

(E) ONE MEMBER WHO REPRESENTS A CHILDREN'S ADVOCACY GROUP;

(F) TWO MEMBERS WHO ARE COUNTY COMMISSIONERS; AND

(G) TWO MEMBERS WHO ARE DIRECTORS OF COUNTY DEPARTMENTS OF SOCIAL SERVICES.

(III) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE SHALL JOINTLY DESIGNATE ONE MEMBER OF THE TASK FORCE TO SERVE AS CHAIR OF THE TASK FORCE.

(IV) IN APPOINTING THE MEMBERSHIP, EVERY EFFORT SHALL BE MADE TO CREATE A TASK FORCE THAT REPRESENTS THE RACIAL, ETHNIC, GEOGRAPHIC, SOCIOECONOMIC, CULTURAL, RELIGIOUS, PHYSICAL, AND EDUCATIONAL DIVERSITY OF THE STATE.

(b) THE MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

(c) THE TASK FORCE SHALL HOLD ITS FIRST MEETING ON OR BEFORE AUGUST 1, 2008, AS CONVENED BY THE CHAIR.

(2) IN CARRYING OUT ITS DUTIES AND FUNCTIONS UNDER THIS SECTION, THE TASK FORCE MAY CONSIDER, BUT NEED NOT BE LIMITED TO, DETERMINING THE MOST EFFICIENT AND COST-EFFECTIVE WAY FOR THE STATE TO ADOPT CONSISTENT, STATEWIDE CHILD CARE PROVIDER REIMBURSEMENT RATES SET AT A FLOOR OF THE SEVENTY-FIFTH PERCENTILE OF EACH COUNTY'S MARKET RATE OR THE PROVIDER'S RATE, WHICHEVER IS LESS, WHICH WILL FACILITATE AND INCREASE ACCESS TO

HIGH-QUALITY CHILD CARE FOR LOW-INCOME FAMILIES.

(3) ON OR BEFORE JANUARY 30, 2009, THE TASK FORCE SHALL MAKE RECOMMENDATIONS AS IT DEEMS NECESSARY TO THE HEALTH AND HUMAN SERVICES COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, CONCERNING MATTERS STUDIED UNDER THIS SECTION, INCLUDING ANY RECOMMENDATIONS FOR LEGISLATION.

(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2009.

**SECTION 3. 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 4, 2008