

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 16-0859.01 Jane Ritter x4342

HOUSE BILL 16-1183

HOUSE SPONSORSHIP

Buckner,

SENATE SPONSORSHIP

Crowder,

House Committees

Public Health Care & Human Services

Senate Committees

Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING ALIGNING CHANGES MADE TO THE FEDERAL CHILD CARE**
102 **AND DEVELOPMENT BLOCK GRANT REAUTHORIZATION OF 2014**
103 **TO THE COLORADO CHILD CARE ASSISTANCE PROGRAM.**

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://www.leg.state.co.us/billsummaries>.)

The bill aligns state statute with changes in federal law related to the Colorado child care assistance program (CCCAP). The state law is modified to specify that a child receiving CCCAP supports continues to be eligible for those supports for an entire 12-month period before

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
3rd Reading Unamended
March 30, 2016

SENATE
Amended 2nd Reading
March 29, 2016

HOUSE
3rd Reading Unamended
March 8, 2016

HOUSE
2nd Reading Unamended
March 7, 2016

eligibility is redetermined, as long as the child's family income remains below 85% of the state median income for that family size, as required by federal law.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-2-805, amend (2)
3 and (7) (b) as follows:

4 **26-2-805. Services - eligibility - assistance provided - waiting**
5 **lists - rules.** (2) (a) The county may provide child care assistance for any
6 other family whose income MEETS THE REQUIREMENTS OF SUBSECTION (1)
7 OF THIS SECTION BUT does not exceed THE MAXIMUM FEDERAL LEVEL FOR
8 ELIGIBILITY FOR SERVICES OF eighty-five percent of the state median
9 income for a family of the same size. Upon notification to counties by the
10 state department that the relevant human services case management
11 systems, including the Colorado child care automated tracking system, are
12 capable of accommodating this subsection (2), and for a participant or a
13 person or family whose income rises to the level set by the county at
14 which the county may deny the participant, person, or family child care
15 assistance, the county shall immediately notify the family that it is no
16 longer eligible for CCCAP and continue to provide the current CCCAP
17 subsidy to that family for no less than ninety days while the family makes
18 appropriate arrangements for child care. The county is strongly
19 encouraged to continue to provide child care assistance for a period of six
20 months; except that in no event shall child care assistance be provided if
21 the income exceeds the maximum level for eligibility for services set by
22 federal law for a family of the same size. During the six-month period the
23 county shall work with the participant, person, or family to provide a
24 gradual transition off child care assistance provided pursuant to this

1 subsection (2):

2 (b) IF, DURING A PARTICIPANT'S, PERSON'S, OR FAMILY'S
3 TWELVE-MONTH ELIGIBILITY PERIOD, THE PARTICIPANT'S, PERSON'S, OR
4 FAMILY'S INCOME RISES TO THE LEVEL SET BY THE COUNTY AT WHICH THE
5 COUNTY MAY DENY SUCH PARTICIPANT, PERSON, OR FAMILY CHILD CARE
6 ASSISTANCE, THE COUNTY SHALL CONTINUE PROVIDING THE CURRENT
7 CCCAP SUBSIDY UNTIL THAT PARTICIPANT'S, PERSON'S, OR FAMILY'S NEXT
8 TWELVE-MONTH REDETERMINATION.

9 (c) IF, AT THE TIME OF A PARTICIPANT'S, PERSON'S, OR FAMILY'S
10 TWELVE-MONTH ELIGIBILITY REDETERMINATION, THE PARTICIPANT'S,
11 PERSON'S, OR FAMILY'S INCOME RISES TO OR ABOVE THE LEVEL SET BY THE
12 COUNTY AT WHICH THE COUNTY MAY DENY CHILD CARE ASSISTANCE, OR
13 IF THAT INCOME LEVEL RISES ABOVE THE MAXIMUM FEDERAL ELIGIBILITY
14 LEVEL OF EIGHTY-FIVE PERCENT OF THE STATE MEDIAN INCOME FOR A
15 FAMILY OF THE SAME SIZE, THE COUNTY SHALL IMMEDIATELY NOTIFY THE
16 PARTICIPANT, PERSON, OR FAMILY THAT IT IS NO LONGER ELIGIBLE FOR
17 CCCAP, BUT MAY BE PROVIDED TRANSITION CCCAP BENEFITS PURSUANT
18 TO THE PROVISIONS OF PARAGRAPHS (d) AND (e) OF THIS SUBSECTION (2).

19 (d) EXCEPT AS PROVIDED FOR IN PARAGRAPH (e) OF THIS
20 SUBSECTION (2), THE COUNTY SHALL CONTINUE TO PROVIDE THE CURRENT
21 CCCAP SUBSIDY TO A PARTICIPANT, PERSON, OR FAMILY WHO HAS LOST
22 ELIGIBILITY PURSUANT TO ___ THIS SUBSECTION (2) FOR A PERIOD OF NO
23 LESS THAN NINETY DAYS FROM THE TIME OF NOTIFICATION TO ALLOW THE
24 PARTICIPANT, PERSON, OR FAMILY TO MAKE APPROPRIATE ALTERNATIVE
25 ARRANGEMENTS FOR CHILD CARE. ADDITIONALLY, THE COUNTY IS
26 STRONGLY ENCOURAGED TO CONTINUE TO PROVIDE CHILD CARE
27 ASSISTANCE FOR A PERIOD OF SIX MONTHS FROM THE TIME OF

1 NOTIFICATION. DURING THE SIX-MONTH PERIOD THE COUNTY SHALL WORK
2 WITH THE PARTICIPANT, PERSON, OR FAMILY TO PROVIDE A GRADUAL
3 TRANSITION OFF CHILD CARE ASSISTANCE PROVIDED PURSUANT TO THIS
4 SUBSECTION (2).

5 (e) NOTWITHSTANDING ANY ELIGIBILITY LEVEL SET BY A COUNTY
6 PURSUANT TO THIS SECTION, UNDER NO CIRCUMSTANCE MAY A COUNTY
7 PROVIDE CHILD CARE ASSISTANCE PURSUANT TO THIS SECTION IF THE
8 PARTICIPANT'S, PERSON'S, OR FAMILY'S INCOME EXCEEDS THE MAXIMUM
9 LEVEL FOR ELIGIBILITY FOR SERVICES SET BY FEDERAL LAW OF
10 EIGHTY-FIVE PERCENT OF THE STATE MEDIAN INCOME FOR A FAMILY OF
11 THE SAME SIZE.

12 (7)(b) If a county reduces its income eligibility requirements, THE
13 COUNTY SHALL CONTINUE TO ENROLL a child enrolled in CCCAP when
14 the change is implemented ~~must continue to be enrolled in CCCAP~~ until
15 the family's next eligibility redetermination or for six months, whichever
16 is longer.

17 **SECTION 2.** In Colorado Revised Statutes, 26-2-804, **amend** (3)
18 as follows:

19 **26-2-804. Funding - allocation - maintenance of effort.** (3) The
20 moneys in a county block grant allocated to a county pursuant to
21 subsection (1) of this section may only be used for the provision of child
22 care services under rules promulgated by the state board pursuant to this
23 part 8 AS FOLLOWS:

24 (a) FOR THE PROVISION OF CHILD CARE SERVICES UNDER RULES
25 PROMULGATED BY THE STATE BOARD PURSUANT TO THIS PART 8; AND

26 (b) FOR ACTIVITIES TO IMPROVE THE QUALITY OF CHILD CARE, AS
27 DESCRIBED BY THE FEDERAL "CHILD CARE AND DEVELOPMENT BLOCK

1 GRANT ACT OF 2014", PUB.L. 113-186.

2 **SECTION 3. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.