

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0605.01 Alana Rosen x2606

**SENATE BILL 25-004**

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**SENATE SPONSORSHIP**

**Winter F. and Marchman,**

**HOUSE SPONSORSHIP**

**Willford and Garcia,**

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**Senate Committees**

Business, Labor, & Technology

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING REGULATING FEES LICENSED CHILD CARE PROGRAMS**  
102 **MAY CHARGE 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 limits the amount a licensed child care center, family child care home, or substitute placement agency (child care center) may charge for a wait list fee or an application fee to \$25.

A child care center shall use a wait list fee or an application fee to cover only the administrative burdens of managing a wait list or processing an application.

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.*

A child care center shall credit a deposit fee toward the family's first month of child care if the family secures a position with the child care center.

For transparency and accountability to families, a child care center shall create and publish a policy for establishing fees. Each child care center shall make the information available to families in a clear and understandable format before families apply to and enroll in the child care center. Each child care center shall display the information in a prominent and conspicuous location:

- On the child care center's website, if applicable;
- In the child care center's facility at all times during operational hours; and
- On the child care center's application.

During the department of early childhood's (department) periodic inspections, or if a complaint is filed regarding fees, the department shall review the information in the child care center's policy for establishing fees to confirm the child care center is complying with the law. If the department finds the child care center is not compliant, the child care center has 30 days after the date of inspection to comply. If the child care center does not comply within 30 days after the date of inspection, the department may take further disciplinary action.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 26.5-5-332 as  
3 follows:

4 **26.5-5-332. Regulation of child care program fees - complaints**  
5 **- enforcement - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE  
6 CONTEXT OTHERWISE REQUIRES:

7 (a) "CHILDCARE PROGRAM" MEANS A CHILDCARE CENTER, FAMILY  
8 CHILD CARE HOME, OR NEIGHBORHOOD YOUTH ORGANIZATION.

9 (b) "CHILD CARE PROGRAM APPLICATION FEE" OR "APPLICATION  
10 FEE" MEANS A SUM OF MONEY, HOWEVER DENOMINATED, THAT IS  
11 CHARGED OR ACCEPTED BY A CHILD CARE PROGRAM FROM A PROSPECTIVE  
12 FAMILY IN CONNECTION WITH THE PROSPECTIVE FAMILY'S SUBMISSION OF  
13 A CHILD CARE PROGRAM APPLICATION.

1 (c) "CHILD CARE PROGRAM DEPOSIT FEE" OR "DEPOSIT FEE" MEANS  
2 A SUM OF MONEY, HOWEVER DENOMINATED, THAT IS CHARGED OR  
3 ACCEPTED BY A CHILD CARE PROGRAM FROM A FAMILY IN CONNECTION  
4 WITH THE FAMILY SECURING A GUARANTEED CHILD CARE POSITION.

5 (d) "CHILD CARE PROGRAM WAIT LIST FEE" OR "WAIT LIST FEE"  
6 MEANS A ONE-TIME FEE CHARGED OR ACCEPTED BY A CHILD CARE  
7 PROGRAM FROM A PROSPECTIVE FAMILY IN CONNECTION WITH THE  
8 PROSPECTIVE FAMILY JOINING A WAIT LIST FOR A POTENTIAL CHILD CARE  
9 POSITION THAT IS NOT YET AVAILABLE.

10 (2) (a) IF A CHILD CARE PROGRAM ESTABLISHES AN APPLICATION  
11 FEE, DEPOSIT FEE, OR WAIT LIST FEE, THE FEE MUST REFLECT THE  
12 ADMINISTRATIVE COSTS OF MAINTAINING CHILD CARE ADMISSIONS;

13 (b) IF A PROSPECTIVE FAMILY PAYS A CHILD CARE PROGRAM A  
14 CHILD CARE PROGRAM APPLICATION FEE, DEPOSIT FEE, OR WAIT LIST FEE  
15 AND IS NOT ADMITTED TO THE CHILD CARE PROGRAM WITHIN SIX MONTHS  
16 AFTER PAYING THE FEE, THE FEE IS REFUNDABLE. THE PROSPECTIVE  
17 FAMILY MUST SUBMIT A WRITTEN REQUEST TO THE CHILD CARE PROGRAM  
18 TO RECEIVE A REFUND.

19 (c) UPON RECEIVING THE WRITTEN REQUEST FROM THE  
20 PROSPECTIVE FAMILY AS DESCRIBED IN SUBSECTION (2)(a) OF THIS  
21 SECTION, THE CHILD CARE PROGRAM SHALL REFUND THE FEES TO THE  
22 PROSPECTIVE FAMILY AND MAY REMOVE THE PROSPECTIVE FAMILY FROM  
23 THE WAIT LIST.

