

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0503.01 Michael Dohr x4347

HOUSE BILL 24-1223

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HOUSE SPONSORSHIP

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Cutter,

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House Committees  
Health & Human Services

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A BILL FOR AN ACT

101 CONCERNING THE IMPROVEMENT OF PROGRAMS THAT BENEFIT  
102 WORKING FAMILIES.

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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 overhauls the Colorado child care assistance program (CCCAP). The bill simplifies the application process by:

- Creating a universal application;
- Limiting the application information to only what is necessary to determine eligibility;
- Prohibiting counties from adding additional eligibility

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.

- requirements; and  
● When applying for redetermination, requiring the recipients to provide only information that has changed.

The bill creates presumptive eligibility for 90 days when basic federal requirements are met that are verified through self-attestation. Income qualifications are changed to correspond with universal preschool program requirements. A county may exclude state and federal assistance program income eligibility guidelines in eligibility determinations.

An employee of a child care provider may apply to the CCCAP and be granted full benefits for children from 6 weeks of age to 13 years of age, regardless of the employee's income.

The bill directs that child care providers be paid based on enrollment and not on attendance and be paid a weekly rate in advance. Employers are permitted to cover copayments, and copayments are limited to 7% of a family's income. The bill authorizes grants and contracts for underserved populations.

The bill lists the crimes that disqualify a child care provider from becoming qualified as license-exempt. Family child care home providers are included as eligible providers.

A CCCAP recipient is required to engage in an eligible activity to receive benefits. The bill includes substance use disorder treatment programs, job training, and education activities as eligible activities.

The department of early childhood education (department) is directed to evaluate the costs and benefits of a statewide reimbursement process.

The bill directs the department to administer the child and adult care food program (CACFP). A participant's eligibility for CACFP must not be based on being qualified as exempt in CCCAP. The department shall develop, implement, and oversee an alternative eligibility process for participation in CACFP that is specifically tailored for license-exempt family, friend, or neighbor providers.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Colorado has been committed to reducing the burdens placed  
5 on families seeking child care assistance and child care providers serving  
6 children through the Colorado child care assistance program;

7 (b) Currently, there are too many families who need child care and

1 do not have access, and this problem is especially acute for families in  
2 under-resourced neighborhoods;

3 (c) Federal funding from the American Rescue Plan Act infused  
4 an unprecedented amount of money into Colorado's child care system and  
5 created additional policy flexibility that provided stability and access for  
6 families across the state; and

7 (d) Administrative burdens serve as unnecessary hurdles for  
8 families to access the child care they need.

9 (2) Therefore, the general assembly determines it is necessary to:

10 (a) Make the recent policy changes made as a result of the  
11 American Rescue Plan Act permanent;

12 (b) Simplify the application process for applying for child care  
13 assistance;

14 (c) Authorize presumptive eligibility for child care assistance;

15 (d) Increase affordability of child care; and

16 (e) Improve payment practices to increase provider financial  
17 stability.

18 **SECTION 2.** In Colorado Revised Statutes, 26.5-1-110, **add** (3)  
19 as follows:

20 **26.5-1-110. Unified application - child care, services, and**  
21 **education.** (3) A COUNTY DEPARTMENT SHALL NOT ADD ADDITIONAL  
22 ELIGIBILITY OR REDETERMINATION CRITERIA OR PROCESSES, SUCH AS AN  
23 INTERVIEW OR ORIENTATION, TO THE APPLICATION.

24 **SECTION 3.** In Colorado Revised Statutes, 26.5-4-103, **amend**  
25 (1); and **add** (1.5) as follows:

26 **26.5-4-103. Definitions.** As used in this part 1, unless the context  
27 otherwise requires:

1 (1) ~~"Child care assistance program" or "CCCAP" means the public~~  
2 ~~assistance program for child care known as the Colorado child care~~  
3 ~~assistance program established in this part~~ † "APPLICANT" MEANS AN  
4 INDIVIDUAL OR A FAMILY WHO SUBMITS AN APPLICATION TO THE  
5 COLORADO CHILD CARE ASSISTANCE PROGRAM.

