

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0864.01 Megan McCall x4215

HOUSE BILL 24-1237

HOUSE SPONSORSHIP

Bradfield and Lukens,

SENATE SPONSORSHIP

Marchman and Rich,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF PROGRAMS FOR THE DEVELOPMENT**
102 **OF CHILD CARE FACILITIES.**

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 creates 3 new programs to be implemented and administered by the division of housing in the department of local affairs (division). The division is required to adopt policies, procedures, and guidelines for each program on or before November 1, 2024. Each program will be available for 4 years. For each program, collaboration between the division and the department of early childhood is required for

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.

the policies the division develops and adopts to implement the programs. Additionally, the division is required to submit an annual report regarding the programs to specified legislative committees and to the department of early childhood.

The child care facility development toolkit and technical assistance program is created to provide technical assistance from consultants and related professionals to enable interested child care providers, developers, employers, and local governments to understand the technical aspects of planning, developing, building, and co-locating child care facilities. The division must prioritize applications for projects that will meet a demonstrable need for child care in the areas of greatest need across the state and that satisfy one or more purposes of the program. The division is required to annually publish a report regarding the assistance provided under this program and the uses of such assistance by program recipients.

The child care facility development planning grant program is created to incentivize and support local governments in identifying and making regulatory updates or improvements to community planning, development, building, zoning, and other regulatory processes to support the development of child care facilities. The division must develop a menu of recommended policy or regulatory tools, and eligible recipients for the grant must intend to implement one or more of such tools off the menu or identify other local policies or programs to implement to streamline the eligible recipient's regulatory environment for the development of child care facilities. The division must publish a report that contains information regarding the amount of grants distributed and a description of recipients' use of the grants.

The child care facility development capital grant program is created to provide eligible entities, which are local governments or public-private partnerships, with money to construct, remodel, renovate, or retrofit a child care facility to meet a demonstrated need for child care in a local government's community. The state housing board within the division will be utilized by the division to review and make recommendations on grant applications. Grant recipients are required to provide a financial match. The financial match for center-based facilities is 50% and the financial match for home-based facilities is 25%. More weight is given to applications that represent geographic diversity, will serve a high percentage of families below the area's median income, commit to providing a well-compensated staff, co-locate with or repurpose facilities with other uses, plan to serve children in regions with low child care capacity, or plan to serve infants and toddlers. The division must publish a report that contains information regarding the amount of grants distributed and a description of recipients' use of the grants.

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

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

3 (a) According to data compiled by "ReadyNation", the Colorado
4 economy loses approximately \$2.2 billion annually due to a severe
5 shortage of child care, and 51% of all Coloradans, and 53% of rural
6 Coloradans, live in a child care desert;

7 (b) Colorado's economy relies on private child care businesses to
8 support the ability of parents to participate in the workforce, and these
9 businesses struggle to cover their costs while maintaining affordability for
10 parents;

11 (c) Policies and programs that can reduce the cost of facilities for
12 child care businesses by supporting the technical planning, building,
13 construction, and development aspects of child care facility creation will
14 allow the businesses to keep their doors open and to direct funds to other
15 critical areas such as increased wages for staff;

16 (d) Coloradans who seek to build, remodel, or renovate child care
17 facilities face many challenges, and reducing or removing these barriers
18 can help to increase child care capacity in the state;

19 (e) Incentivizing community-level regulatory alignment allows
20 local governments to lead in considering and meeting the unique needs
21 of their communities. Technical assistance and an incentive-based
22 partnership approach with local governments to streamline local
23 regulations have proven to be successful strategies for supporting
24 affordable housing with the affordable housing planning grant program
25 created in House Bill 21-1271;

26 (f) Technical assistance and capital support to increase child care
27 capacity has proven to be successful through the employer-based child

1 care facility grant and employer-based child care design lab programs
2 created in Senate Bill 21-236; and

3 (g) The division of housing within the department of local affairs
4 has experience in administering the programs created in House Bill
5 21-1271 and administering grant programs that require collaboration with
6 and among local governments, developers, and housing partners and is by
7 extension equipped to assist, facilitate, and provide expert assistance in
8 reviewing proposed projects and applications for grants to support the
9 development of child care facilities.

