

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

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 19-0916.01 Brita Darling x2241

**HOUSE BILL 19-1215**

**HOUSE SPONSORSHIP**

**Singer,** Becker, Bird, Cutter, Duran, Froelich, Galindo, Hooton, Jackson, Larson, Lontine,  
Michaelson Jenet, Snyder, Titone

**SENATE SPONSORSHIP**

**Crowder,** Priola, Rankin, Smallwood, Tate, Todd

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**House Committees**

Public Health Care & Human Services  
Appropriations

**Senate Committees**

Judiciary  
Finance  
Appropriations

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**A BILL FOR AN ACT**

101      **CONCERNING LEGISLATIVE RECOMMENDATIONS OF THE COLORADO**  
102              **CHILD SUPPORT COMMISSION, AND, IN CONNECTION THEREWITH,**  
103              **MAKING AN APPROPRIATION.**

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**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>.)*

The bill includes changes to statute recommended by the Colorado child support commission, including:

- !      Adding a definition for "mandatory school fees";
- !      Adding required federal factors that a court or delegate child support enforcement unit must consider when

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  
3rd Reading Unamended  
May 3, 2019

SENATE  
2nd Reading Unamended  
May 2, 2019

HOUSE  
3rd Reading Unamended  
April 27, 2019

HOUSE  
Amended 2nd Reading  
April 26, 2019

- determining potential income of a parent who is voluntarily unemployed or underemployed;
- ! Reducing from 30 months to 24 months the length of time after birth that a custodial parent has before income is imputed;
  - ! Changing how income is imputed for a parent sentenced to incarceration for 180 days or more;
  - ! Changing provisions relating to imputing income to a noncustodial parent who is attending postsecondary education;
  - ! Increasing the self-support reserve for purposes of calculating child support from \$1,100 to \$1,500;
  - ! Creating a \$10 minimum order for noncustodial parents with income under \$650;
  - ! Making adjustments to the child support guidelines for parents with a combined, adjusted gross income up to \$3,450;
  - ! Establishing a percentage reduction in a child support order based on the number of overnights for a parent with fewer than 183 overnights;
  - ! Requiring the noncustodial parent to notify the custodial parent if a child is eligible for dependent benefits based on the noncustodial parent's retirement or disability and establishing time frames for the custodial parent to apply for dependent benefits;
  - ! Clarifying that the Colorado child support commission is required under federal law to consider child support guidelines at least once every 4 years;
  - ! Requiring a verified copy of a support judgment to be provided to all parties upon filing with the court;
  - ! Authorizing the state child enforcement agency to issue a notice of administrative lien and levy to any financial institution holding an obligor parent's account for an obligor who is past due on child support owed to a child for whom the obligee is receiving support enforcement services from the state; and
  - ! Removing the requirement that child support orders be based on the current minimum wage for a 40-hour work week.

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

2             **SECTION 1.** In Colorado Revised Statutes, 14-10-115, **amend**

1 (5)(b)(I), (5)(b)(III), (6)(b), (7)(a)(II)(B), (7)(a)(II)(C), (7)(a)(II)(D),  
2 (7)(b), (11)(a) introductory portion, (11)(a)(I), and (11)(c); and **add**  
3 (3)(c.5), (5)(b)(I.5), (5)(b.5),   and (8)(g) as follows:

4 **14-10-115. Child support guidelines - purpose - determination**  
5 **of income - schedule of basic child support obligations - adjustments**  
6 **to basic child support - additional guidelines - child support**  
7 **commission - definitions.** (3) **Definitions.** As used in this section, unless  
8 the context otherwise requires:

9 (c.5) "MANDATORY SCHOOL FEES" MEANS FEES CHARGED BY A  
10 SCHOOL OR SCHOOL DISTRICT, INCLUDING A CHARTER SCHOOL, FOR A  
11 CHILD ATTENDING PUBLIC PRIMARY OR SECONDARY SCHOOL FOR  
12 ACTIVITIES THAT ARE DIRECTLY RELATED TO THE EDUCATIONAL MISSION  
13 OF THE SCHOOL, INCLUDING BUT NOT LIMITED TO LABORATORY FEES;  
14 BOOK OR EDUCATIONAL MATERIAL FEES; SCHOOL COMPUTER OR  
15 AUTOMATION-RELATED FEES, WHETHER PAID TO THE SCHOOL DIRECTLY OR  
16 PURCHASED BY A PARENT; TESTING FEES; AND SUPPLY OR MATERIAL FEES  
17 PAID TO THE SCHOOL. "MANDATORY SCHOOL FEES" DOES NOT INCLUDE  
18 UNIFORMS, MEALS, OR EXTRACURRICULAR ACTIVITY FEES.

19 (5) **Determination of income.** (b) (I) If a parent is voluntarily  
20 unemployed or underemployed, child support ~~shall~~ MUST be calculated  
21 based on a determination of potential income; except that a determination  
22 of potential income ~~shall~~ MUST not be made for:

23 (A) A parent who is physically or mentally incapacitated; ~~or~~

24 (B) A PARENT WHO is caring for a child under the age of ~~thirty~~  
25 TWENTY-FOUR months for whom the parents owe a joint legal  
26 responsibility; or

27 (C) ~~for~~ An incarcerated parent sentenced to ~~one-year~~ ONE

1 HUNDRED EIGHTY DAYS or more.

2 (I.5) IF THE COURT OR DELEGATE CHILD SUPPORT ENFORCEMENT  
3 UNIT IMPUTES INCOME PURSUANT TO THIS SUBSECTION (5), THE  
4 PROVISIONS OF SUBSECTION (5)(b.5) OF THIS SECTION APPLY.

5 (III) For the purposes of this section, a parent ~~shall~~ IS not ~~be~~  
6 deemed "underemployed" if:

7 (A) The employment is temporary and is reasonably intended to  
8 result in higher income within the foreseeable future; or

9 (B) The employment is a good faith career choice that is not  
10 intended to deprive a child of support and does not unreasonably reduce  
11 the support available to a child; or

12 (C) The parent is enrolled FULL-TIME in an educational OR  
13 VOCATIONAL program ~~that~~ OR IS EMPLOYED PART-TIME WHILE ENROLLED  
14 IN A PART-TIME EDUCATIONAL OR VOCATIONAL PROGRAM, BASED ON THE  
15 INSTITUTION'S ENROLLMENT DEFINITIONS, AND THE PROGRAM is  
16 reasonably intended to result in a degree or certification within a  
17 reasonable period of time; ~~and that~~ COMPLETING THE PROGRAM will result  
18 in a higher income; ~~so long as the educational~~ program is a good faith  
19 career choice that is not intended to deprive the child of support; ~~and that~~  
20 THE PARENT'S PARTICIPATION IN THE PROGRAM does not unreasonably  
21 reduce the AMOUNT OF CHILD support available to a child.

22 (b.5) (I) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, IF THE  
23 COURT OR DELEGATE CHILD SUPPORT ENFORCEMENT UNIT DETERMINES  
24 THAT A PARENT IS VOLUNTARILY UNEMPLOYED OR UNDEREMPLOYED OR  
25 EMPLOYMENT INFORMATION IS UNRELIABLE, THE COURT OR DELEGATE  
26 CHILD SUPPORT ENFORCEMENT UNIT SHALL DETERMINE AND DOCUMENT,  
27 FOR THE RECORD, THE PARENT'S POTENTIAL INCOME.

1 (II) IN DETERMINING POTENTIAL INCOME, THE COURT OR DELEGATE  
2 CHILD SUPPORT ENFORCEMENT UNIT SHALL CONSIDER, TO THE EXTENT  
3 KNOWN, THE SPECIFIC CIRCUMSTANCES OF THE PARENT, INCLUDING  
4 CONSIDERATION OF THE FOLLOWING INFORMATION, WHEN AVAILABLE:

- 5 (A) THE PARENT'S ASSETS;
- 6 (B) RESIDENCE;
- 7 (C) EMPLOYMENT AND EARNINGS HISTORY;
- 8 (D) JOB SKILLS;
- 9 (E) EDUCATIONAL ATTAINMENT;
- 10 (F) LITERACY;
- 11 (G) AGE;
- 12 (H) HEALTH;
- 13 (I) CRIMINAL RECORD;
- 14 (J) OTHER EMPLOYMENT BARRIERS;
- 15 (K) RECORD OF SEEKING WORK;
- 16 (L) THE LOCAL JOB MARKET;
- 17 (M) THE AVAILABILITY OF EMPLOYERS HIRING IN THE COMMUNITY,
- 18 WITHOUT CHANGING EXISTING LAW REGARDING THE BURDEN OF PROOF;
- 19 (N) PREVAILING EARNINGS LEVEL IN THE LOCAL COMMUNITY; AND
- 20 (O) OTHER RELEVANT BACKGROUND FACTORS IN THE CASE.

21 (6) (b) The amount of the adjustment must not exceed the  
22 schedule of basic support obligations listed in this section. ~~For a parent~~  
23 ~~with a gross income of one thousand nine hundred dollars or less per~~  
24 ~~month, the adjustment is seventy-five percent of the amount calculated~~  
25 ~~using the low-income adjustment described in sub-subparagraphs (B) and~~  
26 ~~(C) of subparagraph (II) of paragraph (a) of subsection (7) of this section~~  
27 ~~based only upon the responsible parent's income, without any other~~

1 ~~adjustments for the number of other children for whom the parent is~~  
2 ~~responsible.~~ For a parent with gross income of more than one thousand  
3 ~~nine~~ FIVE hundred dollars per month, the adjustment is seventy-five  
4 percent of the amount listed under the schedule of basic support  
5 obligations in ~~paragraph (b) of subsection (7)~~ SUBSECTION (7)(b) of this  
6 section that would represent a support obligation based only upon the  
7 responsible parent's income, without any other adjustments for the  
8 number of other children for whom the parent is responsible. The amount  
9 calculated as set forth in this ~~paragraph (b)~~ SUBSECTION (6)(b) must be  
10 subtracted from the amount of the parent's gross income prior to  
11 calculating the basic support obligation based upon both parents' gross  
12 income, as provided in subsection (7) of this section.

13 (7) **Schedule of basic child support obligations.**

14 (a) (II) (B) ~~Except as otherwise provided in sub-subparagraph (D) of this~~  
15 ~~subparagraph (H),~~ In circumstances in which the ~~parents' combined~~  
16 OBLIGOR'S monthly adjusted gross income is less than one thousand ~~one~~  
17 FIVE hundred dollars BUT MORE THAN SIX HUNDRED FIFTY DOLLARS, THE  
18 OBLIGOR IS REQUIRED TO PAY a child support payment of fifty dollars per  
19 month for one child, seventy dollars per month for two children, ninety  
20 dollars per month for three children, one hundred ten dollars per month  
21 for four children, one hundred thirty dollars per month for five children,  
22 and one hundred fifty dollars per month for six or more children. ~~shall be~~  
23 ~~required of the obligor.~~ The minimum order amount shall not apply when  
24 each parent keeps the children more than ninety-two overnights each year  
25 as defined in ~~paragraph (h) of subsection (3)~~ SUBSECTION (3)(h) of this  
26 section. In no case, however, shall the amount of child support ordered to  
27 be paid exceed the amount of child support that would otherwise be

1     ordered to be paid if the parents did not share physical custody. ■

2           (C) Except as otherwise provided in sub-subparagraph (D) of this  
3     subparagraph (H), ~~in circumstances in which the parents' combined~~  
4     ~~monthly adjusted gross income is one thousand one hundred dollars or~~  
5     ~~more, but in which the parent with the least number of overnights per year~~  
6     ~~with the child has a monthly adjusted gross income of less than one~~  
7     ~~thousand nine hundred dollars, the court or delegate child support~~  
8     ~~enforcement unit, pursuant to section 26-13.5-105 (4), C.R.S., shall~~  
9     ~~perform a low-income adjustment calculation of child support as follows:~~  
10    ~~The court or delegate child support enforcement unit shall determine each~~  
11    ~~parent's monthly adjusted gross income, as that term is defined in~~  
12    ~~subsection (3) of this section. Based upon the parents' combined monthly~~  
13    ~~adjusted gross incomes, the court or delegate child support enforcement~~  
14    ~~unit shall determine the monthly basic child support obligation, using the~~  
15    ~~schedule of basic child support obligations set forth in paragraph (b) of~~  
16    ~~this subsection (7) and shall determine each parent's presumptive~~  
17    ~~proportionate share of said obligation. The court or delegate child support~~  
18    ~~enforcement unit shall then adjust the income of the parent with the~~  
19    ~~fewest number of overnights per year with the child by subtracting one~~  
20    ~~thousand one hundred dollars from that parent's monthly adjusted gross~~  
21    ~~income. The result of the subtraction shall be added to the following basic~~  
22    ~~minimum child support amount as additional minimum support, unless~~  
23    ~~the result of the subtraction amount is zero or a negative figure, in which~~  
24    ~~case the court shall add zero to the following basic minimum child~~  
25    ~~support amount: Fifty dollars for one child; seventy dollars for two~~  
26    ~~children; ninety dollars for three children; one hundred ten dollars for~~  
27    ~~four children; one hundred thirty dollars for five children; and one~~

1    ~~hundred fifty dollars for six or more children. The court or delegate child~~  
2    ~~support enforcement unit shall compare the product of this addition to the~~  
3    ~~parent's presumptive proportionate share of the monthly basic support~~  
4    ~~obligation determined previously from the schedule of basic child support~~  
5    ~~obligations. The lesser of the two amounts shall be the basic monthly~~  
6    ~~support obligation to be paid by the low-income parent, as adjusted by the~~  
7    ~~low-income parent's proportionate~~ FOR AN OBLIGOR WITH AN ADJUSTED  
8    GROSS INCOME THAT OF LESS THAN ONE THOUSAND FIVE HUNDRED  
9    DOLLARS BUT MORE THAN SIX HUNDRED FIFTY DOLLARS, THE OBLIGOR'S  
10    CHILD SUPPORT AMOUNT, AS DETERMINED PURSUANT TO SUBSECTION  
11    (7)(a)(II)(B) OF THIS SECTION, MAY BE ADJUSTED TO INCLUDE A share of  
12    the work-related and education-related child care costs, health insurance,  
13    extraordinary medical expenses, and other extraordinary adjustments as  
14    described in subsections (9) to (11) of this section, IF, AFTER THESE  
15    ADJUSTMENTS ARE MADE, THE OBLIGOR'S CHILD SUPPORT AMOUNT DOES  
16    NOT EXCEED TWENTY PERCENT OF THE OBLIGOR'S ADJUSTED GROSS  
17    INCOME. ADJUSTMENTS MUST NOT BE MADE TO THE OBLIGOR'S CHILD  
18    SUPPORT AMOUNT PURSUANT TO THIS SUBSECTION (7)(a)(II)(C) IF, WITHIN  
19    THE SAME CHILD SUPPORT ORDER, THE NUMBER OF CHILDREN FOR WHOM  
20    A DUTY OF SUPPORT IS OWED RESULTS IN A CHILD SUPPORT OBLIGATION  
21    THAT EXCEEDS TWENTY PERCENT OF THE OBLIGOR'S ADJUSTED GROSS  
22    INCOME. The low-income adjustment shall not apply when each parent  
23    keeps the children more than ninety-two overnights each year as defined  
24    in subsection (8) of this section, In no case, however, shall the amount of  
25    child support ordered to be paid exceed the amount of child support that  
26    would otherwise be ordered to be paid if the parents did not share  
27    physical custody.