6 (1.5) "CHILD CARE ASSISTANCE PROGRAM" OR "CCCAP" MEANS  
7 THE PUBLIC ASSISTANCE PROGRAM FOR CHILD CARE KNOWN AS THE  
8 COLORADO CHILD CARE ASSISTANCE PROGRAM ESTABLISHED IN THIS PART  
9 1.

10 **SECTION 4.** In Colorado Revised Statutes, 26.5-4-106, **amend**  
11 (1)(b), (1)(c) introductory portion, (1)(c)(II), (2)(a), and (2)(c); and **add**  
12 (1)(d), (1.5), and (6) as follows:

13 **26.5-4-106. Applications for child care assistance -**  
14 **applications for child care employees - verification - award - not**  
15 **assignable - limitation - rules.** (1) (b) The department rules ~~may~~ MUST  
16 provide for a simplified STATEWIDE UNIVERSAL application ~~in order that~~  
17 so child care assistance may be furnished to eligible persons as soon as  
18 possible and ~~shall~~ MUST provide adequate safeguards and controls to  
19 ensure that only eligible persons receive child care assistance ~~under~~  
20 PURSUANT TO this part 1. THE APPLICATION MUST SPECIFY INCOME  
21 ELIGIBILITY LEVELS BY INCOME PERCENTAGE AND BY MONTHLY INCOME  
22 FOR FAMILIES TO USE BEFORE APPLYING. The unified application ~~that the~~  
23 DEVELOPED BY THE department ~~develops~~ pursuant to section 26.5-1-110  
24 must at some point include application for child care assistance through  
25 CCCAP.

26 (c) A person seeking child care assistance ~~must~~ SHALL submit an  
27 application in accordance with department rule, and the department shall

1 ensure that the application is routed to the applicant's county of residence.  
2 EARLY CARE AND EDUCATION PROVIDERS AND EMPLOYEES OF EARLY CARE  
3 AND EDUCATION PROVIDERS WHO ARE SEEKING CHILD CARE ASSISTANCE  
4 SHALL ALSO SUBMIT AN APPLICATION INDICATING THEIR ELIGIBILITY AS A  
5 PROVIDER IN ACCORDANCE WITH SUBSECTION (1.5) OF THIS SECTION. An  
6 application for child care assistance must:

7 (II) ~~Include the name, age, and residence of the applicant and a~~  
8 ~~statement of the amount of property, both real and personal, in which the~~  
9 ~~applicant has an interest and of all income the applicant may have at the~~  
10 ~~time of the filing of the application~~ THE APPLICANT'S CURRENT  
11 RESIDENCY; THE AGE AND IDENTITY OF THE CHILD OR CHILDREN FOR  
12 WHOM CARE IS REQUESTED; LOW-INCOME ELIGIBLE ACTIVITY; INCOME;  
13 SCHEDULE, IF NONTRADITIONAL-CARE HOURS ARE REQUESTED AT THE  
14 TIME OF APPLICATION OR REDETERMINATION; INCAPACITATION, IF  
15 APPLICABLE; and such other information as may be required by  
16 department rule ~~and~~ THAT IS NECESSARY TO DETERMINE ELIGIBILITY. THE  
17 DEPARTMENT SHALL NOT REQUEST THAT THE APPLICANT PROVIDE  
18 IMMUNIZATION HISTORY OR CHILD CARE PROVIDER PREFERENCES, EXCEPT  
19 WHEN UTILIZING A QUALIFIED LICENSE-EXEMPT PROVIDER. CUSTODY  
20 ARRANGEMENTS SHALL NOT BE INCLUDED ON THE APPLICATION OR  
21 OTHERWISE COLLECTED TO DETERMINE ELIGIBILITY FOR CCCAP.

22 (d) A COUNTY DEPARTMENT SHALL NOT ADD ADDITIONAL  
23 ELIGIBILITY OR REDETERMINATION CRITERIA OR PROCESSES, SUCH AS AN  
24 INTERVIEW OR ORIENTATION, TO THE APPLICATION.

25 (1.5) (a) THE DEPARTMENT SHALL INCLUDE A QUESTION ON THE  
26 APPLICATION FOR SELF-ATTESTATION BY EARLY CARE AND EDUCATION  
27 PROVIDERS AND EMPLOYEES OF EARLY CARE AND EDUCATION PROVIDERS.

