

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 21-0975.01 Sarah Lozano x3858

SENATE BILL 21-254

SENATE SPONSORSHIP

Kirkmeyer and Zenzinger, Moreno, Woodward

HOUSE SPONSORSHIP

Lynch and Pico, Valdez D., Woodrow

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE ELIMINATION OF THE OBSOLETE ADVISORY**
102 **COMMITTEE ON THE LICENSING OF CHILD CARE FACILITIES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill eliminates the advisory committee that advised the state department of human services on the licensing of child care facilities prior to the creation of the early childhood leadership commission.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
May 10, 2021

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-6-109, **repeal** (1)
3 as follows:

4 **26-6-109. Institutes.** (1) ~~(a) There is hereby created an advisory~~
5 ~~committee on licensing of child care facilities to advise and consult with~~
6 ~~the department in the administration and enforcement of this part 1. The~~
7 ~~committee shall consist of fifteen members to be appointed by the~~
8 ~~governor for terms of three years; except that, of the members first~~
9 ~~appointed, four shall be appointed for three years, four for two years, and~~
10 ~~three for one year. Thereafter, members shall be appointed for terms of~~
11 ~~three years except in the case of a vacancy that shall be filled for the~~
12 ~~remainder of the unexpired term. A member may be appointed to succeed~~
13 ~~himself or herself and may continue to serve on the committee beyond the~~
14 ~~end of his or her term until the governor appoints a successor. Members~~
15 ~~who have been appointed to fill the remainder of an unexpired term may~~
16 ~~be appointed to fill the succeeding full term.~~

17 ~~(b) The members of the advisory committee shall serve without~~
18 ~~compensation but shall be entitled to their reasonable traveling expenses~~
19 ~~incurred in the performance of their duties, which shall be paid as a part~~
20 ~~of the expenses of administering this part 1.~~

21 ~~(c) The committee shall consist of nine members who shall~~
22 ~~represent the various types of facilities licensed under the provisions of~~
23 ~~this part 1, four members representing various state and local~~
24 ~~governmental agencies with an interest in and concern for children, and~~
25 ~~two members at large who are parents, each having at least one child~~
26 ~~attending a facility licensed or certified under this part 1 at the time of~~
27 ~~such members' appointment.~~

1 ~~(d) A majority of the members of the committee shall constitute~~
2 ~~a quorum, the presence of which at any meeting thereof duly called by the~~
3 ~~department shall have full and complete power to act upon and resolve in~~
4 ~~the name of the committee any matter or question referred to it by the~~
5 ~~department. The committee, as soon after appointment as practicable,~~
6 ~~shall elect from among its members a chairman, a vice-chairman, and a~~
7 ~~secretary who shall hold office until their successors are elected. The~~
8 ~~chairman shall preside at all meetings of the committee, and the secretary~~
9 ~~shall make a record of the proceedings thereof that shall be preserved in~~
10 ~~the office of the department. All members of the committee shall be~~
11 ~~entitled to vote on any matter or question that properly comes before it.~~

12 ~~(e) Repealed.~~

13 **SECTION 2.** In Colorado Revised Statutes, 26-6-113, **amend** (2)
14 as follows:

15 **26-6-113. Periodic review of licensing regulations and**
16 **procedures.** (2) Beginning with fiscal year 1995-1996, an initial
17 comprehensive rule and regulation review shall be conducted in
18 conjunction with the performance audit required by section 26-6-107
19 (1.5), and, at least every fifth fiscal year thereafter, a comprehensive
20 review of the licensing rules and regulations for child care centers, family
21 child care homes, and foster care homes and the procedures relating to
22 and governing child care centers, family child care homes, and foster care
23 homes shall be conducted by the department, including procedures for the
24 review of backgrounds of employees and owners. In conducting such
25 periodic review, the department shall consult with parents and consumers
26 of child care, child care providers, the department of public health and
27 environment, experts in the child care field, and other interested parties

1 throughout the state. The periodic review shall include an examination of
2 the rules and regulations applicable to child care centers, family child care
3 homes, and foster care homes, the process of licensing such facilities,
4 uniformity of standards or lack thereof in the licensing process, statewide
5 standardization of investigations and enforcement of licensing by the
6 department, duplication and conflicts in regulations, requirements, or
7 procedures between the department and the department of public health
8 and environment, and recommendations for streamlining and unifying the
9 licensing process. Said review shall also include an examination of
10 regulations and procedures regarding the general physical and mental
11 health of employees and owners. At the conclusion of each review, the
12 department shall report its findings and conclusions and its
13 recommendations for administrative changes and for legislation to the
14 state board ~~the advisory committee on licensing of child care facilities,~~
15 and the executive director of the department of public health and
16 environment.

17 **SECTION 3. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2022 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.