1 (D) In any circumstance in which the obligor's monthly adjusted  
2 gross income is less than ~~one thousand one~~ SIX hundred FIFTY dollars,  
3 regardless of the monthly adjusted gross income of the obligee, the  
4 obligor ~~shall~~ MUST be ordered to pay the minimum monthly order amount  
5 in child support. ~~based on the number of children due support and this~~  
6 ~~subsection (7).~~ The minimum order amount ~~shall be fifty~~ IS TEN dollars  
7 per month ~~for one child, seventy dollars per month for two children,~~  
8 ~~ninety dollars per month for three children, one hundred ten dollars per~~  
9 ~~month for four children, one hundred thirty dollars per month for five~~  
10 ~~children, and one hundred fifty dollars per month for six or more children.~~  
11 ~~The minimum order amount shall not apply when each parent keeps the~~  
12 ~~children more than ninety-two overnights each year as defined in~~  
13 ~~subsection (8) of this section. In no case, however, shall the amount of~~  
14 ~~child support ordered to be paid exceed the amount of child support that~~  
15 ~~would otherwise be ordered to be paid if the parents did not share~~  
16 ~~physical custody~~ REGARDLESS OF THE NUMBER OF CHILDREN BETWEEN  
17 THESE PARTIES. THE TEN-DOLLAR MINIMUM MONTHLY ORDER AMOUNT IS  
18 NOT ADJUSTED BY THE NUMBER OF THE OBLIGOR'S OVERNIGHTS WITH  
19 CHILDREN.

20



21 (b) Schedule of basic child support obligations:

22	<b>Combined</b>	<b>One</b>	<b>Two</b>	<b>Three</b>	<b>Four</b>	<b>Five</b>	<b>Six</b>
23	<b>OBLIGOR'S</b>	<b>Child</b>	<b>Children</b>	<b>Children</b>	<b>Children</b>	<b>Children</b>	<b>Children</b>
24	<b>Adjusted</b>						
25	<b>Gross</b>						
26	<b>Income</b>						
27	100						
28	150	Minimum Order Formula Applies for Adjusted Gross Income Below \$1,100					
29	200						

	<b>Combined OBLIGOR'S Adjusted Gross Income</b>	<b>One Child</b>	<b>Two Children</b>	<b>Three Children</b>	<b>Four Children</b>	<b>Five Children</b>	<b>Six Children</b>
1	250						
2	300						
3	350						
4	400						
5	450						
6	500						
7	550						
8	600						
9	650						
10	700						
11	750						
12	800						
13	850						
14	900						
15	950						
16	1000						
17	1050						
18	1100	216	335	410	458	504	547
19	1150	225	348	427	477	524	570
20	1200	234	362	443	495	545	592
21	1250	243	375	460	513	565	614
22	1300	251	389	476	532	585	636
23	1350	260	402	492	550	605	658
24	1400	269	416	509	568	625	680
25	1450	277	429	525	587	645	701
26	1500	286	442	541	604	665	723
27	<i>0-650</i>	<i>10</i>	<i>10</i>	<i>10</i>	<i>10</i>	<i>10</i>	<i>10</i>
28	<i>651-1500</i>	<i>50</i>	<i>70</i>	<i>90</i>	<i>110</i>	<i>130</i>	<i>150</i>

1	COMBINED	ONE	TWO	THREE	FOUR	FIVE	SIX
2	ADJUSTED	CHILD	CHILDREN	CHILDREN	CHILDREN	CHILDREN	CHILDREN
3	GROSS						
4	INCOME						
5	1550	<del>294</del>	<del>455</del>	<del>556</del>	<del>622</del>	<del>684</del>	<del>743</del>
6		<b>85</b>	<b>105</b>	<b>125</b>	<b>145</b>	<b>165</b>	<b>185</b>
7	1600	<del>302</del>	<del>467</del>	<del>572</del>	<del>639</del>	<del>703</del>	<del>764</del>
8		<b>120</b>	<b>140</b>	<b>160</b>	<b>180</b>	<b>200</b>	<b>220</b>
9	1650	<del>310</del>	<del>480</del>	<del>587</del>	<del>656</del>	<del>721</del>	<del>784</del>
10		<b>155</b>	<b>175</b>	<b>195</b>	<b>215</b>	<b>235</b>	<b>255</b>
11	1700	<del>319</del>	<del>492</del>	<del>602</del>	<del>673</del>	<del>740</del>	<del>805</del>
12		<b>190</b>	<b>210</b>	<b>230</b>	<b>250</b>	<b>270</b>	<b>290</b>
13	1750	<del>327</del>	<del>505</del>	<del>618</del>	<del>690</del>	<del>759</del>	<del>825</del>
14		<b>225</b>	<b>245</b>	<b>265</b>	<b>285</b>	<b>305</b>	<b>325</b>
15	1800	<del>335</del>	<del>518</del>	<del>634</del>	<del>708</del>	<del>778</del>	<del>846</del>
16		<b>260</b>	<b>280</b>	<b>300</b>	<b>320</b>	<b>340</b>	<b>360</b>
17	1850	<del>343</del>	<del>530</del>	<del>649</del>	<del>725</del>	<del>798</del>	<del>867</del>
18		<b>295</b>	<b>315</b>	<b>335</b>	<b>355</b>	<b>375</b>	<b>395</b>
19	1900	<del>352</del>	<del>543</del>	<del>665</del>	<del>742</del>	<del>817</del>	<del>888</del>
20		<b>330</b>	<b>350</b>	<b>370</b>	<b>390</b>	<b>410</b>	<b>430</b>
21	1950	<del>360</del>	<del>556</del>	<del>680</del>	<del>760</del>	<del>836</del>	<del>908</del>
22			<b>385</b>	<b>405</b>	<b>425</b>	<b>445</b>	<b>465</b>
23	2000	<del>368</del>	<del>569</del>	<del>696</del>	<del>777</del>	<del>855</del>	<del>929</del>
24			<b>420</b>	<b>440</b>	<b>460</b>	<b>480</b>	<b>500</b>
25	2050	<del>377</del>	<del>581</del>	<del>711</del>	<del>794</del>	<del>874</del>	<del>950</del>
26			<b>455</b>	<b>475</b>	<b>495</b>	<b>515</b>	<b>535</b>
27	2100	<del>385</del>	<del>594</del>	<del>727</del>	<del>812</del>	<del>893</del>	<del>971</del>
28			<b>490</b>	<b>510</b>	<b>530</b>	<b>550</b>	<b>570</b>
29	2150	<del>393</del>	<del>607</del>	<del>742</del>	<del>829</del>	<del>912</del>	<del>991</del>
30			<b>525</b>	<b>545</b>	<b>565</b>	<b>585</b>	<b>605</b>
31	2200	<del>401</del>	<del>620</del>	<del>758</del>	<del>847</del>	<del>931</del>	<del>1012</del>
32			<b>560</b>	<b>580</b>	<b>600</b>	<b>620</b>	<b>640</b>

	<b>COMBINED ADJUSTED GROSS INCOME</b>	<b>ONE CHILD</b>	<b>TWO CHILDREN</b>	<b>THREE CHILDREN</b>	<b>FOUR CHILDREN</b>	<b>FIVE CHILDREN</b>	<b>SIX CHILDREN</b>
1	2250	410	<del>632</del>	<del>773</del>	864	950	<del>1033</del>
2			<b>595</b>	<b>615</b>	<b>635</b>	<b>655</b>	<b>675</b>
3	2300	418	<del>645</del>	<del>789</del>	<del>881</del>	969	<del>1054</del>
4			<b>630</b>	<b>650</b>	<b>670</b>	<b>690</b>	<b>710</b>
5	2350	426	658	<del>804</del>	<del>899</del>	988	<del>1074</del>
6				<b>685</b>	<b>705</b>	<b>725</b>	<b>745</b>
7	2400	435	671	<del>820</del>	<del>916</del>	<del>1007</del>	<del>1095</del>
8				<b>720</b>	<b>740</b>	<b>760</b>	<b>780</b>
9	2450	443	683	<del>835</del>	<del>933</del>	<del>1026</del>	<del>1116</del>
10				<b>755</b>	<b>775</b>	<b>795</b>	<b>815</b>
11	2500	451	696	<del>851</del>	950	<del>1045</del>	<del>1136</del>
12				<b>790</b>	<b>810</b>	<b>830</b>	<b>850</b>
13	2550	459	709	<del>866</del>	968	<del>1064</del>	<del>1157</del>
14				<b>825</b>	<b>845</b>	<b>865</b>	<b>885</b>
15	2600	468	722	<del>882</del>	985	<del>1084</del>	<del>1178</del>
16				<b>860</b>	<b>880</b>	<b>900</b>	<b>920</b>
17	2650	476	734	<del>897</del>	<del>1002</del>	<del>1103</del>	<del>1198</del>
18				<b>895</b>	<b>915</b>	<b>935</b>	<b>955</b>
19	2700	484	747	913	<del>1020</del>	<del>1122</del>	<del>1219</del>
20					<b>950</b>	<b>970</b>	<b>990</b>
21	2750	493	760	928	<del>1037</del>	<del>1141</del>	<del>1240</del>
22					<b>985</b>	<b>1005</b>	<b>1025</b>
23	2800	501	772	944	<del>1054</del>	<del>1160</del>	<del>1261</del>
24					<b>1020</b>	<b>1040</b>	<b>1060</b>
25	2850	509	785	959	<del>1071</del>	<del>1179</del>	<del>1281</del>
26					<b>1055</b>	<b>1075</b>	<b>1095</b>
27	2900	517	797	974	1087	<del>1196</del>	<del>1300</del>
28						<b>1110</b>	<b>1130</b>

	COMBINED ADJUSTED GROSS INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
1	2950	525	809	988	1103	<del>1213</del>	<del>1319</del>
2						<b>1145</b>	<b>1165</b>
3	3000	533	821	1002	1119	<del>1231</del>	<del>1338</del>
4						<b>1180</b>	<b>1200</b>
5	3050	541	833	1016	1135	<del>1248</del>	<del>1357</del>
6						<b>1215</b>	<b>1235</b>
7	3100	548	844	1030	1150	<del>1266</del>	<del>1376</del>
8						<b>1250</b>	<b>1270</b>
9	3150	556	856	1044	1166	1283	<del>1394</del>
10							<b>1305</b>
11	3200	564	868	1058	1182	1300	<del>1413</del>
12							<b>1340</b>
13	3250	572	880	1072	1198	1318	<del>1432</del>
14							<b>1375</b>
15	3300	580	892	1086	1214	1335	<del>1451</del>
16							<b>1410</b>
17	3350	588	904	1101	1229	1352	<del>1470</del>
18							<b>1445</b>
19	3400	596	915	1115	1245	1370	<del>1489</del>
20							<b>1480</b>
21	3450	604	928	1129	1261	1388	1508
22	3500	612	940	1144	1278	1406	1529
23	3550	620	953	1160	1295	1425	1549
24	3600	628	965	1175	1312	1444	1569
25	3650	636	977	1189	1328	1460	1587
26	3700	643	987	1202	1342	1477	1605
27	3750	650	998	1215	1357	1493	1622
28	3800	657	1009	1228	1372	1509	1640

	COMBINED ADJUSTED GROSS INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
1	29050	2459	3705	4420	4938	5431	5904
2	29100	2463	3711	4428	4946	5440	5913
3	29150	2467	3717	4435	4954	5449	5923
4	29200	2471	3723	4442	4962	5458	5933
5	29250	2475	3729	4449	4970	5467	5942
6	29300	2479	3735	4456	4978	5476	5952
7	29350	2483	3741	4464	4986	5484	5962
8	29400	2487	3747	4471	4994	5493	5971
9	29450	2491	3753	4478	5002	5502	5981
10	29500	2495	3759	4485	5010	5511	5990
11	29550	2499	3765	4492	5018	5520	6000
12	29600	2503	3771	4500	5026	5529	6010
13	29650	2507	3777	4507	5034	5538	6019
14	29700	2511	3783	4514	5042	5546	6029
15	29750	2515	3789	4521	5050	5555	6039
16	29800	2519	3795	4529	5058	5564	6048
17	29850	2523	3801	4536	5066	5573	6058
18	29900	2527	3807	4543	5074	5582	6068
19	29950	2531	3813	4550	5083	5591	6077
20	30000	2535	3819	4557	5091	5600	6087

21                   **(8) Computation of basic child support - shared physical care**  
22                   **- split physical care - stipulations - deviations - basis for periodic**  
23                   **updates. (g) FOR PURPOSES OF CALCULATING CHILD SUPPORT, WHEN TWO**  
24                   **OR MORE CHILDREN ARE INCLUDED IN THE CHILD SUPPORT WORKSHEET**  
25                   **CALCULATION AND THE PARTIES HAVE A DIFFERENT NUMBER OF**  
26                   **OVERNIGHTS WITH TWO OR MORE OF THE CHILDREN, THE NUMBER OF**  
27                   **OVERNIGHTS USED TO DETERMINE CHILD SUPPORT IS DETERMINED BY**

1 ADDING TOGETHER THE NUMBER OF OVERNIGHTS FOR EACH CHILD AND  
2 THEN DIVIDING THAT NUMBER BY THE NUMBER OF CHILDREN INCLUDED IN  
3 THE CHILD SUPPORT WORKSHEET CALCULATION.

4 

5 (11) **Extraordinary adjustments to the schedule of basic child**  
6 **support obligations - periodic disability benefits.** (a) By agreement of  
7 the parties or by order of court, the following reasonable and necessary  
8 expenses incurred on behalf of the child ~~shall~~ MUST be divided between  
9 the parents in proportion to their adjusted gross income:

10 (I) Any expenses for attending any special or private elementary  
11 or secondary schools to meet the particular educational needs of the child  
12 OR PUBLIC SCHOOL MANDATORY SCHOOL FEES; and

13 (c) (I) IF THE NONCUSTODIAL PARENT RECEIVES PERIODIC  
14 DISABILITY BENEFITS GRANTED BY THE FEDERAL "OLD-AGE, SURVIVORS,  
15 AND DISABILITY INSURANCE ACT", 42 U.S.C. SEC. 401 ET SEQ., DUE TO  
16 THE DISABILITY OF THE NONCUSTODIAL PARENT OR RECEIVES  
17 EMPLOYER-PAID RETIREMENT BENEFITS FROM THE FEDERAL GOVERNMENT  
18 DUE TO THE RETIREMENT OF THE NONCUSTODIAL PARENT, THE  
19 NONCUSTODIAL PARENT SHALL NOTIFY THE CUSTODIAL PARTY, AND THE  
20 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT, IF A PARTY TO THE CASE,  
21 WITHIN SIXTY DAYS AFTER THE NONCUSTODIAL PARTY RECEIVES NOTICE  
22 OF SUCH BENEFITS.

23 (II) ABSENT GOOD CAUSE SHOWN, THE CUSTODIAL PARENT MUST  
24 APPLY FOR DEPENDENT BENEFITS FOR THE CHILD OR CHILDREN WITHIN  
25 SIXTY DAYS AFTER THE CUSTODIAL PARENT RECEIVES NOTIFICATION  
26 PURSUANT TO SUBSECTION (11)(c)(I) OF THIS SECTION, AND SHALL  
27 COOPERATE WITH THE APPROPRIATE FEDERAL AGENCY IN COMPLETING

1 ANY APPLICATION FOR BENEFITS.

2 (III) In cases where the custodial parent receives periodic  
3 disability benefits granted by the federal "Old-age, Survivors, and  
4 Disability Insurance Act", 42 U.S.C. SEC. 401 ET SEQ., on behalf of  
5 dependent children due to the disability of the noncustodial parent or  
6 receives employer-paid retirement benefits from the federal government  
7 on behalf of dependent children due to the retirement of the noncustodial  
8 parent, the noncustodial parent's share of the total child support obligation  
9 as determined pursuant to subsection (8) of this section ~~shall~~ MUST be  
10 reduced in an amount equal to the amount of the benefits.

11 **SECTION 2.** In Colorado Revised Statutes, 14-10-115, **amend**  
12 (16)(a) as follows:

13 **14-10-115. Child support guidelines - purpose - determination**  
14 **of income - schedule of basic child support obligations - adjustments**  
15 **to basic child support - additional guidelines - child support**  
16 **commission - definitions. (16) Child support commission.** (a) The  
17 child support guidelines, including the schedule of basic child support  
18 obligations, and general child support issues ~~shall~~ MUST be reviewed AT  
19 LEAST ONCE EVERY FOUR YEARS by a child support commission, which  
20 commission is hereby created. AFTER THE PERIODIC REVIEW DESCRIBED  
21 IN THIS SECTION, THE COMMISSION SHALL SUBMIT A REPORT TO THE  
22 GOVERNOR AND TO THE GENERAL ASSEMBLY EXPLAINING THE  
23 COMMISSION'S RECOMMENDATIONS.