1 (b) IF THE DEPARTMENT VERIFIES THAT THE APPLICANT IS AN  
2 EARLY CARE AND EDUCATION PROVIDER OR AN EMPLOYEE OF A EARLY  
3 CARE AND EDUCATION PROVIDER, THE DEPARTMENT SHALL PROVIDE FULL  
4 CHILD CARE ASSISTANCE THROUGH CCCAP TO THE APPLICANT FOR ANY  
5 CHILD FROM SIX WEEKS OF AGE TO THIRTEEN YEARS OF AGE AS LONG AS  
6 THE APPLICANT REMAINS EMPLOYED WITH A PROVIDER.

7 (c) THE DEPARTMENT SHALL DETERMINE WHETHER AN EARLY  
8 CARE AND EDUCATION PROVIDER OR EMPLOYEES OF EARLY CARE AND  
9 EDUCATION PROVIDERS ARE ELIGIBLE FOR CCCAP UNDER FEDERAL  
10 ELIGIBILITY GUIDELINES. FOR EARLY CARE AND EDUCATION PROVIDERS OR  
11 EMPLOYEES OF EARLY CARE AND EDUCATION PROVIDERS THAT ARE NOT  
12 ELIGIBLE BASED ON FEDERAL ELIGIBILITY GUIDELINES, ONLY STATE AND  
13 LOCAL FUNDING MAY BE USED TO PROVIDE FULL CHILD CARE ASSISTANCE  
14 TO THE APPLICANT FOR ANY CHILD FROM SIX WEEKS TO THIRTEEN YEARS  
15 OF AGE.

16 (2)(a) When a county department receives an application for child  
17 care assistance, it shall promptly make a record concerning the  
18 circumstances of the applicant to verify the facts supporting the  
19 application and shall examine all pertinent records. ~~and shall make a~~  
20 ~~diligent effort to examine all records prior to granting assistance.~~ The  
21 county department shall also verify ~~such~~ ANY other information ~~as may~~  
22 ~~be~~ required by department rule.

23 (c) ~~If the information is reasonably available,~~ The county  
24 department shall ~~complete~~ PRESUME ELIGIBILITY FOR ALL APPLICANTS  
25 THROUGH SELF-ATTESTATION IF APPLICANTS ARE IN AN ELIGIBLE ACTIVITY  
26 AND INCOME-ELIGIBLE. THE COUNTY SHALL APPROVE OR CONTINUE CHILD  
27 CARE ASSISTANCE WHILE COMPLETING the verification ~~before approving~~

1 ~~or continuing child care assistance~~ FOR UP TO NINETY DAYS.

2 (6) THE EXECUTIVE DIRECTOR SHALL PROMULGATE RULES FOR THE  
3 IMPLEMENTATION OF THIS SECTION.

4 **SECTION 5.** In Colorado Revised Statutes, 26.5-4-107, **amend**  
5 (1) as follows:

6 **26.5-4-107. Reconsideration and changes.** (1) A county  
7 department shall reconsider child care assistance awarded pursuant to this  
8 part 1 as frequently as and in the manner required by department rules.  
9 After ~~such~~ further verification and record as the county department ~~may~~  
10 ~~deem~~ DEEMS necessary or department rules may require, the amount of  
11 child care assistance provided may be changed ~~or child care assistance~~  
12 ~~may be~~ OR terminated, if the department or the county department finds  
13 that the recipient's circumstances have altered sufficiently to warrant such  
14 action or if changes in state or federal law have been made that would  
15 warrant such action. A COUNTY DEPARTMENT SHALL ONLY REQUIRE AND  
16 COLLECT, BY UTILIZING A PRE-POPULATED APPLICATION, ANY  
17 DOCUMENTATION THAT HAS CHANGED SINCE THE RECIPIENT'S PREVIOUS  
18 APPLICATION PROCESS AND THAT IS NECESSARY TO DETERMINE THE  
19 RECIPIENT'S CONTINUED ELIGIBILITY.

