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LLS NO. 00-0284.01 Jeff Conway HOUSE BILL

BY REPRESENTATIVES Tupa, Alexander, Hefley, and S. Williams; also SENATOR Pascoe, Linkhart, and Wham.

A BILL FOR AN ACT

101 CONCERNING ELIGIBILITY FOR THE COLORADO CHILD CARE ASSISTANCE

102 PROGRAM.

Bill Summary

"Eligibility For Child Care Assistance"

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Child Care Interim Committee. Changes the maximum income eligibility level for mandatory child care assistance from not more than 130% of the federal poverty level to not more than 150% of the federal poverty level.

Changes the maximum income eligibility level for child care assistance provided at the counties' discretion from less than 185% of the federal poverty level to not more than 85% of the state's median income.

Requires counties to gradually transition families receiving child care assistance off of such assistance over a period of 6 months for those recipients who have exceeded income eligibility limits set by the county.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly

3 hereby finds and declares that the levels of eligibility for receiving child

4 care assistance pursuant to the Colorado child care assistance program no

5 longer accurately reflect the varying levels of income of those needing

6 child care services. The general assembly further finds and declares that

counties ought to have greater flexibility in setting levels of eligibility for child care assistance within the full range of eligibility allowed by federal law and in order to better reflect the various economies and diverse needs of all counties in the state.

(2) Therefore, the general assembly determines that it is in the best interests of the state to adjust the levels of eligibility for both mandatory and discretionary child care assistance and to mitigate the precipitous effects of the sudden loss of such assistance when a recipient's income exceeds the applicable eligibility level.

SECTION 2. 26-2-805 (1) (a) and (1) (b), Colorado Revised Statutes, are amended to read:

26-2-805. Services - assistance provided. (1) (a) Subject to available appropriations, and pursuant to rules promulgated by the state department, a county shall provide child care assistance to a participant or any person or family whose income is not more than one hundred ~~thirty~~ FIFTY percent of the federal poverty level.

(b) Subject to available appropriations and pursuant to rules promulgated by the state department, a county may provide child care assistance for a family transitioning off the works program or for any other family whose income ~~is below one hundred eighty-five percent of the federal poverty level~~ DOES NOT EXCEED EIGHTY-FIVE PERCENT OF THE STATE'S 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 SHALL CONTINUE TO PROVIDE SUCH ASSISTANCE FOR A PERIOD OF SIX MONTHS; EXCEPT THAT IN NO EVENT SHALL ASSISTANCE BE PROVIDED IF SAID INCOME EXCEEDS EIGHT-FIVE PERCENT OF THE STATE'S MEDIAN INCOME 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) OVER A SIX MONTH PERIOD.

SECTION 3. Effective date - applicability. (1) This act shall take effect September 1, 2000, unless a referendum petition is filed during 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. If such 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.

(2) The provisions of this act shall apply to applications and reapplications for child care assistance submitted on or after the applicable effective date of this act.