

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 26-1374

BY REPRESENTATIVE(S) Sirota and Taggart, Brown;  
also SENATOR(S) Amabile and Bridges, Kirkmeyer.

CONCERNING KINSHIP CARE FUNDING PROVISIONS.

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

**SECTION 1.** In Colorado Revised Statutes, 26-6-904.5, **amend** (2) and (3); and **add** (8) as follows:

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

(2) CERTIFIED kinship foster care homes are eligible for financial reimbursement and supports at the same rate as foster care homes, as established in rules ~~promulgated~~ ADOPTED by the state board of human services. ~~Non-certified kinship care homes are eligible for financial assistance and supports at thirty percent of the foster care rate, based on the age of the child or youth receiving care. Beginning in state fiscal year 2026-27, non-certified kinship care homes are eligible for financial assistance and support at fifty percent of the foster care rate, based on the~~

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

~~age of the child or youth receiving care. Funding to cover financial assistance and supports comes from the revenue stream identified in subsection (3) of this section.~~

(3) (a) The state department shall, SUBJECT TO AVAILABLE APPROPRIATIONS, reimburse the county departments ninety percent of the amounts expended by county departments for CERTIFIED kinship foster care ~~and non-certified kinship care~~ daily rates to support financial assistance. ~~The kinship foster care rate and non-certified kinship care rate are exempt from the close-out process described in section 26-5-104 (3).~~

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

(c) A COUNTY DEPARTMENT IS NOT REQUIRED TO PROVIDE FINANCIAL ASSISTANCE AND SUPPORTS FOR NON-CERTIFIED KINSHIP CARE, EXCEPT AS REQUIRED BY SECTION 475 OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 675, OR SECTIONS 19-3-208 AND 19-3-403 (3.6)(c) AND (9).

(8) THE STATE DEPARTMENT SHALL CREATE A STANDARDIZED NOTICE FOR NON-CERTIFIED KINSHIP CARE PROVIDERS REGARDING THE DISCONTINUATION OF NON-CERTIFIED KINSHIP CARE ASSISTANCE. THE NOTICE MUST SPECIFY THE DATE NON-CERTIFIED KINSHIP CARE ASSISTANCE ENDS AND PROVIDE INFORMATION REGARDING THE OPTION FOR THE NON-CERTIFIED KINSHIP CARE PROVIDER TO BECOME A CERTIFIED KINSHIP CARE PROVIDER, IF ELIGIBLE, INCLUDING THE OPTION FOR PROVISIONAL CERTIFICATION. EACH COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL PROVIDE THE NOTICE, NO LATER THAN JUNE 15, 2026, TO ALL NON-CERTIFIED KINSHIP FOSTER CARE HOMES CURRENTLY RECEIVING MONTHLY PAYMENTS.

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

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

(3) At any permanency planning hearing, the court shall first determine if the child or youth should be returned to the child's or youth's

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

**SECTION 3.** In Colorado Revised Statutes, 19-3-403, **amend** (3.6)(a)(IV) introductory portion and (3.6)(a)(IV)(B) as follows:

**19-3-403. Temporary custody - hearing - time limits - restriction - rules.**

(3.6) (a) (IV) The court shall order a county department ~~of human or social services~~ to exercise due diligence to contact all grandparents and other adult relatives and identified kin within thirty days after the removal of the child or youth and to inform them about placement possibilities for the child or youth, unless the court determines there is good cause not to contact or good cause to delay contacting the child's or youth's relatives and kin, including, but not limited to, family or domestic violence.

(B) The notice must include information about providing care for the child or youth while the family receives reunification services, with the goal of returning the child or youth to the parent or legal guardian; the relative's right to intervene in the proceedings with or without an attorney following adjudication; and additional services and supports that are available in out-of-home placements. The notice must also include information regarding the state's entitlement plans, including, but not limited to, child care assistance, supplemental nutritional assistance programs, the relative guardianship assistance program, child-only eligibility for temporary assistance for needy families (TANF), and adoption assistance, as well as other options for contact. Information about family foster care certification, including how to ~~request a variance from certification standards that do not present a safety or health risk to the child or youth in the home~~ OBTAIN A PROVISIONAL CERTIFICATION, and supports that are available for relatives and kin and children or youth and what

background checks are required, as well as how relatives or kin may request the court review decisions to deny placement based on background checks and why certification as a kinship foster home may be denied, must also be provided in the notice.

**SECTION 4. Effective date.** This act takes effect upon passage; except that section 26-6-904.5 (2) and (3), Colorado Revised Statutes, as amended in section 1 of this act, and section 2 of this act take effect on July 1, 2026.

**SECTION 5. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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James Rashad Coleman, Sr.  
PRESIDENT OF  
THE SENATE

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Vanessa Reilly  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Esther van Mourik  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO