

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0494.01 Anna Petrini x5497

SENATE BILL 26-020

SENATE SPONSORSHIP

Bright and Ball,

HOUSE SPONSORSHIP

Sirota,

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES RELATED TO CHILD CARE PROVIDER**
102 **LICENSING, AND, IN CONNECTION THEREWITH, INCREASING**
103 **RELIANCE ON TRAINED PERSONNEL FROM THE DEPARTMENT OF**
104 **EARLY CHILDHOOD, IMPOSING CERTAIN REQUIREMENTS IN**
105 **CONNECTION WITH REGULATION BY LOCAL GOVERNING**
106 **AUTHORITIES, AND CREATING A TASK FORCE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the department of early childhood (department)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

to make reasonable efforts to expand and standardize the use of a digital data platform as a centralized digital file system for certain child care provider information (digital provider file system). The digital provider file system must integrate the professional development information system currently administered by the department and must house records related to staff background checks and child care provider policy documents, consistent with applicable privacy protections.

Current law permits the department to authorize or contract with a third party to investigate and inspect a facility applying for certain types of child care licenses. The bill requires the department, on or before July 1, 2026, to begin phasing out its reliance on third parties where feasible and to prioritize the use of department personnel to conduct the investigations and inspections instead. The department shall establish standardized training, protocols, and supervision for department personnel and authorized or contracted third parties.

The bill permits the department to grant a provisional license for up to 9 months to a child care facility that has satisfied all state-level licensing standards pending resolution of a delay or dispute with a statutory or home rule city, town, city and county, or county where the facility is situated (local governing authority) that prevents compliance with applicable zoning and land use development regulations. A local governing authority that imposes requirements related to the inspection, permitting, licensing, or approval of a child care center or family child care home beyond the state-level licensing standards (local approval process) shall prioritize provisionally licensed child care facilities so that the local approval process concludes within 9 months, and limit, or, in certain cases, provide exemptions from, associated fees.

The bill creates the child care licensure and quality task force (task force) to study and report on recommendations for a streamlined and easy-to-use child care licensure and quality system in the state (study). The task force shall report on its findings and recommendations before January 1, 2027, to the education committees of the house of representatives and the senate, the governor, and the department. The performance of the study is dependent upon the task force's receipt of sufficient gifts, grants, and donations.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 26.5-5-333 as
3 follows:

4 26.5-5-333. Professional development information
5 system records - rules.

1 THE EXECUTIVE DIRECTOR SHALL ADOPT RULES CONCERNING
2 REQUIREMENTS FOR FACILITIES LICENSED PURSUANT TO THIS PART 3 TO
3 MAINTAIN UP-TO-DATE EMPLOYEE RECORDS IN THE PROFESSIONAL
4 DEVELOPMENT INFORMATION SYSTEM ADMINISTERED BY THE
5 DEPARTMENT PURSUANT TO SECTION 26.5-1-106 (1)(a)(I).

6 **SECTION 2.** In Colorado Revised Statutes, 26.5-5-316, **amend**
7 (3)(a)(I); and **add** (3)(a)(III) and (3)(a)(IV) as follows:

8 **26.5-5-316. Investigations and inspections - local authority -**
9 **reports - rules.**

10 (3) (a) (I) Except as otherwise provided in ~~subsection (3)(a)(II)~~
11 SUBSECTIONS (3)(a)(II) AND (3)(a)(III) of this section, the department may
12 authorize or contract with any county department, the county department
13 of health, or any other publicly or privately operated organization that has
14 a declared interest in children and experience working with children or on
15 behalf of children to investigate and inspect the facilities applying for an
16 original or renewal license or applying for a permanent license following
17 the issuance of a probationary or provisional license ~~under~~ PURSUANT TO
18 this part 3 and may accept reports on ~~such~~ investigations and inspections
19 from ~~such~~ THE agencies or organizations as a basis for ~~such licensing~~
20 MAKING LICENSING DECISIONS. When contracting for investigations and
21 inspections, the department shall assure that the contractor is qualified by
22 training and experience and has no conflict of interest with respect to the
23 facilities to be inspected.