24 **SECTION 3.** In Colorado Revised Statutes, 14-10-122, **amend**  
25 (1)(c) and (1.5)(c)(I) as follows:

26 **14-10-122. Modification and termination of provisions for**  
27 **maintenance, support, and property disposition - automatic lien -**



1     **definitions.** (1) (c) In any action or proceeding in any court of this state  
2     in which child support, maintenance when combined with child support,  
3     or maintenance is ordered, a payment becomes a final money judgment,  
4     referred to in this section as a support judgment, when it is due and not  
5     paid. Such payment ~~shall~~ IS not be retroactively modified except pursuant  
6     to ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION  
7     and may be enforced as other judgments without further action by the  
8     court; except that an existing child support order with respect to child  
9     support payable by the obligor may be modified retroactively to the time  
10    that a mutually agreed upon change of physical custody occurs pursuant  
11    to subsection (5) of this section. A support judgment is entitled to full  
12    faith and credit and may be enforced in any court of this state or any other  
13    state. In order to enforce a support judgment, the obligee shall file with  
14    the court that issued the order a verified entry of support judgment  
15    specifying the period of time that the support judgment covers and the  
16    total amount of the support judgment for that period. The obligee or the  
17    delegate child support enforcement unit ~~shall~~ IS not be required to wait  
18    fourteen days to execute on such support judgment. HOWEVER, A COPY OF  
19    THE VERIFIED ENTRY OF SUPPORT JUDGMENT MUST BE PROVIDED TO ALL  
20    PARTIES PURSUANT TO RULE 5 OF THE COLORADO RULES OF CIVIL  
21    PROCEDURE, UPON FILING WITH THE COURT. A verified entry of support  
22    judgment is not required to be signed by an attorney. A verified entry of  
23    support judgment may be used to enforce a support judgment for debt  
24    entered pursuant to section 14-14-104. The filing of a verified entry of  
25    support judgment ~~shall revive~~ REVIVES all individual support judgments  
26    that have arisen during the period of time specified in the entry of support  
27    judgment and that have not been satisfied, pursuant to rule 54 (h) of the

1 Colorado rules of civil procedure, without the requirement of a separate  
2 motion, notice, or hearing. Notwithstanding the provisions of this  
3 ~~paragraph (c)~~ SUBSECTION (1)(c), no court order for support judgment nor  
4 verified entry of support judgment ~~shall be~~ IS required in order for the  
5 county and state child support enforcement units to certify past-due  
6 amounts of child support to the internal revenue service or to the  
7 department of revenue for purposes of intercepting a federal or state tax  
8 refund or lottery winnings.

9 (1.5) (c) **Lien on personal property other than wages,**  
10 **insurance claim payments, awards, and settlements, and money held**  
11 **by a financial institution as defined in 42 U.S.C. sec. 669a (d)(1) or**  
12 **motor vehicles.** (I) To evidence a lien on personal property, other than  
13 wages; insurance claim payments, awards, and settlements as authorized  
14 in section 26-13-122.7; ~~C.R.S.~~ ACCOUNTS AS AUTHORIZED IN SECTION  
15 26-13-122.3; and ~~moneys~~ MONEY held by a financial institution as defined  
16 in 42 U.S.C. sec. 669a (d)(1) or motor vehicles, created pursuant to this  
17 subsection (1.5), the state child support enforcement agency shall file a  
18 notice of lien with the secretary of state by means of direct electronic data  
19 transmission. From the time of filing the notice of lien with the secretary  
20 of state, the lien is an encumbrance in favor of the obligee, or the assignee  
21 of the obligee, and encumbers all personal property or any interest of the  
22 obligor in any personal property.

23 **SECTION 4.** In Colorado Revised Statutes, 19-6-104, **amend**  
24 (5.5) as follows:

25 **19-6-104. Hearing - orders.** (5.5) All child support orders  
26 entered pursuant to this ~~article shall~~ ARTICLE 6 MUST include the ~~social~~  
27 ~~security account numbers and~~ dates of birth of the parties and of the

1 children who are the subjects of the order and the parties' residential and  
2 mailing addresses.

3 **SECTION 5.** In Colorado Revised Statutes, 26-13-106, **amend**  
4 **(4)**; and **add (5)** as follows:

5 **26-13-106. Eligibility for services - child support DRA fee cash**  
6 **fund.** (4) After more than five hundred FIFTY dollars has been collected  
7 from an obligor during a year, the county department shall recover a fee  
8 of ~~twenty-five~~ THIRTY-FIVE dollars from the obligee if the obligee has  
9 never received public assistance. The county department shall withhold  
10 the fee from the first amount collected that exceeds the  
11 ~~five-hundred-dollar~~ FIVE-HUNDRED-FIFTY-DOLLAR threshold.

