

## CHAPTER 246

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**HUMAN SERVICES - SOCIAL SERVICES**

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**HOUSE BILL 01-1289**

BY REPRESENTATIVE(S) Crane, Fritz, Jahn, King, Lee, Paschall, Rippy, Schultheis, Spence, Witwer, Boyd, Cadman, Hefley, Scott, Spradley, Stafford, Vigil, Weddig, and Williams S.;  
also SENATOR(S) Hanna, and Epps.

**AN ACT**

CONCERNING CHILD CARE SERVICES TO WHICH THE "CHILD CARE LICENSING ACT" DOES NOT APPLY,  
AND MAKING AN APPROPRIATION THEREFORE.

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

**SECTION 1.** 26-6-103 (1) (c), Colorado Revised Statutes, is amended, and the said 26-6-103 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

**26-6-103. Application of part - study.** (1) This part 1 shall not apply to:

(c) Facilities operated in connection with a church, shopping center, or business where children are cared for during short periods of time while parents, ~~or~~ persons in charge of such children, OR EMPLOYEES OF THE CHURCH, SHOPPING CENTER, OR BUSINESS WHOSE CHILDREN ARE BEING CARE FOR AT SUCH LOCATION are attending church services AT SUCH LOCATION or shopping, ~~or~~ patronizing, OR WORKING ON THE PREMISES OF any such business;

(2) FOR PURPOSES OF THIS SECTION, "SHORT PERIODS OF TIME" MEANS FEWER THAN THREE HOURS IN ANY TWENTY-FOUR HOUR PERIOD.

(3) A FACILITY THAT HAS RECEIVED A NEGATIVE LICENSING ACTION AS DEFINED IN SECTION 26-6-102 (5.7) IS PROHIBITED FROM OPERATING PURSUANT TO SUBSECTION (1) OF THIS SECTION.

(4) THE DEPARTMENT SHALL EXAMINE THE SAFETY OF CHILD CARE IN THE FACILITIES OPERATED PURSUANT TO SUBSECTION (1) OF THIS SECTION AND SHALL REPORT FINDINGS TO THE GENERAL ASSEMBLY NO LATER THAN OCTOBER 1, 2002.

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

THE GENERAL ASSEMBLY SHALL MAKE AN APPROPRIATION FROM THE CHILD CARE DEVELOPMENT FUND FOR EXPENDITURES OF THE DEPARTMENT INCURRED IN PERFORMING THE EXAMINATION AND PREPARING THE REPORT REQUIRED PURSUANT TO THIS SUBSECTION.

**SECTION 2. Appropriation.** In addition to any other appropriation, there is hereby appropriated to the department of human services, division of child care, for the fiscal year beginning July 1, 2001, the sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from federal child care development funds.

**SECTION 3. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 1, 2001