20 **SECTION 6.** In Colorado Revised Statutes, 26.5-4-109, **add** (5)  
21 as follows:

22 **26.5-4-109. Provider rates - provider recruitment - provider**  
23 **disqualification.** (5) AN EARLY CARE AND EDUCATION PROVIDER IS  
24 INELIGIBLE TO RECEIVE REIMBURSEMENT IF IT EMPLOYS A PERSON  
25 CONVICTED OF:

- 26 (a) FELONY CHILD ABUSE, AS DESCRIBED IN SECTION 18-6-401;  
27 (b) MURDER IN THE FIRST DEGREE, AS DESCRIBED IN SECTION

1 18-3-102; MURDER IN THE SECOND DEGREE, AS DESCRIBED IN SECTION  
2 18-3-103; MANSLAUGHTER, AS DESCRIBED IN SECTION 18-3-104;  
3 CRIMINALLY NEGLIGENT HOMICIDE, AS DESCRIBED IN SECTION 18-3-105;  
4 OR VEHICULAR HOMICIDE, AS DESCRIBED IN SECTION 18-3-106;

5 (c) KIDNAPPING IN THE FIRST OR SECOND DEGREE, AS DESCRIBED  
6 IN SECTIONS 18-3-301 AND 18-3-302; OR FELONY FALSE IMPRISONMENT,  
7 AS DESCRIBED IN SECTION 18-3-303;

8 (d) A FELONY CRIME OF VIOLENCE ENHANCER, AS DEFINED IN  
9 SECTION 18-1.3-406 (2)(a)(I), EXCLUDING THE CONVICTION OF ESCAPE;

10 (e) AN OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR, AS  
11 DEFINED IN SECTION 16-22-102 (9), INCLUDING SEXUAL EXPLOITATION OF  
12 A CHILD, HUMAN TRAFFICKING FOR SEXUAL SERVITUDE, AND HUMAN  
13 TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE;

14 (f) A FELONY, THE UNDERLYING FACTUAL BASIS OF WHICH HAS  
15 BEEN FOUND BY A COURT TO INCLUDE AN ACT OF DOMESTIC VIOLENCE, AS  
16 DEFINED IN SECTION 18-6-800.3 (1), WITHIN THE PRECEDING FIVE YEARS;

17 (g) A FELONY INVOLVING PHYSICAL ASSAULT, AS DESCRIBED IN  
18 SECTION 18-3-202 OR 18-3-203, WITHIN THE PRECEDING FIVE YEARS;

19 (h) A PATTERN OF MISDEMEANOR CONVICTIONS RELATED TO  
20 DOMESTIC VIOLENCE WITHIN THE PRECEDING FIVE YEARS; OR

21 (i) AN OFFENSE IN ANY OTHER STATE, THE ELEMENTS OF WHICH  
22 ARE SUBSTANTIALLY SIMILAR TO THE ELEMENTS OF ANY ONE OF THE  
23 OFFENSES DESCRIBED IN SUBSECTIONS (5)(a) TO (5)(i) OF THIS SECTION.

24 **SECTION 7.** In Colorado Revised Statutes, 26.5-4-111, **amend**  
25 (1), (2)(a), (4)(a)(I), (4)(b), (4)(c), (7)(d), and (12)(a); and **add** (15) as  
26 follows:

27 **26.5-4-111. Services - eligibility - assistance provided - waiting**



1 **lists - rules - exceptions from cooperating with child support**

2 **establishment.** (1) Subject to available appropriations and pursuant to  
3 department rules promulgated for the implementation of this part 1, a  
4 county shall provide child care assistance to a participant or any person  
5 or family whose income is not more than one hundred eighty-five percent  
6 of the federal poverty level. Subject to available appropriations and as  
7 necessary to comply with federal law or to align eligibility across early  
8 care and education programs specifically to meet the early care and  
9 education, income security, and child welfare needs of similar populations  
10 and as allowed by federal regulations, the executive director by rule may  
11 adjust the percentage of the federal poverty level used to determine child  
12 care assistance eligibility and shall revise income and verification  
13 requirements that promote alignment and simplification WITH THE  
14 COLORADO UNIVERSAL PRESCHOOL PROGRAM.

