

**NOTE: The governor signed this measure on 6/1/2016.**

# An Act

SENATE BILL 16-212

BY SENATOR(S) Crowder, Guzman, Heath, Johnston, Jones, Kefalas, Merrifield, Newell, Steadman, Todd, Ulibarri;  
also REPRESENTATIVE(S) Buckner, Court, Duran, Esgar, Fields, Hamner, Lee, Lontine, Pabon, Rosenthal, Salazar, Singer, Young, Hullinghorst.

CONCERNING ALIGNING CHANGES MADE TO THE FEDERAL CHILD CARE AND DEVELOPMENT BLOCK GRANT REAUTHORIZATION OF 2014 TO THE TWELVE-MONTH ELIGIBILITY REQUIREMENT OF THE COLORADO CHILD CARE ASSISTANCE PROGRAM.

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

**SECTION 1.** In Colorado Revised Statutes, 26-2-805, **amend** (2) and (7) (b) as follows:

**26-2-805. Services - eligibility - assistance provided - waiting lists - rules.** (2) (a) The county may provide child care assistance for any ~~other~~ family whose income MEETS THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION BUT does not exceed THE MAXIMUM FEDERAL LEVEL FOR ELIGIBILITY FOR SERVICES OF eighty-five percent of the state median income for a family of the same size. ~~Upon notification to counties by the state department that the relevant human services case management systems;~~

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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.*

~~including the Colorado child care automated tracking system, are capable of accommodating this subsection (2), and for a participant or a person or family whose income rises to the level set by the county at which the county may deny the participant, person, or family child care assistance, the county shall immediately notify the family that it is no longer eligible for CCCAP and continue to provide the current CCCAP subsidy to that family for no less than ninety days while the family makes appropriate arrangements for child care. The county is strongly encouraged to continue to provide child care assistance for a period of six months, except that in no event shall child care assistance be provided if the income exceeds the maximum level for eligibility for services set by federal law for a family of the same size. During the six-month period the county shall work with the participant, person, or family to provide a gradual transition off child care assistance provided pursuant to this subsection (2).~~

(b) IF, DURING A PARTICIPANT'S, PERSON'S, OR FAMILY'S TWELVE-MONTH ELIGIBILITY PERIOD, THE PARTICIPANT'S, PERSON'S, OR FAMILY'S INCOME RISES TO THE LEVEL SET BY THE COUNTY AT WHICH THE COUNTY MAY DENY SUCH PARTICIPANT, PERSON, OR FAMILY CHILD CARE ASSISTANCE, THE COUNTY SHALL CONTINUE PROVIDING THE CURRENT CCCAP SUBSIDY UNTIL THAT PARTICIPANT'S, PERSON'S, OR FAMILY'S NEXT TWELVE-MONTH REDETERMINATION.

(c) IF, AT THE TIME OF A PARTICIPANT'S, PERSON'S, OR FAMILY'S TWELVE-MONTH ELIGIBILITY REDETERMINATION, THE PARTICIPANT'S, PERSON'S, OR FAMILY'S INCOME RISES TO OR ABOVE THE LEVEL SET BY THE COUNTY AT WHICH THE COUNTY MAY DENY CHILD CARE ASSISTANCE, OR IF THAT INCOME LEVEL RISES ABOVE THE MAXIMUM FEDERAL ELIGIBILITY LEVEL OF EIGHTY-FIVE PERCENT OF THE STATE MEDIAN INCOME FOR A FAMILY OF THE SAME SIZE, THE COUNTY SHALL IMMEDIATELY NOTIFY THE PARTICIPANT, PERSON, OR FAMILY THAT IT IS NO LONGER ELIGIBLE FOR CCCAP, BUT MAY BE PROVIDED TRANSITION CCCAP BENEFITS PURSUANT TO THE PROVISIONS OF PARAGRAPHS (d) AND (e) OF THIS SUBSECTION (2).

(d) EXCEPT AS PROVIDED FOR IN PARAGRAPH (e) OF THIS SUBSECTION (2), THE COUNTY SHALL CONTINUE TO PROVIDE THE CURRENT CCCAP SUBSIDY TO A PARTICIPANT, PERSON, OR FAMILY WHO HAS LOST ELIGIBILITY PURSUANT TO THIS SUBSECTION (2) FOR A PERIOD OF NO LESS THAN NINETY DAYS FROM THE TIME OF NOTIFICATION TO ALLOW THE PARTICIPANT, PERSON, OR FAMILY TO MAKE APPROPRIATE ALTERNATIVE

ARRANGEMENTS FOR CHILD CARE. ADDITIONALLY, THE COUNTY IS STRONGLY ENCOURAGED TO CONTINUE TO PROVIDE CHILD CARE ASSISTANCE FOR A PERIOD OF SIX MONTHS FROM THE TIME OF NOTIFICATION. DURING THE SIX-MONTH PERIOD THE COUNTY SHALL WORK WITH THE PARTICIPANT, PERSON, OR FAMILY TO PROVIDE A GRADUAL TRANSITION OFF CHILD CARE ASSISTANCE PROVIDED PURSUANT TO THIS SUBSECTION (2).

(e) NOTWITHSTANDING ANY ELIGIBILITY LEVEL SET BY A COUNTY PURSUANT TO THIS SECTION, UNDER NO CIRCUMSTANCE MAY A COUNTY PROVIDE CHILD CARE ASSISTANCE PURSUANT TO THIS SECTION IF THE PARTICIPANT'S, PERSON'S, OR FAMILY'S INCOME EXCEEDS THE MAXIMUM LEVEL FOR ELIGIBILITY FOR SERVICES SET BY FEDERAL LAW OF EIGHTY-FIVE PERCENT OF THE STATE MEDIAN INCOME FOR A FAMILY OF THE SAME SIZE.

(7) (b) If a county reduces its income eligibility requirements, THE COUNTY SHALL CONTINUE TO ENROLL a child enrolled in CCCAP when the change is implemented ~~must continue to be enrolled in CCCAP~~ until the family's next eligibility redetermination or for six months, whichever is longer.

**SECTION 2. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Bill L. Cadman  
PRESIDENT OF  
THE SENATE

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Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Effie Ameen  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO