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Amending the Child Care Act.

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CHAPTER 278

RELIEF AND PUBLIC WELFARE

CHILD CARE ACT

A N A C T

AMENDING THE CHILD CARE ACT.

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

Section 1. 22-1-3 (15), Colorado Revised Statutes 1963 (1967 Supp.), is amended to read:

22-1-3. Definitions.—(15) “Foster FAMILY care home” means a facility as defined by section 119-8-2 (2), C.R.S. 1963, AS AMENDED. If such facility is located in another state, it shall be licensed or approved as required by law in that state.

Section 2. 119-8-2 (2), (4), and (6), Colorado Revised Statutes 1963 (1967 Supp.), are amended to read:

119-8-2. Definitions.—(2) “Foster FAMILY care home” means a facility for child care in a place of residence of a family, person, or persons, for the purpose of providing family care and training for a child or children under the age of sixteen years who are not related to the head of such home. The term includes any FAMILY CARE home receiving a child or children for regular part time or regular full time TWENTY-FOUR HOUR care, and any home receiving a child or children from any state-operated institution for child care or from any child placement agency, as defined in subsection (4) of this section, OR ANY DAY CARE HOME RECEIVING A CHILD OR CHILDREN FOR LESS THAN TWENTY-FOUR HOUR CARE.

(4) “Child placement agency” means any corporation, partnership, association, firm, agency, institution, or person whatsoever who places or who arranges for placement for care, any child under the age of sixteen years with any family, person, or institution other than persons related to said child; but the natural parents or guardian of any child who places said child for care with any facility licensed as a “Foster FAMILY care home” or “child care center” as defined by this section shall not be deemed to be a child placement agency.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(6) "Department" means the state department of public welfare SOCIAL SERVICES.

Section 3. 119-8-3 (1) (d) and (f), Colorado Revised Statutes 1963 (1967 Supp.), are amended to read:

119-8-3. Application of article.—(1) (d) Facilities operated in connection with a church, shopping center, OR business or establishment where children are cared for during short periods of time while parents or persons in charge of such children are attending church services, OR shopping, or engaging in other activities during such periods **PATRONIZING ANY SUCH BUSINESS;**

(f) The care of a child or children by a person in his or her private dwelling **RESIDENCE**, when the parent, guardian, or other person having legal custody of such child or children gives his or her consent in writing to such care **AND WHEN THE PERSON GIVING SUCH CARE IS NOT REGULARLY ENGAGED IN THE BUSINESS OF GIVING SUCH CARE;**

Section 4. 119-8-4 (1), Colorado Revised Statutes 1963 (1967 Supp.), is amended to read:

119-8-4. Licenses.—(1) No person shall operate a foster FAMILY care home or a child care center without first being licensed to operate such home or center by the department, and paying the fee prescribed therefor; but a person operating a foster FAMILY care home need not obtain a license if such person holds a certificate to operate such home from a child placement agency licensed under the provisions of this article. Said certificate shall be in such form as shall be prescribed and provided by the department, shall certify that such person is a suitable person to operate a home, and shall contain such information as the department shall require. A placement agency issuing or renewing any such certificate shall transmit a copy or report thereof to the department. No foster FAMILY care home, shall be certified by more than one placement agency. A foster FAMILY care home, when certified by a placement agency, may receive for care, a child or children from sources other than the certifying agency, upon the written consent and approval of the agency as to each such child. All such certificates shall be considered licenses for the purpose of this article.

Section 5. 119-8-5 (1) (b) and (2), Colorado Revised Statutes 1963 (1967 Supp.), are amended to read:

119-8-5. Fees.—(1) (b) Foster FAMILY care home (excluding homes certified by child placement agencies)\$5.00

(2) The above fees shall be paid when application is made for any original or renewal license, and shall not be subject to refund. if the application is denied. Applications for original or renewal licenses shall be made on forms prescribed by the department, and each completed application shall set forth such information as required by the department. All such licenses shall continue in force for one year from the date of issuance unless sooner revoked.

Section 6. **Effective date.**—This act shall take effect July 1, 1969.

Section 7. **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.

Approved: March 26, 1969