15 (2) (a) A county may provide child care assistance for any family  
16 whose income at initial determination exceeds the requirements of  
17 subsection (1) of this section but does not exceed the maximum federal  
18 level for eligibility for services of eighty-five percent of the state median  
19 income for a family of the same size if it is serving all eligible families  
20 who have applied for CCCAP and whose income level is below that  
21 requirement. A COUNTY SHALL EXCLUDE STATE AND FEDERAL ASSISTANCE  
22 PROGRAM INCOME IN ELIGIBILITY DETERMINATIONS.

23 (4) (a) (I) A recipient of child care assistance through CCCAP is  
24 responsible for paying a portion of the recipient's child care costs based  
25 upon the recipient's income and the formula developed by department  
26 rule. THE DEPARTMENT AND COUNTIES SHALL PROVIDE PARENT FEE  
27 INFORMATION IN A VARIETY OF DISSEMINATION METHODS SUCH AS

1 WEBSITES, MASS MEDIA, PAPER FORMS AND BROCHURES, AND TARGETED  
2 OUTREACH. THE INFORMATION MUST INCLUDE A CLEAR DEFINITION OF THE  
3 PARENT FEE; HOW PARENT FEES ARE CALCULATED; PARENT FEE POLICIES,  
4 SUCH AS WHEN THEY MUST BE PAID; THE PARENT FEE AND SLIDING FEE  
5 SCALE; HOW PARENTS AND PROVIDERS WERE ENGAGED IN THE PROCESS  
6 FOR DETERMINING THE PARENT FEE AND SLIDING FEE SCALE; AND A  
7 DESCRIPTION OF HOW PARENT FEES MIGHT DIFFER BASED ON THE PROVIDER  
8 THAT A FAMILY SELECTS. PARENT FEE SLIDING SCALES SHOULD BE  
9 PRESENTED IN A CLEAR, ACCESSIBLE FORMAT. THE INFORMATION MUST  
10 ALSO BE ACCESSIBLE IN LANGUAGES OTHER THAN ENGLISH AND SPANISH,  
11 BASED ON THE POPULATIONS THE DEPARTMENT AND COUNTIES SERVE.

12 (b) The executive director by rule shall establish, and at least  
13 every five years review and revise, as appropriate, a copayment schedule  
14 so that the copayment gradually increases as the family income  
15 approaches self-sufficiency income levels, BUT MUST BE NO GREATER  
16 THAN SEVEN PERCENT OF THE FAMILY'S GROSS MONTHLY INCOME AS  
17 DETERMINED BASED ON ONE MONTH OF INCOME; HOWEVER, IF A FEDERAL  
18 RULE LIMITS COPAYMENTS TO LESS THAN SEVEN PERCENT OF THE FAMILY'S  
19 GROSS MONTHLY INCOME, THE DEPARTMENT SHALL IMMEDIATELY COMPLY  
20 WITH THE FEDERAL LIMIT. This revised copayment schedule should allow  
21 families to retain a portion of their increases in income.

22 (c) A participant who is employed shall pay a portion of the  
23 participant's income for child care assistance under CCCAP. The  
24 participant's required copayment pursuant to the provisions of this  
25 subsection (4)(c) ~~must be~~ IS determined by a formula established by  
26 department rule that takes into consideration the factors set forth in  
27 subsections (4)(a) and (4)(b) of this section. THE PARTICIPANT'S

1 EMPLOYER MAY PAY THE PARTICIPANT'S COPAYMENT AT THE  
2 PARTICIPANT'S COPAYMENT RATE.

3 (7) (d) ~~Subject to available appropriations and~~ Pursuant to  
4 department rules promulgated for the implementation of this part 1, a  
5 parent who is enrolled in a postsecondary education program or a  
6 workforce training program is eligible for CCCAP for at least any two  
7 years of the postsecondary education or workforce training program,  
8 provided all other CCCAP eligibility requirements are met during those  
9 two years. On and after ~~July 1, 2023~~ JULY 1, 2024, a county may ~~only~~ NOT  
10 give priority for services to a working family over a family enrolled in  
11 postsecondary education or workforce training. ~~if the county does not~~  
12 ~~have sufficient funding and has received approval from the department~~  
13 ~~before implementing the prioritization.~~

