

## CHAPTER 141

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**HUMAN SERVICES - SOCIAL SERVICES**

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**HOUSE BILL 08-1265**

BY REPRESENTATIVE(S) Todd, Stafford, Ferrandino, Frangas, Gallegos, Green, Kefalas, McGihon, Borodkin, Benefield, Merrifield, Middleton, and Summers;  
also SENATOR(S) Shaffer, Bacon, Boyd, Groff, Keller, Morse, Schwartz, Tapia, Tochtrop, Tupa, Williams, and Windels.

**AN ACT**

**CONCERNING ALIGNMENT OF THE MAXIMUM ELIGIBILITY GUIDELINES FOR THE COLORADO CHILD CARE ASSISTANCE PROGRAM COUNTY OPTION WITH THE FEDERAL MAXIMUM ELIGIBILITY GUIDELINE.**

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

**SECTION 1.** 26-2-805 (1) (b) (I), Colorado Revised Statutes, is amended to read:

**26-2-805. Services - assistance provided - rules.** (1) (b) (I) Subject to available appropriations and pursuant to rules promulgated by the state department, and except as provided for in subparagraph (II) of this paragraph (b), a county shall provide child care assistance for a family transitioning off the works program due to employment or training without requiring the family to apply for low-income child care, but shall redetermine the family's eligibility within six months after the transition, and may provide child care assistance for any other family whose income does not exceed ~~two hundred twenty-five percent of the federal poverty level~~ EIGHTY-FIVE PERCENT OF THE STATE MEDIAN INCOME for a family of the same size. A recipient of child care assistance shall be responsible for paying a portion of such child care based upon the recipient's income and the formula developed by rules of the state board. For any participant or any person or family whose income rises to the level set by the county at which the county may deny said participant, person, or family child care assistance, the county is strongly encouraged to continue to provide such assistance for a period of six months; except that in no event shall assistance be provided if said income exceeds the maximum level for eligibility for services set by federal law for a family of the same size. During such period the county shall work with said participant, person, or family to provide a gradual transition off of the child care assistance provided pursuant to this paragraph (b)

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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.*

over a six-month period.

**SECTION 2.** 26-2-805 Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**26-2-805. Services - assistance provided - rules.** (1.5) IF A COUNTY REDUCES ITS INCOME ELIGIBILITY REQUIREMENTS, A CHILD RECEIVING CHILD CARE ASSISTANCE SERVICES WHEN THE CHANGE IS IMPLEMENTED SHALL CONTINUE TO RECEIVE SAID SERVICES UNTIL THE FAMILY'S NEXT ELIGIBILITY REDETERMINATION OR FOR SIX MONTHS, WHICHEVER IS LONGER, SO LONG AS THE FAMILY'S HOUSEHOLD INCOME REMAINS AT OR BELOW THE PRIOR INCOME ELIGIBILITY REQUIREMENTS.

**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, (August 6, 2008, if adjournment sine die is on May 7, 2008); 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: April 14, 2008