10 **SECTION 2.** In Colorado Revised Statutes, 24-32-705, **amend**
11 (7)(c); and **add** (7)(e), (7)(f), and (7)(g) as follows:

12 **24-32-705. Functions of division.** (7) The division shall
13 administer:

14 (c) Local investments in the transformational affordable housing
15 grant program created in section 24-32-729 (2)(a); **and**

16 (e) THE CHILD CARE FACILITY DEVELOPMENT TOOLKIT AND
17 TECHNICAL ASSISTANCE PROGRAM CREATED IN SECTION 24-32-3702 (2);

18 (f) THE CHILD CARE FACILITY DEVELOPMENT PLANNING GRANT
19 PROGRAM CREATED IN SECTION 24-32-3703 (2)(a); AND

20 (g) THE CHILD CARE FACILITY DEVELOPMENT CAPITAL GRANT
21 PROGRAM CREATED IN SECTION 24-32-3704 (2)(a).

22 **SECTION 3.** In Colorado Revised Statutes, **add** part 37 to article
23 32 of title 24 as follows:

24 PART 37

25 PROGRAMS FOR THE DEVELOPMENT OF
26 CHILD CARE FACILITIES

27 **24-32-3701. Definitions.** AS USED IN THIS PART 37, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 (1) "CHILD CARE CENTER" HAS THE SAME MEANING SET FORTH IN
3 SECTION 26.5-5-303 (3).

4 (2) "CHILD CARE FACILITY" MEANS:

5 (a) A COMMERCIAL OR RESIDENTIAL PROPERTY THAT IS EITHER A
6 NEW OR EXISTING CHILD CARE CENTER OR A NEW OR EXISTING FAMILY
7 CHILD CARE HOME AND THAT IS LICENSED OR IS SEEKING A LICENSE; OR

8 (b) A NEIGHBORHOOD YOUTH ORGANIZATION AS DEFINED IN
9 SECTION 26.5-5-303 (17).

10 (3) "DIVISION" MEANS THE DIVISION OF HOUSING CREATED IN
11 SECTION 24-32-704 (1) WITHIN THE DEPARTMENT OF LOCAL AFFAIRS.

12 (4) "FAMILY CHILD CARE HOME" HAS THE SAME MEANING SET
13 FORTH IN SECTION 26.5-5-303 (7).

14 (5) "LICENSED" HAS THE SAME MEANING AS "LICENSE" SET FORTH
15 IN SECTION 26.5-5-303 (13).

16 (6) "LOCAL GOVERNMENT" MEANS A COUNTY, A MUNICIPALITY, A
17 CITY AND COUNTY, OR A TRIBAL GOVERNMENT.

18 **24-32-3702. Child care facility development toolkit and**
19 **technical assistance program - creation - report - definitions - repeal.**

20 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
21 REQUIRES:

22 (a) "PROGRAM" MEANS THE CHILD CARE FACILITY DEVELOPMENT
23 TOOLKIT AND TECHNICAL ASSISTANCE PROGRAM CREATED IN SUBSECTION
24 (2) OF THIS SECTION.

25 (b) "PROGRAM RECIPIENT" MEANS AN ELIGIBLE RECIPIENT OF AN
26 APPROVED APPLICATION TO RECEIVE ASSISTANCE UNDER THE PROGRAM.

27 (2) THERE IS CREATED IN THE DIVISION THE CHILD CARE FACILITY

1 DEVELOPMENT TOOLKIT AND TECHNICAL ASSISTANCE PROGRAM FOR THE
2 PURPOSES OF CREATING A TOOLKIT FOR THE DEVELOPMENT OF CHILD CARE
3 FACILITIES AND PROVIDING TECHNICAL ASSISTANCE FROM CONSULTANTS
4 AND RELATED PROFESSIONALS TO ENABLE INTERESTED CHILD CARE
5 PROVIDERS, DEVELOPERS, EMPLOYERS, AND LOCAL GOVERNMENTS TO
6 UNDERSTAND THE TECHNICAL ASPECTS OF PLANNING, DEVELOPING,
7 BUILDING, AND CO-LOCATING CHILD CARE FACILITIES.