14 (12) Each county:

15 (a) Upon notification to counties by the department that the  
16 relevant case management systems, including the Colorado child care  
17 automated tracking system, are capable of accommodating this subsection  
18 (12)(a), and pursuant to department rules, in addition to regular provider  
19 reimbursement rates, shall pay providers for care in alignment with  
20 common practices in the private market for child care, INCLUDING PAYING  
21 PROVIDERS A WEEKLY RATE FOR EACH CHILD BASED ON CHILD  
22 ENROLLMENT IN ADVANCE OF THE PROVISION OF SERVICES. The  
23 department rules governing payment policies must allow daily  
24 reimbursement rates only for drop-in child care, back-up child care, and  
25 care that is commonly paid on a daily reimbursement basis in the child  
26 care market and must incentivize providers to promote regular program  
27 attendance. THE DEPARTMENT AND COUNTY DEPARTMENTS SHALL UTILIZE

1 GRANTS AND CONTRACTS FOR UNDERSERVED POPULATIONS, INCLUDING  
2 INFANTS AND TODDLERS, CHILDREN WITH DISABILITIES, AND FAMILIES  
3 NEEDING NONTRADITIONAL-HOUR CARE, TO IMPROVE EQUITABLE ACCESS  
4 FOR THESE POPULATIONS. THE DEPARTMENT SHALL ANNUALLY EVALUATE  
5 DATA REGARDING THE NUMBERS AND PERCENTAGES OF UNDERSERVED  
6 POPULATIONS BEING SERVED BY CCCAP TO DETERMINE IF EQUITABLE  
7 ACCESS IS IMPROVED OR ACHIEVED. A PROVIDER MAY CHARGE A COUNTY  
8 DEPARTMENT MORE THAN THE PROVIDER'S ESTABLISHED PRIVATE PAY  
9 RATES. THE EXECUTIVE DIRECTOR SHALL PROMULGATE RULES FOR THE  
10 IMPLEMENTATION OF THIS SUBSECTION (12).

11 (15) AN APPLICANT CAN SATISFY THE ELIGIBLE ACTIVITY CRITERIA  
12 FOR UP TO ONE YEAR BY PARTICIPATING IN A SUBSTANCE USE DISORDER  
13 PROGRAM THROUGH JOB TRAINING. AN APPLICANT CAN SATISFY THE  
14 ELIGIBLE ACTIVITY CRITERIA THROUGH PARTICIPATING IN A JOB TRAINING  
15 PROGRAM OR EDUCATIONAL TRAINING.

16 **SECTION 8.** In Colorado Revised Statutes, 26.5-4-112, **amend**  
17 (1) as follows:

18 **26.5-4-112. Exemptions - requirements.** (1) ~~Notwithstanding~~  
19 ~~any provision of section 26.5-4-111 to the contrary, an exempt family~~  
20 ~~child care home provider, as defined in section 26.5-5-303, is not eligible~~  
21 ~~to receive child care assistance money through CCCAP if the provider~~  
22 ~~fails to meet the criteria established in section 26.5-5-326~~ THE  
23 DEPARTMENT SHALL CREATE A PROCESS FOR AN UNLICENSED PROVIDER TO  
24 SEEK LICENSE-EXEMPT STATUS AND ESTABLISHMENT AS AN ELIGIBLE  
25 CCCAP PROVIDER SEPARATE AND DISTINCT FROM THE PARENT-INITIATED  
26 PROCESS.

27 **SECTION 9.** In Colorado Revised Statutes, 26.5-4-115, **amend**

1 (1)(a) as follows:

2 **26.5-4-115. Performance contracts.** (1) (a) Each county, either  
3 acting singly or with a group of counties, shall enter into an annual  
4 performance contract with the department that identifies the county's or  
5 group of counties' and the department's duties and responsibilities in  
6 implementing the child care assistance program, INCLUDING QUALITY  
7 CUSTOMER SERVICE TO CLIENTS. The performance contract must include,  
8 but need not be limited to, requirements and provisions that address each  
9 party's duties and responsibilities to work in a collaborative manner to  
10 administer, financially support, and implement the child care assistance  
11 program using fair and objective criteria.