24 (III) NOTWITHSTANDING SUBSECTION (3)(a)(I) OF THIS SECTION,
25 ON OR BEFORE JULY 1, 2026, THE DEPARTMENT SHALL, WHERE FEASIBLE,
26 BEGIN PHASING OUT ITS RELIANCE ON PERSONS AUTHORIZED OR
27 CONTRACTED PURSUANT TO SUBSECTION (3)(a)(I) OF THIS SECTION TO

1 PROVIDE THE TYPES OF SERVICES THE DEPARTMENT'S LICENSING
2 SPECIALISTS PROVIDE IN CONNECTION WITH THE INVESTIGATION AND
3 INSPECTION OF THE FACILITIES APPLYING FOR AN ORIGINAL OR RENEWAL
4 LICENSE OR APPLYING FOR A PERMANENT LICENSE FOLLOWING THE
5 ISSUANCE OF A PROBATIONARY OR PROVISIONAL LICENSE PURSUANT TO
6 THIS PART 3, AND SHALL PRIORITIZE THE USE OF LICENSING SPECIALISTS
7 EMPLOYED BY THE DEPARTMENT TO PROVIDE THE SERVICES. NOTHING IN
8 THIS SUBSECTION (3)(a) REQUIRES THE DEPARTMENT TO PHASE OUT ITS
9 RELIANCE ON PERSONS AUTHORIZED OR CONTRACTED TO PERFORM HEALTH
10 AND SANITATION INSPECTIONS AND RELATED PLAN REVIEWS REQUIRED AS
11 PART OF THE CHILD CARE LICENSING PROCESS AND CONDUCTED BY THE
12 DEPARTMENT OR A LOCAL PUBLIC HEALTH AGENCY.

13 (IV) THE DEPARTMENT SHALL ESTABLISH STANDARDIZED
14 TRAINING, PROTOCOLS, AND SUPERVISION FOR DEPARTMENT PERSONNEL
15 AND ANY PERSONS AUTHORIZED OR CONTRACTED PURSUANT TO
16 SUBSECTION (3)(a)(I) OF THIS SECTION TO PROMOTE CONSISTENCY IN THE
17 INTERPRETATION AND APPLICATION OF LICENSING REQUIREMENTS AND THE
18 STANDARDIZATION OF INVESTIGATIONS AND ENFORCEMENT ACTIONS
19 ACROSS THE STATE.

20 **SECTION 3.** In Colorado Revised Statutes, 26.5-5-310, **add**
21 (1)(c) as follows:

22 **26.5-5-310. Compliance with local government zoning**
23 **regulations - notice to local governments - provisional licensure -**
24 **rules.**

25 (1)(c) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION TO
26 THE CONTRARY, THE AVAILABILITY OF SAFE, AFFORDABLE, AND LICENSED
27 FAMILY CHILD CARE HOMES AND LICENSED CHILD CARE CENTERS IS A

1 MATTER OF STATEWIDE CONCERN. THEREFORE, PERMITTING FRAGMENTED
2 REGULATION AMONG JURISDICTIONS IMPEDES AND INFRINGES UPON THE
3 DEPARTMENT'S APPROPRIATE AND CONSISTENT LICENSING AND
4 REGULATION OF FAMILY CHILD CARE HOMES AND CHILD CARE CENTERS
5 THROUGHOUT THE STATE. ACCORDINGLY, A LOCAL GOVERNING
6 AUTHORITY THAT IMPOSES REQUIREMENTS IN ADDITION TO THE
7 STATE-LEVEL LICENSING STANDARDS REQUIRED PURSUANT TO THIS PART
8 3 RELATED TO THE INSPECTION, PERMITTING, LICENSING, OR APPROVAL OF
9 A CHILD CARE CENTER OR FAMILY CHILD CARE HOME SHALL:

10 (I) PRIORITIZE THE INSPECTION, PERMITTING, LICENSING, OR
11 APPROVAL PROCESS OF A CHILD CARE CENTER OR FAMILY CHILD CARE ==
12 HOME WITH WHICH THE LOCAL GOVERNING AUTHORITY HAS HAD A
13 DISPUTE OR CAUSED A DELAY, TO COMPLETE THE INSPECTION, PERMITTING,
14 LICENSING, OR APPROVAL PROCESS TO THE EXTENT REASONABLY
15 PRACTICABLE; AND

16 (II) LIMIT, TO A REASONABLE MAXIMUM ESTABLISHED BY
17 DEPARTMENT RULE, THE FEES ASSOCIATED WITH ANY CHILD CARE
18 CENTER'S OR FAMILY CHILD CARE HOME'S INSPECTION, PERMIT, LICENSE,
19 OR APPROVAL THAT IS REQUIRED FOR A CHILD CARE CENTER OR FAMILY
20 CHILD CARE HOME BY THE LOCAL GOVERNING AUTHORITY BUT THAT IS
21 NOT REQUIRED BY THE STATE-LEVEL LICENSING STANDARDS ESTABLISHED
22 IN THIS PART 3; EXCEPT THAT THIS LIMITATION DOES NOT APPLY TO FEES
23 ASSOCIATED WITH HEALTH AND SANITATION INSPECTIONS AND RELATED
24 PLAN REVIEWS REQUIRED AS PART OF THE CHILD CARE LICENSING PROCESS
25 AND CONDUCTED BY THE DEPARTMENT OR A LOCAL PUBLIC HEALTH
26 AGENCY.

27 == ==

1 **SECTION 4.** In Colorado Revised Statutes, **add** 26.5-5-322.5 as
2 follows:

3 **26.5-5-322.5. Child care licensure ___ task force - created -**
4 **membership - reporting - repeal.**

5 (1) ___ THE CHILD CARE LICENSURE ___ TASK FORCE IS CREATED IN
6 THE DEPARTMENT TO STUDY AND DEVELOP RECOMMENDATIONS RELATED
7 TO THE CHILD CARE LICENSURE ___ SYSTEM IN COLORADO.

8 ___
9 (2) (a) THE CHILD CARE LICENSURE ___ TASK FORCE CONSISTS OF
10 THE FOLLOWING MEMBERS:

11 (I) THE PRESIDENT OF THE SENATE SHALL APPOINT THE FOLLOWING
12 MEMBERS:

13 (A) A REPRESENTATIVE FROM AN ASSOCIATION OF CHILD CARE
14 PROVIDERS;

15 (B) A REPRESENTATIVE OF A LICENSED CHILD CARE CENTER; ___

16 (C) A REPRESENTATIVE OF A LICENSED FAMILY CHILD CARE HOME;

17 AND

18 (D) A REPRESENTATIVE FROM AN ORGANIZATION OF PROVIDERS OF
19 OUT-OF-SCHOOL TIME PROGRAMS, AS DEFINED IN SECTION 22-105.5-103;

20 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
21 APPOINT THE FOLLOWING MEMBERS:

22 (A) A MULTILINGUAL CHILD CARE PROVIDER FROM A SMALL
23 BUSINESS OR FAMILY CHILD CARE HOME;

24 (B) A REPRESENTATIVE OF A COMMUNITY-BASED OR EARLY
25 CHILDHOOD ADVOCACY ORGANIZATION; AND

26 (C) A REPRESENTATIVE OF A SCHOOL DISTRICT;

27 (III) THE MINORITY LEADER OF THE SENATE SHALL APPOINT THE

1 FOLLOWING MEMBERS:

2 (A) A REPRESENTATIVE OF A HEAD START PROGRAM;

