

CHAPTER 308

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 16-1425

BY REPRESENTATIVE(S) Hamner, Becker K., Brown, Conti, Duran, Fields, Ginal, Lebsack, Lontine, Mitsch Bush, Pabon, Pettersen, Tyler, Windholz, Winter, Hullinghorst; also SENATOR(S) Roberts, Aguilar, Guzman, Heath, Kefalas, Merrifield.

AN ACT**CONCERNING THE REQUIREMENT FOR A LICENSED CHILD CARE CENTER TO OBTAIN RECORDS FOR A CHILD ENROLLED IN THE CENTER ON A SHORT-TERM BASIS.**

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

SECTION 1. In Colorado Revised Statutes, 25-4-901, **amend** (2) (a) and (3) as follows:

25-4-901. Definitions. As used in this part 9, unless the context otherwise requires:

(2) (a) "School" means, except as otherwise provided in paragraph (b) of this subsection (2), a public, private, or parochial nursery school, day care center, child care facility OR CHILD CARE CENTER AS DEFINED IN SECTION 26-6-102 (1.5), C.R.S., family child care home, foster care home, head start program, kindergarten, elementary or secondary school through grade twelve, or college or university.

(3) "Student" means any person enrolled in a Colorado school OR CHILD CARE CENTER as defined in subsection (2) of this section. "STUDENT" DOES NOT INCLUDE A CHILD WHO ENROLLS AND ATTENDS A LICENSED CHILD CARE CENTER, AS DEFINED IN SECTION 26-6-102 (1.5), C.R.S., WHICH IS LOCATED AT A SKI AREA, FOR UP TO FIFTEEN DAYS OR LESS IN A FIFTEEN-CONSECUTIVE-DAY PERIOD, NO MORE THAN TWICE IN A CALENDAR YEAR, WITH EACH FIFTEEN-CONSECUTIVE-DAY PERIOD SEPARATED BY AT LEAST SIXTY DAYS.

SECTION 2. In Colorado Revised Statutes, 25-4-902, **amend** (1) as follows:

25-4-902. Immunization prior to attending school - standardized

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

immunization information. (1) Except as provided in section 25-4-903, ~~no child shall~~ A STUDENT SHALL NOT attend any school in the state of Colorado on or after the dates specified in section 25-4-906 (4) unless he or she has presented the following to the appropriate school official:

(a) An up-to-date certificate of immunization from a licensed physician, a licensed advanced practice nurse, or authorized representative of the department of public health and environment or county, district, or municipal public health agency stating that the ~~child~~ STUDENT has received immunization against communicable diseases as specified by the state board of health, based on recommendations of the advisory committee on immunization practices of the United States department of health and human services or the American academy of pediatrics; or

(b) A written authorization signed by one parent or guardian or an authorization signed by the emancipated ~~child~~ STUDENT requesting that local health officials administer the immunizations.

(e) (Deleted by amendment, L. 97, p. 408, § 1, effective July 1, 1997.)

SECTION 3. In Colorado Revised Statutes, 26-6-106, **amend** (2) introductory portion and (2) (n) introductory portion; and **add** (2) (n.5) as follows:

26-6-106. Standards for facilities and agencies - rules. (2) Standards prescribed by such rules ~~shall be~~ ARE restricted to:

(n) EXCEPT AS PROVIDED FOR IN PARAGRAPH (n.5) OF THIS SUBSECTION (2), provisions that ensure that ~~verification in accordance with part 9 of article 4 of title 25, C.R.S., is undertaken by~~ family child care homes, foster care homes, and child care centers ~~ensuring~~ VERIFY, IN ACCORDANCE WITH PART 9 OF ARTICLE 4 OF TITLE 25, C.R.S., that each child has received appropriate immunizations against contagious diseases as follows:

(n.5) PROVISIONS THAT ALLOW ANY CHILD CARE CENTER THAT ALLOWS ANY CHILD TO ENROLL AND ATTEND THE CENTER ON A SHORT-TERM BASIS OF UP TO FIFTEEN DAYS IN A FIFTEEN-CONSECUTIVE-DAY PERIOD, NO MORE THAN TWICE IN A CALENDAR YEAR, WITH EACH FIFTEEN-CONSECUTIVE-DAY PERIOD SEPARATED BY AT LEAST SIXTY DAYS, TO DO SO WITHOUT OBTAINING VERIFICATION OF IMMUNIZATION FOR THAT CHILD, AS PROVIDED FOR IN SECTION 25-4-902, C.R.S. ANY CHILD CARE CENTER THAT CHOOSES TO ALLOW CHILDREN TO ENROLL AND ATTEND ON A SHORT-TERM BASIS PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH (n.5) SHALL PROVIDE NOTIFICATION TO ALL PARENTS THAT THE CHILD CARE CENTER ALLOWS CHILDREN TO ENROLL AND ATTEND ON A SHORT-TERM BASIS WITHOUT OBTAINING PROOF OF IMMUNIZATION.

SECTION 4. 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 10, 2016