8 (3) (a) ON OR BEFORE NOVEMBER 1, 2024, THE DIVISION SHALL
9 ADOPT POLICIES AND PROCEDURES FOR THE PROGRAM THAT, AT A
10 MINIMUM, INCLUDE:

11 (I) CRITERIA ESTABLISHING QUALIFICATIONS FOR AN ELIGIBLE
12 RECIPIENT;

13 (II) PROCEDURES AND TIMELINES FOR AN ELIGIBLE RECIPIENT TO
14 APPLY FOR ASSISTANCE UNDER THE PROGRAM;

15 (III) CRITERIA FOR DETERMINING THE AMOUNT OR NATURE OF THE
16 ASSISTANCE THAT A PROGRAM RECIPIENT RECEIVES;

17 (IV) PERFORMANCE CRITERIA FOR PROGRAM RECIPIENTS'
18 PROJECTS; AND

19 (V) REPORTING REQUIREMENTS FOR PROGRAM RECIPIENTS.

20 (b) IN EVALUATING APPLICATIONS FOR ASSISTANCE UNDER THE
21 PROGRAM, THE DIVISION SHALL PRIORITIZE PROJECTS THAT WILL, IN THE
22 DISCRETION OF THE DIVISION, MEET A DEMONSTRABLE NEED FOR CHILD
23 CARE IN THE AREAS OF GREATEST NEED ACROSS THE STATE AND WILL
24 SATISFY ONE OR MORE OF THE PURPOSES OF THE PROGRAM SET FORTH IN
25 SUBSECTION (2) OF THIS SECTION.

26 (c) THE DIVISION SHALL CONSULT WITH THE DEPARTMENT OF
27 EARLY CHILDHOOD, CREATED IN SECTION 26.5-1-104 (1), IN DEVELOPING

1 THE POLICIES AND PROCEDURES REQUIRED TO BE ADOPTED PURSUANT TO
2 SUBSECTION (3)(a) OF THIS SECTION.

3 (4) ON OR BEFORE JANUARY 1, 2026, JANUARY 1, 2027, AND
4 JANUARY 1, 2028, THE DIVISION SHALL PUBLISH A REPORT SUMMARIZING
5 THE ASSISTANCE THAT WAS APPROVED UNDER THE PROGRAM IN THE
6 PRECEDING FISCAL YEAR AND THE USES OF ASSISTANCE BY PROGRAM
7 RECIPIENTS. THE REPORT MAY CONTAIN RECOMMENDATIONS BY THE
8 DIVISION CONCERNING THE FUTURE ADMINISTRATION OF THE PROGRAM.
9 THE REPORT MUST BE SHARED WITH THE HOUSE OF REPRESENTATIVES
10 EDUCATION COMMITTEE, THE HOUSE OF REPRESENTATIVES
11 TRANSPORTATION, HOUSING, AND LOCAL GOVERNMENT COMMITTEE, THE
12 SENATE EDUCATION COMMITTEE, AND THE SENATE LOCAL GOVERNMENT
13 AND HOUSING COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND WITH
14 THE DEPARTMENT OF EARLY CHILDHOOD, AND MUST BE POSTED ON THE
15 DIVISION'S WEBSITE.

16 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2028.

17 **24-32-3703. Child care facility development planning grant**
18 **program - created - report - definitions - repeal.** (1) AS USED IN THIS
19 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

20 (a) "CHILD CARE DEVELOPMENT" MEANS:

21 (I) THE DEVELOPMENT OR CREATION OF A NEW CHILD CARE
22 FACILITY; OR

23 (II) REMODELING OR RETROFITTING AN EXISTING BUILDING OR
24 SPACE TO BE A CHILD CARE FACILITY.

25 (b) "ELIGIBLE RECIPIENT" MEANS A LOCAL GOVERNMENT THAT IS
26 ELIGIBLE TO RECEIVE A GRANT THROUGH THE PROGRAM.

27 (c) "PROGRAM" MEANS THE CHILD CARE FACILITY DEVELOPMENT

1 PLANNING GRANT PROGRAM THAT IS CREATED IN SUBSECTION (2)(a) OF
2 THIS SECTION.

3 (2) (a) THERE IS CREATED IN THE DIVISION THE CHILD CARE
4 FACILITY DEVELOPMENT PLANNING GRANT PROGRAM TO INCENTIVIZE AND
5 SUPPORT LOCAL GOVERNMENTS IN IDENTIFYING AND MAKING
6 REGULATORY UPDATES OR IMPROVEMENTS TO COMMUNITY PLANNING,
7 DEVELOPMENT, BUILDING, ZONING, AND OTHER REGULATORY PROCESSES
8 TO SUPPORT THE DEVELOPMENT OF CHILD CARE FACILITIES. ELIGIBLE
9 RECIPIENTS THAT INTEND TO IMPLEMENT ONE OR MORE OF THE
10 RECOMMENDED POLICY OR REGULATORY TOOLS SET FORTH IN SUBSECTION
11 (3)(c) OF THIS SECTION OR IDENTIFY OTHER LOCAL POLICIES OR PROGRAMS
12 TO IMPLEMENT TO STREAMLINE THE ELIGIBLE RECIPIENT'S REGULATORY
13 ENVIRONMENT FOR DEVELOPMENT OF CHILD CARE FACILITIES AS SET
14 FORTH IN SUBSECTION (3)(b) OF THIS SECTION AND THAT CAN BENEFIT
15 FROM ADDITIONAL FUNDING FOR IMPLEMENTATION MAY RECEIVE GRANTS
16 PURSUANT TO THE PROGRAM. GRANT MONEY MAY BE USED BY AN
17 ELIGIBLE RECIPIENT TO RETAIN CONSULTANTS OR RELATED PROFESSIONAL
18 SERVICES TO ASSESS THE CHILD CARE NEEDS OF ITS COMMUNITY,
19 INCLUDING CONSIDERATIONS OF EQUITY, OR TO MAKE CHANGES TO ITS
20 POLICIES, PROGRAMS, DEVELOPMENT REVIEW PROCESSES, LAND USE
21 CODES, AND RELATED RULES AND REGULATIONS TO PROMOTE
22 DEVELOPMENT OF CHILD CARE FACILITIES.

23 (b) IN ADMINISTERING THE PROGRAM, THE DIVISION SHALL
24 PROVIDE ASSISTANCE TO ELIGIBLE RECIPIENTS ON BEST PRACTICES AND
25 TOOLS FOR INCENTIVIZING THE DEVELOPMENT OF CHILD CARE FACILITIES.

26 (c) THE DIVISION SHALL CONSULT WITH THE DEPARTMENT OF
27 EARLY CHILDHOOD, CREATED IN SECTION 26.5-1-104 (1), IN DEVELOPING

1 THE MENU OF RECOMMENDED POLICY OR REGULATORY TOOLS PURSUANT
2 TO SUBSECTION (3) OF THIS SECTION AND THE POLICIES AND PROCEDURES
3 REQUIRED TO BE ADOPTED PURSUANT TO SUBSECTION (4)(a) OF THIS
4 SECTION.

5 (3) (a) IN CONNECTION WITH THE POLICIES, PROCEDURES, AND
6 GUIDELINES THAT THE DIVISION IS REQUIRED TO ADOPT FOR THE PROGRAM
7 PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION, THE DIVISION SHALL
8 DEVELOP A MENU OF RECOMMENDED POLICY OR REGULATORY TOOLS THAT
9 ELIGIBLE RECIPIENTS CAN ADOPT TO PROMOTE DEVELOPMENT OF CHILD
10 CARE FACILITIES WITHIN THEIR TERRITORIAL BOUNDARIES OR ACROSS
11 THEIR REGION.

12 (b) THE MENU OF RECOMMENDED POLICY OR REGULATORY TOOLS
13 THAT THE DIVISION IS REQUIRED TO DEVELOP PURSUANT TO SUBSECTION
14 (3)(a) OF THIS SECTION MUST INCLUDE KNOWN OR PROMISING BEST
15 PRACTICES. IMPLEMENTATION OF ANY RECOMMENDED POLICY OR
16 REGULATORY TOOLS IS AT THE DISCRETION OF THE ELIGIBLE RECIPIENT
17 BASED ON COMPATIBILITY WITH COMMUNITY NEEDS AND DESIRES.
18 ELIGIBLE RECIPIENTS MAY SELECT FROM THE MENU OF RECOMMENDED
19 POLICY OR REGULATORY TOOLS OR IDENTIFY OTHER LOCAL POLICIES OR
20 PROGRAMS TO STREAMLINE THE ELIGIBLE RECIPIENT'S REGULATORY
21 ENVIRONMENT FOR DEVELOPMENT OF CHILD CARE FACILITIES.