3 (B) A REPRESENTATIVE FROM AN ASSOCIATION OF CHILD CARE
4 PROVIDERS; ==

5 (C) A REPRESENTATIVE OF A LICENSED CHILD CARE CENTER; AND

6 (D) A TECHNOLOGY EXPERT FAMILIAR WITH CREATING AND
7 IMPLEMENTING STATE AGENCY TECHNOLOGY SYSTEMS;

8 (IV) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES
9 SHALL APPOINT THE FOLLOWING MEMBERS:

10 (A) A REPRESENTATIVE FROM A RURAL CHILD CARE PROVIDER;

11 (B) AN INDIVIDUAL WITH EXPERTISE IN EARLY CHILDHOOD
12 WORKFORCE DEVELOPMENT; ==

13 (C) THE PARENT OF A CHILD CARED FOR IN A LICENSED CHILD CARE
14 CENTER OR LICENSED FAMILY CHILD CARE HOME; AND

15 (D) A REPRESENTATIVE OF A STATUTORY OR HOME RULE CITY,
16 TOWN, CITY AND COUNTY, OR COUNTY; AND

17 (V) THE GOVERNOR SHALL APPOINT ONE MEMBER WHO IS A
18 REPRESENTATIVE OF THE DEPARTMENT AND ONE MEMBER WHO IS A
19 REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC HEALTH AND
20 ENVIRONMENT. A MEMBER APPOINTED PURSUANT TO THIS SUBSECTION
21 (2)(a)(V) IS A NONVOTING MEMBER.

22 (b) THE APPOINTING AUTHORITIES SHALL MAKE THEIR INITIAL
23 APPOINTMENTS TO THE TASK FORCE NO LATER THAN JULY 1, 2026.

24 (3) EACH MEMBER OF THE TASK FORCE WHO IS APPOINTED
25 PURSUANT TO SUBSECTION (2) OF THIS SECTION SERVES AT THE PLEASURE
26 OF THE APPOINTING OFFICIAL. THE TERM OF APPOINTMENT FOR TASK
27 FORCE MEMBERS EXPIRES ON JULY 1, 2027.

1 (4) MEMBERS OF THE TASK FORCE SERVE WITHOUT
2 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

3 (5) (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
4 CONVENE THE FIRST MEETING OF THE TASK FORCE NO LATER THAN THREE
5 WEEKS AFTER THE EXECUTIVE DIRECTOR HAS DETERMINED THAT THE TASK
6 FORCE HAS RECEIVED AN AMOUNT OF GIFTS, GRANTS, AND DONATIONS
7 SUFFICIENT TO BEGIN ITS WORK DESCRIBED IN THIS SECTION OR AUGUST
8 1, 2026, WHICHEVER IS LATER.

9 (b) THE TASK FORCE SHALL ELECT A CHAIR FROM AMONG THE TASK
10 FORCE'S MEMBERS.

11 (c) THE TASK FORCE SHALL MEET AT LEAST FOUR TIMES IN 2026 TO
12 COMPLETE THE DUTIES SPECIFIED IN THIS SECTION. THE CHAIR MAY CALL
13 ADDITIONAL MEETINGS, SUBJECT TO AVAILABLE MONEY, AS NECESSARY
14 FOR THE TASK FORCE TO COMPLETE ITS DUTIES. THE TASK FORCE SHALL
15 ESTABLISH PROCEDURES TO ALLOW MEMBERS OF THE TASK FORCE TO
16 PARTICIPATE IN THE MEETINGS REMOTELY.

17 (6) THE TASK FORCE SHALL STUDY AND RECOMMEND REFORMS TO
18 COLORADO'S LICENSURE SYSTEM WITH THE GOAL OF CREATING A
19 COHERENT, STREAMLINED FRAMEWORK THAT DOES NOT REDUCE THE
20 QUALITY OF SETTINGS ALREADY IN PLACE TO SUPPORT CHILDREN'S
21 LEARNING.

22 (7) WITH THE HELP OF A THIRD-PARTY ENTITY DESCRIBED IN
23 SUBSECTION (8) OF THIS SECTION, THE TASK FORCE SHALL:

24 (a) UNDERTAKE A COMPREHENSIVE REVIEW OF THE STATE'S CHILD
25 CARE LICENSING REQUIREMENTS AND PROCESSES FOR CHILD CARE
26 CENTERS AND FAMILY CHILD CARE HOMES; AND

27 (b) DEVELOP RECOMMENDATIONS FOR DESIGNING A STREAMLINED

1 LICENSURE SYSTEM FOR CHILD CARE CENTERS AND FAMILY CHILD CARE
2 HOMES.

3 _____
4 (8) THE TASK FORCE SHALL CONTRACT WITH AN INDEPENDENT
5 THIRD-PARTY ENTITY TO FACILITATE TASK FORCE MEETINGS AND PREPARE
6 A FINAL REPORT SUMMARIZING THE TASK FORCE'S RECOMMENDATIONS
7 DEVELOPED PURSUANT TO SUBSECTION (7) OF THIS SECTION.

8 (9) ON OR BEFORE JANUARY 1, 2027, THE TASK FORCE SHALL
9 REPORT ON ITS RECOMMENDATIONS TO THE EDUCATION COMMITTEES OF
10 THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
11 COMMITTEES; THE GOVERNOR; AND THE DEPARTMENT.

12 (10) (a) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
13 IMPLEMENTATION OF THIS SECTION BE FUNDED ENTIRELY BY GIFTS,
14 GRANTS, AND DONATIONS, AND THAT GIFTS, GRANTS, AND DONATIONS
15 WILL BE RECEIVED THROUGHOUT THE COURSE OF THE TASK FORCE'S WORK.
16 THE GENERAL ASSEMBLY SHALL NOT APPROPRIATE MONEY FROM THE
17 GENERAL FUND FOR THE IMPLEMENTATION OF THIS SECTION, AND THE
18 DEPARTMENT AND APPOINTING AUTHORITIES SHALL CARRY OUT THEIR
19 DUTIES SET FORTH IN THIS SECTION WITHIN EXISTING APPROPRIATIONS.

20 (b) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
21 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES TO
22 IMPLEMENT THIS SECTION. THE TASK FORCE SHALL NOT IMPLEMENT THIS
23 SECTION UNLESS THE TASK FORCE RECEIVES AN AMOUNT OF GIFTS,
24 GRANTS, AND DONATIONS THAT THE EXECUTIVE DIRECTOR DEEMS
25 NECESSARY TO IMPLEMENT THIS SECTION.

26 (c) THE ACTIVITIES DESCRIBED IN SUBSECTION (7) OF THIS SECTION
27 AND FINAL REPORT DESCRIBED IN SUBSECTION (9) OF THIS SECTION ARE

1 CONTINGENT ON MONEY BEING AVAILABLE TO CARRY OUT THE ACTIVITIES
2 AND FINAL REPORT. IF MONEY IS NOT AVAILABLE FOR THE TASK FORCE OR
3 ANY OTHER ENTITY TO CARRY OUT ITS DUTIES REQUIRED PURSUANT TO
4 THIS SECTION, THE TASK FORCE OR THE ENTITY IS NOT REQUIRED TO CARRY
5 OUT THE DUTIES. A CONTRACT WITH A THIRD-PARTY ENTITY THAT WILL
6 PROVIDE SERVICES RELATED TO TASK FORCE MEETING FACILITATION,
7 RECOMMENDATIONS, AND THE FINAL REPORT MUST BE CONTINGENT ON
8 GIFTS, GRANTS, AND DONATIONS BEING AVAILABLE FOR THOSE PURPOSES.

9 (11) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2028.

10 **SECTION 5. Safety clause.** The general assembly finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety or for appropriations for
13 the support and maintenance of the departments of the state and state
14 institutions.