

CHAPTER 172

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 26-1376

BY REPRESENTATIVE(S) Brown and Sirota, Taggart;
also SENATOR(S) Bridges and Kirkmeyer, Amabile.

AN ACT

CONCERNING UPDATING PERMISSIBLE USES OF MONEY IN THE EXCESS FEDERAL TITLE IV-E REIMBURSEMENTS CASH FUND.

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

SECTION 1. In Colorado Revised Statutes, 26-1-111, **amend** (2)(d)(II)(C) as follows:

26-1-111. Activities of the state department under the supervision of the executive director - cash fund - report - rules - statewide adoption resource registry.

(2) The state department, under the supervision of the executive director, shall:

(d) (II) (C) For ~~fiscal year 2003-04 and each fiscal year, thereafter,~~ after the amounts described in subsections (2)(d)(II)(A) and (2)(d)(II)(B) of this section are set aside, the total amount of money remaining shall be transmitted to the state treasurer, who shall credit the ~~same~~ MONEY to the ~~excess~~ federal Title IV-E reimbursements cash fund, which ~~fund is hereby~~ IS created IN THE STATE TREASURY and referred to in this subsection (2)(d)(II)(C) as the "fund". The money in the fund is subject to annual appropriation by the general assembly to the state department. ~~for allocation to counties to help defray the costs of performing administrative functions related to obtaining federal reimbursement money available under the Title IV-E program. In addition, the general assembly may annually appropriate money in the fund to the department of early childhood for allocation to the counties for the provision of child care assistance, as described in section 26.5-4-105, and to the state department for allocation to the counties for the provision of assistance, as defined in section 26-2-703 (2); social services, as defined in section 26-2-103 (11); and child welfare services, as defined in section 26-5-101 (3).~~ For fiscal year

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~2004-05, and in subsequent years if so specified by the general assembly in the annual appropriations act, the counties shall expend the money allocated by the department of early childhood for the provision of child care assistance and by the state department for the provision of assistance, social services, and child welfare services pursuant to this subsection (2)(d)(II)(C) in a manner that will be applied toward the state's maintenance of historic effort as specified in section 409 (a)(7) of the federal "Social Security Act", as amended. FOR STATE FISCAL YEAR 2026- 27, AND EACH FISCAL YEAR THEREAFTER, THE MONEY IN THE FUND MUST BE USED IN ACCORDANCE WITH SECTION 473 (a)(8) OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 673 (a)(8). PERMISSIBLE USES OF THE MONEY IN THE FUND INCLUDE POST-PERMANENCY SERVICES TO SUPPORT AND SUSTAIN POSITIVE, PERMANENT OUTCOMES FOR A CHILD OR YOUTH WHO MIGHT OTHERWISE ENTER OR REENTER FOSTER CARE. Any money in the fund not expended for the purposes specified in this subsection (2)(d)(II)(C) may be invested by the state treasurer as provided by law. The state treasurer shall credit all interest and income derived from the investment and deposit of money in the fund to the fund. Any unexpended and unencumbered money remaining in the fund at the end of a fiscal year remains in the fund and is not credited or transferred or DOES NOT revert to the general fund or another fund.~~

SECTION 2. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: May 27, 2026