22 (c) (I) THE MENU OF RECOMMENDED POLICY OR REGULATORY
23 TOOLS DEVELOPED BY THE DIVISION PURSUANT TO THIS SUBSECTION (3)
24 MUST SET FORTH STRATEGIES TO PROMOTE DEVELOPMENT OF CHILD CARE
25 FACILITIES INCLUDING:

26 (A) THE USE OF VACANT PUBLICLY OWNED REAL PROPERTY FOR
27 CHILD CARE FACILITY DEVELOPMENT;

1 (B) EXAMINING OR REVISING LOCAL LAND USE POLICIES AND
2 REGULATIONS TO INCENTIVIZE THE DEVELOPMENT OR CREATION OF CHILD
3 CARE FACILITIES;

4 (C) CREATING A LOCAL PUBLIC FUNDING SOURCE DEDICATED TO
5 CHILD CARE FACILITIES;

6 (D) ALIGNING LOCAL RULES AND REGULATIONS, SUCH AS BUILDING
7 CODES OR ZONING CODES, WITH STATE LICENSING REQUIREMENTS; AND

8 (E) ANY OTHER STRATEGIES DETERMINED BY THE DIVISION THAT
9 MEET THE INTENT OF THE PROGRAM FOR ALIGNING AND STREAMLINING
10 THE REGULATORY ENVIRONMENT FOR CHILD CARE TO INCENTIVIZE THE
11 DEVELOPMENT OF CHILD CARE FACILITIES.

12 (II) IN ADDITION TO THE ITEMS THAT THE MENU OF RECOMMENDED
13 POLICY OR REGULATORY TOOLS MAY INCLUDE SET FORTH IN SUBSECTION
14 (3)(c)(I) OF THIS SECTION, DEVELOPMENT OF THE MENU BY THE UNIT MUST
15 ALSO ALLOW FOR THE ADOPTION BY AN ELIGIBLE RECIPIENT OF
16 ADDITIONAL POLICY OR REGULATORY TOOLS THAT PROVIDE NOVEL,
17 CREATIVE, OR INNOVATIVE INCENTIVES FOR THE DEVELOPMENT OF CHILD
18 CARE FACILITIES.

19 (4) (a) ON OR BEFORE SEPTEMBER 1, 2024, THE DIVISION SHALL
20 ADOPT POLICIES, PROCEDURES, AND GUIDELINES FOR THE PROGRAM,
21 INCLUDING:

22 (I) PROCEDURES AND TIMELINES FOR LOCAL GOVERNMENTS TO
23 APPLY FOR GRANTS;

24 (II) CRITERIA FOR EVALUATING APPLICATIONS FOR APPROVAL AND
25 THE AMOUNT OF GRANTS;

26 (III) PERFORMANCE CRITERIA FOR ELIGIBLE RECIPIENTS; AND

27 (IV) REPORTING REQUIREMENTS FOR ELIGIBLE RECIPIENTS.

1 (b) EVALUATION CRITERIA ESTABLISHED PURSUANT TO THIS
2 SUBSECTION (4) MUST INCLUDE FAVORABLE CONSIDERATION FOR
3 APPLICATIONS IN WHICH THE LOCAL GOVERNMENT DEMONSTRATES
4 INTEREST IN EVALUATING AND IMPLEMENTING ONE OR MORE OF THE
5 RECOMMENDED POLICY OR REGULATORY TOOLS SET FORTH IN SUBSECTION
6 (3)(c)(I) OF THIS SECTION AND, THE MORE RECOMMENDED POLICY OR
7 REGULATORY TOOLS THE APPLICANT DEMONSTRATES AN INTEREST IN
8 EVALUATING AND IMPLEMENTING, THE MORE WEIGHT THE APPLICATION IS
9 GIVEN.

10 (c) THE DIVISION HAS SOLE DISCRETION IN DETERMINING THE
11 AMOUNT OF GRANTS AND ANY RESTRICTIONS OR CONDITIONS ON THE USE
12 OF GRANTS BY ELIGIBLE RECIPIENTS IN ACCORDANCE WITH THE
13 PROVISIONS OF THIS SECTION.

14 (5) ON OR BEFORE JANUARY 1, 2026, JANUARY 1, 2027, AND
15 JANUARY 1, 2028, THE DIVISION SHALL PUBLISH A REPORT THAT
16 SUMMARIZES THE USE OF ALL GRANTS FROM THE PROGRAM IN THE
17 PRECEDING FISCAL YEAR. THE REPORT MUST INCLUDE THE AMOUNT OF
18 GRANTS DISTRIBUTED TO ELIGIBLE RECIPIENTS AND A DESCRIPTION OF
19 EACH ELIGIBLE RECIPIENT'S USE OF THE GRANT. THE REPORT MAY CONTAIN
20 RECOMMENDATIONS OF THE DIVISION FOR FUTURE ADMINISTRATION OF
21 THE PROGRAM. THE REPORT MUST BE SHARED WITH THE HOUSE OF
22 REPRESENTATIVES EDUCATION COMMITTEE, THE HOUSE OF
23 REPRESENTATIVES TRANSPORTATION, HOUSING, AND LOCAL GOVERNMENT
24 COMMITTEE, THE SENATE EDUCATION COMMITTEE, AND THE SENATE
25 LOCAL GOVERNMENT AND HOUSING COMMITTEE, OR THEIR SUCCESSOR
26 COMMITTEES, AND WITH THE DEPARTMENT OF EARLY CHILDHOOD, AND
27 MUST BE POSTED ON THE DIVISION'S WEBSITE.

1 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2028.

2 **24-32-3704. Child care facility development capital grant**
3 **program - creation - report - definitions - repeal.** (1) AS USED IN THIS
4 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

5 (a) "ELIGIBLE ENTITY" MEANS A LOCAL GOVERNMENT OR
6 PUBLIC-PRIVATE PARTNERSHIP THAT IS ELIGIBLE TO RECEIVE A GRANT
7 THROUGH THE PROGRAM.

8 (b) "PRIVATE PARTNER" HAS THE SAME MEANING AS SET FORTH IN
9 SECTION 24-94-102 (6).

10 (c) "PROGRAM" MEANS THE CHILD CARE FACILITY DEVELOPMENT
11 CAPITAL GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

12 (d) "PUBLIC-PRIVATE PARTNERSHIP" MEANS AN AGREEMENT
13 BETWEEN A LOCAL GOVERNMENT AND ONE OR MORE PRIVATE PARTNERS
14 IN WHICH A LOCAL GOVERNMENT AND A PRIVATE PARTNER HAVE ENTERED
15 INTO AN AGREEMENT TO PARTNER ON A PROJECT. THE PARTNERSHIP MAY
16 BE FINANCIAL, OPERATIONAL, OR OTHERWISE DEFINED IN THE AGREEMENT
17 BETWEEN THE PUBLIC AND PRIVATE PARTNERS.

18 (2) (a) THERE IS CREATED IN THE DIVISION A CHILD CARE FACILITY
19 DEVELOPMENT CAPITAL GRANT PROGRAM TO PROVIDE ELIGIBLE ENTITIES
20 MONEY TO CONSTRUCT, REMODEL, RENOVATE, OR RETROFIT A CHILD CARE
21 FACILITY TO MEET A DEMONSTRABLE NEED FOR CHILD CARE IN THE LOCAL
22 GOVERNMENT'S COMMUNITY.

23 (b) THE DIVISION SHALL UTILIZE THE STATE HOUSING BOARD
24 CREATED IN SECTION 24-32-706 (1) TO REVIEW AND MAKE
25 RECOMMENDATIONS ON GRANT APPLICATIONS.

26 (3) (a) ON OR BEFORE SEPTEMBER 1, 2024, THE UNIT SHALL ADOPT
27 POLICIES, PROCEDURES, AND GUIDELINES IN ACCORDANCE WITH THE

1 PROVISIONS OF THIS SECTION FOR THE PROGRAM INCLUDING:

2 (I) PROCEDURES AND TIMELINES FOR AN ELIGIBLE ENTITY TO
3 APPLY FOR A GRANT;

4 (II) CRITERIA FOR EVALUATING APPLICATIONS FOR APPROVAL AND
5 THE AMOUNT OF GRANTS;

6 (III) PERFORMANCE CRITERIA FOR GRANT RECIPIENTS' PROJECTS;
7 AND

8 (IV) REPORTING REQUIREMENTS FOR GRANT RECIPIENTS.

