

HB1295\_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

HB22-1295 be amended as follows:

1 Amend printed bill, page 167, strike lines 11 and 12 and substitute "TITLE  
2 26, by DEPARTMENT rule; ~~of the state board, or by policy of a county~~  
3 ~~department; or"~~.

4 Page 167, strike lines 16 through 19 and substitute:  
5 "(c) ~~At the county's discretion, a family that transitions off the~~  
6 ~~works program, is eligible for CCCAP, and resides in a county that has~~  
7 ~~families on its waiting list may be added to the waiting list or be provided~~  
8 ~~child care assistance without first being added to the waiting list."~~

9 Page 168, line 27, strike "REVISE," and substitute "REVISE, AS  
10 APPROPRIATE,".

11 Page 169, strike lines 1 through 3 and substitute "as the family income  
12 approaches self-sufficiency income levels. This revised copayment  
13 schedule should allow families to retain a portion of ~~its~~ THEIR increases  
14 in income."

15 Page 175, strike lines 18 and 19 and substitute "to the child, ~~the hours~~  
16 ~~authorized for the provision of child care through CCCAP must include~~  
17 ~~authorized hours for the child that promote"~~.

18 Page 175, strike lines 23 through 25 and substitute "~~number of hours~~  
19 ~~authorized for~~ AMOUNT OF child care AUTHORIZED should be based on ~~the~~  
20 ~~number of hours the parent is participating in an eligible activity and the~~  
21 PARENT'S AND child's needs for CHILD care."

22 Page 177, lines 12 and 13, strike "NOT BE BASED ON DAILY  
23 REIMBURSEMENT RATES" and substitute "ALLOW DAILY REIMBURSEMENT  
24 RATES ONLY FOR DROP-IN CHILD CARE, BACK-UP CHILD CARE, AND CARE  
25 THAT IS COMMONLY PAID ON A DAILY REIMBURSEMENT BASIS IN THE CHILD  
26 CARE MARKET".

27 Page 179, lines 5 and 6, strike "Subject to available capacity to raise  
28 federal or state funding, shall" and substitute "~~Subject to available~~  
29 ~~capacity to raise federal or state funding, Shall"~~.

30 Page 465, after line 11 insert:

31 "SECTION 76. In Colorado Revised Statutes, 26-1-127, **amend**  
32 (1), (1.5), (2)(a), and (3) as follows:

33 **26-1-127. Fraudulent acts.** (1) Any person who obtains or any

1 person who willfully aids or abets another to obtain public assistance or  
2 vendor payments or medical assistance as defined in this title 26 OR CHILD  
3 CARE ASSISTANCE AS DESCRIBED IN PART 1 OF ARTICLE 4 OF TITLE 26.5 to  
4 which the person is not entitled or in an amount greater than that to which  
5 the person is justly entitled or payment of any forfeited installment grants  
6 or benefits to which the person is not entitled or in a greater amount than  
7 that to which the person is entitled, by means of a willfully false  
8 statement or representation, or by impersonation, or by any other  
9 fraudulent device, commits the crime of theft, which crime is classified  
10 in accordance with section 18-4-401 (2) and which crime is punished as  
11 provided in section 18-1.3-401 if the crime is classified as a felony, or  
12 section 18-1.3-501 if the crime is classified as a misdemeanor. To the  
13 extent not otherwise prohibited by state or federal law, any person  
14 violating the provisions of this subsection (1) is disqualified from  
15 participation in the ~~public assistance program under~~ PURSUANT TO article  
16 2 of this title 26 OR PART 1 OF ARTICLE 4 OF TITLE 26.5 in which a  
17 recipient is found to have committed an intentional program violation for  
18 one year for a first offense, two years for a second offense, and  
19 permanently for a third or subsequent offense. Such disqualification is  
20 mandatory and is in addition to any other penalty imposed by law.

21 (1.5) To the extent not otherwise prohibited by state or federal  
22 law, any person against whom a county department of social services or  
23 the state department obtains a civil judgment in a state or federal court of  
24 record in this state based on allegations that the person obtained or  
25 willfully aided and abetted another to obtain public assistance or vendor  
26 payments or medical assistance as defined in this title 26 OR CHILD CARE  
27 ASSISTANCE AS DESCRIBED IN PART 1 OF ARTICLE 4 OF TITLE 26.5 to which  
28 the person is not entitled or in an amount greater than that to which the  
29 person is justly entitled or payment of any forfeited installment grants or  
30 benefits to which the person is not entitled or in a greater amount than  
31 that to which the person is entitled, by means of a willfully false  
32 statement or representation, or by impersonation, or by any other  
33 fraudulent device, is disqualified from participation in the ~~public~~  
34 ~~assistance program under~~ PURSUANT TO article 2 of this title 26 OR PART  
35 1 OF ARTICLE 4 OF TITLE 26.5 in which a recipient is found to have  
36 committed an intentional program violation for one year for a first  
37 incident, two years for a second incident, and permanently for a third or  
38 subsequent incident. Such disqualification is mandatory and is in addition  
39 to any other remedy available to a judgment creditor.

40 (2) (a) If, at any time during the continuance of public assistance  
41 ~~under~~ PURSUANT TO this title 26 OR CHILD CARE ASSISTANCE PURSUANT  
42 TO PART 1 OF ARTICLE 4 OF TITLE 26.5, the recipient ~~thereof~~ acquires any  
43 property or receives any increase in income or property, or both, in excess

1 of that declared at the time of determination or redetermination of  
2 eligibility or if there is any other change in circumstances affecting the  
3 recipient's eligibility, it shall be the duty of the recipient to notify the  
4 county department within thirty days in writing or take steps to secure  
5 county assistance to prepare such notification in writing of the acquisition  
6 of such property, receipt of such income, or change in such  
7 circumstances; and any recipient of such public assistance who knowingly  
8 fails to do so commits a petty offense and shall be punished as provided  
9 in section 18-1.3-503. If such property or income is received infrequently  
10 or irregularly and does not exceed a total value of ninety dollars in any  
11 calendar quarter, such property or income ~~shall be~~ IS excluded from the  
12 thirty-day written reporting requirement but ~~shall be~~ MUST BE reported at  
13 the time of the next redetermination of eligibility of a recipient.

14 (3) Any recipient or vendor who falsifies any report required  
15 ~~under~~ PURSUANT TO this title 26 OR PART 1 OF ARTICLE 4 OF TITLE 26.5  
16 commits a petty offense and ~~shall be~~ IS punished as provided in section  
17 18-1.3-503.

18 Renumber succeeding sections accordingly.

\*\* \*\*\* \*\* \*\*\* \*\*