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25 (3) A CHILD CARE PROGRAM MAY CHARGE A CHILD CARE PROGRAM  
26 DEPOSIT FEE TO A FAMILY TO SECURE A GUARANTEED CHILD CARE  
27 POSITION. THE CHILD CARE PROGRAM SHALL CREDIT THE DEPOSIT FEE

1 TOWARD THE FAMILY'S TUITION OF CHILD CARE FOLLOWING THE  
2 ACCEPTANCE OF CHILD CARE SERVICES.

3 (4) (a) FOR TRANSPARENCY AND ACCOUNTABILITY TO  
4 PROSPECTIVE FAMILIES, A CHILD CARE PROGRAM SHALL PROVIDE A FEE  
5 SCHEDULE AND THE PROCESS ON FEE REFUNDS DESCRIBED IN SUBSECTION  
6 (2) OF THIS SECTION TO A PROSPECTIVE FAMILY UPON:

7 (I) JOINING A WAIT LIST;

8 (II) REGISTRATION; AND

9 (III) REQUEST OF THE FAMILY.

10 (b) FOR TRANSPARENCY AND ACCOUNTABILITY TO AN ENROLLED  
11 FAMILY, A CHILD CARE PROGRAM SHALL PROVIDE A FEE SCHEDULE AND  
12 THE PROCESS ON FEE REFUNDS DESCRIBED IN SUBSECTION (2) OF THIS  
13 SECTION TO AN ENROLLED FAMILY UPON REQUEST OF THE ENROLLED  
14 FAMILY.

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16 (5) (a) DURING AN INSPECTION CONDUCTED PURSUANT TO SECTION  
17 26.5-5-316 (1), OR IF A COMPLAINT REGARDING FEES IS FILED WITH THE  
18 DEPARTMENT THROUGH THE COMPLAINT PROCEDURES DESCRIBED IN  
19 SECTION 26.5-5-316 (1)(b)(II) OR THE CHILD CARE RESOURCE AND  
20 REFERRAL SYSTEM CREATED IN SECTION 26.5-5-324, THE DEPARTMENT  
21 SHALL REVIEW THE INFORMATION DESCRIBED IN SUBSECTION (5)(a) OF  
22 THIS SECTION TO DETERMINE WHETHER THE CHILD CARE PROGRAM IS  
23 COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.

24 (b) IF THE DEPARTMENT FINDS THE CHILD CARE PROGRAM IS NOT  
25 COMPLIANT WITH THIS SECTION FOLLOWING THE INSPECTION DESCRIBED  
26 IN SUBSECTION (6)(a) OF THIS SECTION, THE CHILD CARE PROGRAM HAS  
27 THIRTY DAYS AFTER THE DATE OF INSPECTION TO COMPLY WITH THE

1 REQUIREMENTS OF THIS SECTION.

2 (c) IF THE CHILD CARE PROGRAM DOES NOT COMPLY WITH THE  
3 REQUIREMENTS OF THIS SECTION WITHIN THIRTY DAYS AFTER THE DATE OF  
4 INSPECTION DESCRIBED IN SUBSECTION (6)(a) OF THIS SECTION, THE  
5 DEPARTMENT MAY TAKE FURTHER DISCIPLINARY ACTION PURSUANT TO  
6 SECTION 26.5-5-317 (2).

7 (6) (a) THIS SECTION DOES NOT APPLY TO THE UNIVERSAL  
8 PRESCHOOL PROGRAM ESTABLISHED IN PART 2 OF ARTICLE 4 OF THIS TITLE  
9 26.5; THE COLORADO CHILD CARE ASSISTANCE PROGRAM CREATED IN  
10 PART 1 OF ARTICLE 4 OF THIS TITLE 26.5; OR A HEAD START PROGRAM, AS  
11 DEFINED IN SECTION 26.5-4-103.

12 (b) A CHILD CARE PROGRAM SHALL REIMBURSE A FAMILY FOR A  
13 WAIT LIST FEE OR AN APPLICATION FEE IF IT IS LATER DETERMINED THAT  
14 THE FAMILY QUALIFIED FOR THE COLORADO CHILD CARE ASSISTANCE  
15 PROGRAM WHEN THE FAMILY PAID THE WAIT LIST FEE OR APPLICATION FEE.

16 **SECTION 2. Act subject to petition - effective date.** This act  
17 takes effect January 1, 2026; except that, if a referendum petition is filed  
18 pursuant to section 1 (3) of article V of the state constitution against this  
19 act or an item, section, or part of this act within such period, then the act,  
20 item, section, or part will not take effect unless approved by the people  
21 at the general election to be held in November 2026 and, in such case,  
22 will take effect on the date of the official declaration of the vote thereon  
23 by the governor.