9 (b) GRANT APPLICATIONS MUST INCLUDE AT LEAST:

10 (I) A BUSINESS PLAN THAT INCLUDES:

11 (A) A DESCRIPTION OF THE CONSTRUCTION, RENOVATION,
12 REMODELING, OR RETROFITTING OF A CHILD CARE FACILITY;

13 (B) A COMMITMENT TO PROVIDE A FINANCIAL MATCH AS SET
14 FORTH IN SUBSECTION (4) OF THIS SECTION AND A DESCRIPTION OF HOW
15 EACH PUBLIC AND PRIVATE PARTNER WILL CONTRIBUTE TO THE REQUIRED
16 MATCH;

17 (C) A DESCRIPTION OF HOW THE ELIGIBLE ENTITY WILL ADDRESS
18 THE PARTICULAR CHILD CARE NEEDS OF THE COMMUNITY, SUCH AS
19 NONTRADITIONAL-HOUR CARE OR INFANT AND TODDLER CARE FOR
20 HOUSEHOLDS WITH LOW TO MODERATE INCOME;

21 (D) A DESCRIPTION OF HOW THE ELIGIBLE ENTITY WILL SUPPORT
22 SMALL CHILD CARE BUSINESS OWNERS AND OPERATORS, INCLUDING
23 WOMEN AND POPULATIONS WITH LIMITED ACCESS TO OPPORTUNITY AND
24 RESOURCES;

25 (E) A DESCRIPTION OF HOW THE ELIGIBLE ENTITY WILL
26 FINANCIALLY SUSTAIN THE CHILD CARE FACILITY APART FROM ANY
27 ANTICIPATED GRANTS FROM THE PROGRAM;

1 (F) THE ESTIMATED TOTAL COST AND BUDGET FOR THE
2 CONSTRUCTION, RENOVATION, REMODELING, OR RETROFITTING OF THE
3 CHILD CARE FACILITY;

4 (G) A DESCRIPTION OF HOW OTHER FUNDING SOURCES ARE BEING
5 UTILIZED AND LEVERAGED TO SUPPORT THE INCLUSION OF CHILD CARE;

6 (H) IF THE ELIGIBLE ENTITY LEASES OR WILL LEASE THE SPACE TO
7 BE RENOVATED, REMODELED, RETROFITTED, OR CONSTRUCTED TO PROVIDE
8 CHILD CARE, A COPY OF THE CURRENT VALID LEASE THAT CONTAINS
9 SPECIFIC AUTHORIZATIONS FROM THE LANDLORD FOR THE PROJECT OR A
10 WRITTEN STATEMENT FROM THE LANDLORD EXPRESSLY CONSENTING TO
11 THE PROJECT;

12 (I) HOW THE PROJECT ALIGNS WITH OTHER COMMUNITY PLANNING,
13 DEVELOPMENT, OR HOUSING EFFORTS UNDERWAY IN THE COMMUNITY;

14 (J) COMMITMENT FROM THE ELIGIBLE ENTITY THAT IT WILL ACCEPT
15 THE GRANT; AND

16 (K) ANY OTHER COMPONENT THE DIVISION REQUIRES TO
17 ADEQUATELY ASSESS A GRANT APPLICATION, INCLUDING REQUIRING A
18 COMMITMENT BY THE ELIGIBLE ENTITY REGARDING THE DURATION FOR
19 WHICH THE ELIGIBLE ENTITY INTENDS TO OCCUPY THE PHYSICAL LOCATION
20 OF THE PROJECT; AND

21 (II) AN AFFIDAVIT THAT THE ELIGIBLE ENTITY HAS OBTAINED A
22 CHILD CARE LICENSE OR WILL OBTAIN A CHILD CARE LICENSE WITH
23 INFORMATION REGARDING THE TIMING AND STATUS OF OBTAINING THE
24 CHILD CARE LICENSE.

25 (c) THE DIVISION SHALL GIVE MORE WEIGHT TO APPLICATIONS
26 THAT:

27 (I) REPRESENT GEOGRAPHIC DIVERSITY;

1 (II) WILL SERVE A HIGH PERCENTAGE OF FAMILIES BELOW THE
2 AREA'S MEDIAN INCOME;

3 (III) INCLUDE A STATED COMMITMENT TO AND A BUSINESS PLAN
4 FOR A WELL-COMPENSATED CHILD CARE STAFF;

5 (IV) CO-LOCATE WITH OR REPURPOSE FACILITIES WITH OTHER
6 USES, SUCH AS AFFORDABLE HOUSING DEVELOPMENTS, MIXED-USE OR
7 MIXED-COMMERCIAL BUILDINGS, OR CHURCHES;

8 (V) INCLUDE A PLAN TO SERVE CHILDREN IN CHILD CARE DESERTS
9 OR REGIONS WITH LOW CHILD CARE CAPACITY; OR

10 (VI) PLAN TO SERVE INFANTS AND TODDLERS.

11 (d) THE DIVISION SHALL COLLABORATE WITH THE STATE HOUSING
12 BOARD AND CONSULT WITH THE DEPARTMENT OF EARLY CHILDHOOD,
13 CREATED IN SECTION 26.5-1-104 (1), IN DEVELOPING THE POLICIES AND
14 PROCEDURES REQUIRED TO BE ADOPTED PURSUANT TO SUBSECTION (3)(a)
15 OF THIS SECTION.

16 (4) TO RECEIVE A GRANT, ELIGIBLE ENTITIES SHALL PROVIDE A
17 FINANCIAL MATCH WHICH MAY BE FUNDED BY THE ELIGIBLE ENTITY OR
18 FROM CONTRIBUTIONS FROM OTHER PUBLIC OR PRIVATE ENTITIES AS
19 FOLLOWS:

20 (a) A DEVELOPMENT PROJECT FOR A CENTER-BASED FACILITY
21 SHALL PROVIDE A FIFTY PERCENT MATCH; AND

22 (b) A DEVELOPMENT PROJECT FOR A HOME-BASED FACILITY SHALL
23 PROVIDE A TWENTY-FIVE PERCENT MATCH.

24 (5) ON OR BEFORE JANUARY 1, 2026, JANUARY 1, 2027, AND
25 JANUARY 1, 2028, THE DIVISION SHALL PUBLISH A REPORT SUMMARIZING
26 THE USE OF GRANTS IN THE PRECEDING YEAR. THE REPORT MUST SPECIFY
27 THE AMOUNT OF GRANTS DISTRIBUTED TO RECIPIENTS AND PROVIDE A

1 DESCRIPTION OF EACH RECIPIENT'S USE OF THE GRANT. THE REPORT MAY
2 INCLUDE RECOMMENDATIONS FOR THE FUTURE ADMINISTRATION OF THE
3 PROGRAM. THE REPORT MUST BE SHARED WITH THE HOUSE OF
4 REPRESENTATIVES EDUCATION COMMITTEE, THE HOUSE OF
5 REPRESENTATIVES TRANSPORTATION, HOUSING, AND LOCAL GOVERNMENT
6 COMMITTEE, THE SENATE EDUCATION COMMITTEE, AND THE SENATE
7 LOCAL GOVERNMENT AND HOUSING COMMITTEE, OR THEIR SUCCESSOR
8 COMMITTEES, AND WITH THE DEPARTMENT OF EARLY CHILDHOOD, AND
9 MUST BE POSTED ON THE DIVISION'S WEBSITE.

10 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2028.

11 **SECTION 4.** In Colorado Revised Statutes, 24-32-707, **add** (4)
12 as follows:

13 **24-32-707. Powers of board.** (4) THE BOARD SHALL ALSO
14 REVIEW AND MAKE RECOMMENDATIONS ON GRANT APPLICATIONS
15 SUBMITTED FOR THE CHILD CARE FACILITY DEVELOPMENT CAPITAL GRANT
16 PROGRAM CREATED IN SECTION 24-32-3704 (2)(a) IN ACCORDANCE WITH
17 THE PROVISIONS SET FORTH IN SECTION 24-32-3704.

18 **SECTION 5. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly; except
21 that, if a referendum petition is filed pursuant to section 1 (3) of article V
22 of the state constitution against this act or an item, section, or part of this
23 act within such period, then the act, item, section, or part will not take
24 effect unless approved by the people at the general election to be held in
25 November 2024 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.