12 **SECTION 10.** In Colorado Revised Statutes, **add** 26.5-4-120 as  
13 follows:

14 **26.5-4-120. Statewide reimbursement evaluation.** THE  
15 DEPARTMENT SHALL CONDUCT OR CONTRACT FOR AN EVALUATION  
16 DETAILING THE COSTS AND BENEFITS OF IMPLEMENTING A STATE LEVEL  
17 REIMBURSEMENT PROCESS. THE EVALUATION MUST BE COMPLETED AND  
18 REPORTED TO THE HOUSE OF REPRESENTATIVES EDUCATION COMMITTEE  
19 AND THE SENATE EDUCATION COMMITTEE, OR THEIR SUCCESSOR  
20 COMMITTEES, ON OR BEFORE DECEMBER 1, 2024.

21 **SECTION 11.** In Colorado Revised Statutes, **add** part 4 to article  
22 4 of title 26.5 as follows:

23 PART 4

24 CHILD AND ADULT CARE FOOD PROGRAM

25 **26.5-4-401. Child and adult care food program - eligibility for**  
26 **family, friend, and neighbor providers.** (1) THE DEPARTMENT SHALL  
27 ADMINISTER THE CHILD AND ADULT CARE FOOD PROGRAM.

1           (2) A PARTICIPANT'S ELIGIBILITY IN THE CHILD AND ADULT CARE  
2 FOOD PROGRAM MUST NOT BE BASED ON BEING QUALIFIED AS EXEMPT IN  
3 THE COLORADO CHILD CARE ASSISTANCE PROGRAM.

4           (3) THE DEPARTMENT SHALL DEVELOP, IMPLEMENT, AND OVERSEE  
5 AN ALTERNATIVE ELIGIBILITY PROCESS FOR PARTICIPATION IN THE CHILD  
6 AND ADULT CARE FOOD PROGRAM THAT IS SPECIFICALLY TAILORED FOR  
7 LICENSE-EXEMPT FAMILY, FRIEND, OR NEIGHBOR PROVIDERS, AS  
8 DESCRIBED IN SECTION 26.5-3-808. THE DEPARTMENT SHALL WORK WITH  
9 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO DEVELOP  
10 GUIDELINES AND PROTOCOLS FOR THE IMPLEMENTATION OF THE  
11 ALTERNATIVE ELIGIBILITY PROCESS TO ENSURE ADEQUATE OVERSIGHT  
12 WITHOUT CREATING UNDUE ADMINISTRATIVE BURDENS FOR  
13 LICENSE-EXEMPT FAMILY, FRIEND, OR NEIGHBOR PROVIDERS.

14           (4) THE DEPARTMENT SHALL DEFINE A SIMPLIFIED SET OF  
15 ELIGIBILITY CRITERIA FOR LICENSE-EXEMPT FAMILY, FRIEND, OR NEIGHBOR  
16 PROVIDERS TO ACCESS CHILD AND ADULT CARE FOOD PROGRAM BENEFITS,  
17 FOCUSING ON ENSURING THE NUTRITIONAL WELL-BEING OF CHILDREN IN  
18 THE PROVIDER'S CARE WHILE MINIMIZING ADMINISTRATIVE BARRIERS. THE  
19 CRITERIA MAY INCLUDE:

- 20           (a) COMPLIANCE WITH BASIC HEALTH AND SAFETY STANDARDS;
- 21           (b) VERIFICATION OF BACKGROUND CHECKS FOR ADULTS IN THE  
22 HOUSEHOLD INTERACTING WITH CHILDREN; AND
- 23           (c) ATTENDANCE AT A BRIEF ORIENTATION OR TRAINING ON  
24 NUTRITION STANDARDS AND PROGRAM GUIDELINES.

25           **SECTION 12. Safety clause.** The general assembly finds,  
26 determines, and declares that this act is necessary for the immediate  
27 preservation of the public peace, health, or safety or for appropriations for

- 1 the support and maintenance of the departments of the state and state
- 2 institutions.