

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

\_\_\_\_\_  
March 18, 2026  
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB26-1282 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:
- 3 **"SECTION 1. Legislative declaration.** (1) The general  
4 assembly finds that:
- 5 (a) Colorado school districts provide comprehensive educational  
6 and enrichment opportunities to students through before- and  
7 after-school-age programs;
- 8 (b) Colorado Revised Statutes and rules adopted by the Colorado  
9 state board of education require the Colorado department of education  
10 and other state agencies to extensively regulate and oversee school district  
11 operations, including fire and radon inspections, playground equipment,  
12 and staff training;
- 13 (c) Regulation of a school district's before- and after-school-age  
14 programs by the Colorado department of education, the Colorado  
15 department of early childhood, and other state agencies has resulted in  
16 duplicative and contradictory requirements, including, but not limited to:
- 17 (I) Conflicting restrictions on playground equipment; and  
18 (II) Duplicative fire and radon inspections; and
- 19 (d) The duplicative and conflicting regulations for a school  
20 district's before- and after-school-age programs significantly increase  
21 administrative costs, delay staff onboarding, restrict student access and  
22 program capacity, and create confusion for students and families without  
23 improving student health or safety or program quality.
- 24 (2) Therefore, the general assembly declares it is necessary and  
25 appropriate that before- and after-school-age programs operated by a  
26 school district not be subject to conflicting or duplicative regulations  
27 from the Colorado department of education and the Colorado department  
28 of early childhood.

1           **SECTION 2.** In Colorado Revised Statutes, 26.5-5-309, **amend**  
2 (3)(b) as follows:

3           **26.5-5-309. Licenses - rules - definition - appropriation -**  
4 **repeal.**

5           (3) (b) (I) A child care center that provides child care exclusively  
6 to school-age children and operates on the property of a school district,  
7 district charter school, or institute charter school may satisfy any fire or  
8 radon inspection requirement required by law by providing a copy of a  
9 satisfactory fire or radon inspection report of the property of a school  
10 district, district charter school, or institute charter school where the child  
11 care is provided if the fire or radon inspection report was completed  
12 within the preceding twelve months. The department shall not require a  
13 duplicate fire or radon inspection if a satisfactory fire or radon inspection  
14 report of the property was completed within the preceding twelve months.

15           (II) A CHILD CARE CENTER THAT PROVIDES CHILD CARE  
16 EXCLUSIVELY TO SCHOOL-AGE CHILDREN AND OPERATES ON THE  
17 PROPERTY OF A SCHOOL DISTRICT, DISTRICT CHARTER SCHOOL, OR  
18 INSTITUTE CHARTER SCHOOL MAY SATISFY ANY STAFF TRAINING OR  
19 MINIMUM SQUARE FOOTAGE OF FLOOR SPACE PER CHILD REQUIREMENTS  
20 REQUIRED BY LAW BY PROVIDING TO THE DEPARTMENT DOCUMENTED  
21 EVIDENCE OF COMPLIANCE WITH SUBSTANTIALLY SIMILAR REQUIREMENTS  
22 IMPOSED BY THE COLORADO DEPARTMENT OF EDUCATION, EXCEPT THAT,  
23 IF THE REQUIREMENTS OR MONITORING OF THOSE REQUIREMENTS IMPOSED  
24 BY THE COLORADO DEPARTMENT OF EDUCATION DO NOT MEET ANY  
25 APPLICABLE REQUIREMENTS OF ANY FEDERAL GRANTS-IN-AID  
26 ADMINISTERED BY THE DEPARTMENT, THE DEPARTMENT SHALL REQUIRE  
27 THE CHILD CARE CENTER TO MEET ANY APPLICABLE MINIMUM  
28 REQUIREMENTS OF THE FEDERAL GRANTS-IN-AID.

29           **SECTION 3.** In Colorado Revised Statutes, 26.5-5-314, **amend**  
30 (2)(e)(III) as follows:

31           **26.5-5-314. Standards for facilities and agencies - rules -**  
32 **definition.**

33           (2) The standards prescribed by department rules are restricted to:

34           (e) (III) The department shall require an annual inspection of  
35 playground facilities on the property where a child care center operates.  
36 For purposes of a playground facility inspection, the department shall  
37 accept as satisfactory proof of valid certification of the playground  
38 facility, certification, or a copy of certification, from an individual OR  
39 ENTITY who is licensed or certified to perform playground safety  
40 inspections through the national recreation and park association, or other  
41 nationally recognized playground facility safety organization, INCLUDING,  
42 BUT NOT LIMITED TO, A PUBLIC HEALTH AGENCY. The department shall not  
43 require a duplicate inspection if a satisfactory inspection report was

1 completed within the preceding twelve months.

2 **SECTION 4.** In Colorado Revised Statutes, 26.5-5-313, **amend**  
3 (4) introductory portion, (4)(a), and (4)(b); and **add** (7) as follows:

4 **26.5-5-313. Applications - waivers - appeals - rules.**

5 (4) The executive director shall ~~promulgate~~ ADOPT rules for the  
6 implementation of this section, including:

7 (a) The requirements for the granting of a waiver request,  
8 including the requirement that the department ~~make a decision on the~~  
9 ~~waiver request and notify the child care center of its decision no later than~~  
10 ~~sixty calendar days after receipt of the request~~ RESPOND TO A WAIVER  
11 REQUEST WITHIN THIRTY CALENDAR DAYS AFTER RECEIPT OF THE REQUEST  
12 AND CLOSE A WAIVER REQUEST WITHIN NINETY CALENDAR DAYS AFTER  
13 RECEIPT OF THE REQUEST;

14 (b) The requirements for the denial of a waiver request, including  
15 the requirement that the department ~~make a decision on the waiver~~  
16 ~~request and notify the child care center of its decision no later than sixty~~  
17 ~~calendar days after receipt of the request~~ RESPOND TO A WAIVER REQUEST  
18 WITHIN THIRTY CALENDAR DAYS AFTER RECEIPT OF THE REQUEST AND  
19 CLOSE A WAIVER REQUEST WITHIN NINETY CALENDAR DAYS AFTER  
20 RECEIPT OF THE REQUEST; and

21 (7) THE DEPARTMENT SHALL REVIEW THE WAIVER PROCESS  
22 REQUIRED BY THIS SECTION AND THE PROCESS FOR APPEALS FILED  
23 PURSUANT TO SECTION 26.5-5-314 (5) AT LEAST ANNUALLY.

24 **SECTION 5.** In Colorado Revised Statutes, 26.5-5-314, **add** (7)  
25 as follows:

26 **26.5-5-314. Standards for facilities and agencies - rules -**  
27 **appeals - waivers - definition.**

28 (7) THE DEPARTMENT SHALL NOT CHARGE A FEE ASSOCIATED  
29 WITH STRINGENCY APPEALS.

30 **SECTION 6. Effective date.** This act takes effect July 1, 2026.

31 **SECTION 7. Safety clause.** The general assembly finds,  
32 determines, and declares that this act is necessary for the immediate  
33 preservation of the public peace, health, or safety or for appropriations for  
34 the support and maintenance of the departments of the state and state  
35 institutions."

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