

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0856.01 Lindy Schaible x4215

HOUSE BILL 26-1374

HOUSE SPONSORSHIP

Sirota and Taggart, Brown

SENATE SPONSORSHIP

Amabile and Bridges, Kirkmeyer

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING KINSHIP CARE FUNDING PROVISIONS.

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/>.)

Joint Budget Committee. The bill eliminates financial assistance and supports to county departments of human or social services (county departments) for non-certified kinship care homes. The bill also eliminates reimbursement to county departments for non-certified kinship care homes and removes the exemption for the kinship foster care and the non-certified kinship care rates from the state fiscal year close-out process.

The bill makes reimbursement to county departments for kinship

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.

foster care subject to available appropriations and specifies that counties are not required to provide financial assistance and supports for non-certified kinship care homes.

Existing law requires the state department of human services to annually report to the joint budget committee on the implementation of non-certified kinship care homes. The bill changes the report's focus to certified kinship care homes. The bill removes consideration of maintaining financial support for a non-certified kinship care home from the reasons that may not be used to delay youth placement permanency planning.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-6-904.5, **amend**
3 (2), (3), (6)(a) introductory portion, (6)(a)(I), and (6)(a)(II) as follows:

4 **26-6-904.5. Kinship foster care homes - certification and**
5 **revocation of certification - financial assistance and supports -**
6 **training - interagency resource data - report - rules - repeal.**

7 (2) Kinship foster care homes are eligible for financial
8 reimbursement and supports at the same rate as foster care homes, as
9 established in rules ~~promulgated~~ ADOPTED by the state board of human
10 services. ~~Non-certified kinship care homes are eligible for financial~~
11 ~~assistance and supports at thirty percent of the foster care rate, based on~~
12 ~~the age of the child or youth receiving care. Beginning in state fiscal year~~
13 ~~2026-27, non-certified kinship care homes are eligible for financial~~
14 ~~assistance and support at fifty percent of the foster care rate, based on the~~
15 ~~age of the child or youth receiving care. Funding to cover financial~~
16 ~~assistance and supports comes from the revenue stream identified in~~
17 subsection (3) of this section.

18 (3) (a) The state department shall, SUBJECT TO AVAILABLE
19 APPROPRIATIONS, reimburse the county departments ninety percent of the
20 amounts expended by county departments for kinship foster care ~~and~~

1 ~~non-certified kinship care~~ daily rates to support financial assistance. ~~The~~
2 ~~kinship foster care rate and non-certified kinship care rate are exempt~~
3 ~~from the close-out process described in section 26-5-104 (3).~~

4 (b) ~~For state fiscal years 2024-25 and 2025-26, the general~~
5 ~~assembly may appropriate money from the Colorado long-term works~~
6 ~~reserve, created in section 26-2-721, for the purposes of providing the~~
7 ~~funding required by subsection (2) of this section.~~

8 (c) A COUNTY DEPARTMENT IS NOT REQUIRED TO PROVIDE
9 FINANCIAL ASSISTANCE AND SUPPORTS FOR NON-CERTIFIED KINSHIP CARE.

10 (6) (a) On or before August 1, 2025, and every August 1 thereafter
11 until August 1, 2030, the state department shall submit a report to the
12 joint budget committee on the implementation of ~~non-certified~~ kinship
13 care homes, the impacts to the number of placements with kinship foster
14 care homes, and the impacts on county departments of human or social
15 services in their ability to support providers. The state department shall
16 submit data provided by county departments of human and social services
17 as a supplement to the report. The report must include:

18 (I) The impacts of financial assistance on the certification and
19 recruitment of kin families and the trends of kin's choices to become
20 certified; ~~or non-certified;~~

21 (II) The workload changes for county caseworkers associated with
22 supporting kin pursuant to this section; ~~both certified and non-certified;~~
23 and

24 **SECTION 2.** In Colorado Revised Statutes, 19-3-702, **amend** (3)
25 introductory portion as follows:

26 **19-3-702. Permanency hearing.**

27 (3) At any permanency planning hearing, the court shall first

1 determine if the child or youth should be returned to the child's or youth's
2 parent, named guardian, or legal custodian and, if applicable, the date on
3 which the child or youth must be returned. If the child or youth cannot be
4 returned home, the court shall also determine whether reasonable efforts
5 have been made to find a safe and stable permanent home for the child or
6 youth. The court shall not delay permanency planning by considering the
7 placement of children or youth together as a sibling group or for purposes
8 of maintaining financial support for a kinship foster care home, ~~or a~~
9 ~~non-certified kinship care home~~, unless there are exceptional
10 circumstances approved by the court. At any permanency planning
11 hearing, the court shall make the following determinations, when
12 applicable:

13 **SECTION 3. Effective date.** This act takes effect July 1, 2026.

14 **SECTION 4. Safety clause.** The general assembly finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, or safety or for appropriations for
17 the support and maintenance of the departments of the state and state
18 institutions.