12 (5) THERE IS CREATED IN THE STATE TREASURY THE CHILD  
13 SUPPORT DRA FEE CASH FUND, REFERRED TO IN THIS SUBSECTION (5) AS  
14 THE "FUND". THE FUND CONSISTS OF MONEY CREDITED TO THE FUND FROM  
15 THE STATE SHARE, IF ANY, OF FEES COLLECTED PURSUANT TO THIS SECTION  
16 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE  
17 OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL  
18 INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF  
19 MONEY IN THE FUND TO THE FUND. SUBJECT TO ANNUAL APPROPRIATION  
20 BY THE GENERAL ASSEMBLY, THE STATE DEPARTMENT MAY EXPEND  
21 MONEY FROM THE FUND FOR PROGRAM OPERATIONS.

22 **SECTION 6.** In Colorado Revised Statutes, **add** 26-13-122.3 as  
23 follows:

24 **26-13-122.3. Administrative lien and levy of accounts held by**  
25 **financial institutions - definitions.** (1) FOR PURPOSES OF THIS SECTION,  
26 UNLESS THE CONTEXT OTHERWISE REQUIRES:

27 (a) "ACCOUNT" HAS THE SAME MEANING AS DEFINED IN SECTION

1     26-13-128 (7)(a).

2             (b) "FINANCIAL INSTITUTION" HAS THE SAME MEANING AS DEFINED  
3     IN SECTION 26-13-128 (7)(b).

4             (2) THE STATE CHILD SUPPORT ENFORCEMENT AGENCY MAY ISSUE  
5     A NOTICE OF ADMINISTRATIVE LIEN AND LEVY TO ANY FINANCIAL  
6     INSTITUTION OR ITS AGENT HOLDING AN OBLIGOR PARENT'S ACCOUNT OR  
7     ACCOUNTS IDENTIFIED PURSUANT TO SECTION 26-13-128. THE  
8     ADMINISTRATIVE LIEN AND LEVY MAY BE ISSUED WHEN AN OBLIGOR WHO  
9     IS RESPONSIBLE FOR THE SUPPORT OF A CHILD ON WHOSE BEHALF THE  
10    OBLIGEE IS RECEIVING SUPPORT ENFORCEMENT SERVICES FROM THE  
11    STATE'S CHILD SUPPORT ENFORCEMENT AGENCY PURSUANT TO THIS  
12    ARTICLE 13 IS PAST DUE ON CHILD SUPPORT OBLIGATIONS. THE NOTICE  
13    MUST INCLUDE THE FOLLOWING STATEMENTS AND INFORMATION:

14            (a) THE NAME AND ADDRESS OF THE FINANCIAL INSTITUTION  
15    HOLDING AN OBLIGOR PARENT'S FINANCIAL ACCOUNT OR ACCOUNTS;

16            (b) THE OBLIGOR'S NAME, LAST-KNOWN ADDRESS, AND SOCIAL  
17    SECURITY NUMBER EXCEPT WHERE OTHER IDENTIFYING INFORMATION MAY  
18    BE PROVIDED IN LIEU OF A SOCIAL SECURITY NUMBER;

19            (c) THE TOTAL AMOUNT OWED FOR PAST-DUE CHILD SUPPORT AS  
20    IDENTIFIED BY THE STATE AS PROVIDED IN SECTION 26-13-128 (2)(c);

21            (d) A STATEMENT THAT THE NOTICE OF ADMINISTRATIVE LIEN AND  
22    LEVY TAKES EFFECT UPON THE RECEIPT BY THE FINANCIAL INSTITUTION OF  
23    THE NOTICE;

24            (e) INSTRUCTIONS ON THE REMITTANCE OF THE WITHHELD OR  
25    SURRENDERED AMOUNTS, INCLUDING THE REQUIREMENT THAT EACH  
26    CHECK OR REMITTANCE:

27            (I) BE PAYABLE TO THE FAMILY SUPPORT REGISTRY AND SENT TO

1 THE ADDRESS INDICATED IN THE NOTICE;

2 (II) BE SURRENDERED WITHIN THIRTY DAYS AFTER THE DATE OF

3 NOTICE OF LIEN AND LEVY; AND

4 (III) INCLUDE THE FAMILY SUPPORT REGISTRY ACTION NUMBER ON

5 THE FACE OF THE CHECK OR REMITTANCE;

6 (f) A STATEMENT THAT, IF NO FUNDS ARE AVAILABLE FOR

7 SURRENDER, THE FINANCIAL INSTITUTION SHALL RETURN THE REMITTANCE

8 NOTICE WITHIN THIRTY DAYS AFTER THE DATE OF THE NOTICE OF LIEN AND

9 LEVY; AND

10 (g) A STATEMENT THAT THE ADMINISTRATIVE LIEN AND LEVY IS

11 AUTOMATICALLY INACTIVATED ONCE THE FINANCIAL INSTITUTION HAS

12 RETURNED THE REMITTANCE NOTICE OR SURRENDERED THE FUNDS HELD

13 BY THE FINANCIAL INSTITUTION.

14 (3) IN ORDER TO ATTACH AND COLLECT FUNDS IN A FINANCIAL

15 ACCOUNT IDENTIFIED PURSUANT TO SECTION 26-13-128 FOR PAST-DUE

16 CHILD SUPPORT, THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IS

17 AUTHORIZED TO SERVE, BY FIRST-CLASS MAIL OR BY ELECTRONIC MEANS

18 IF MUTUALLY AGREED UPON, A NOTICE OF ADMINISTRATIVE LIEN AND

19 LEVY ON ANY FINANCIAL INSTITUTION OR ITS AGENT THAT HOLDS THE

20 OBLIGOR PARENT'S ACCOUNT OR ACCOUNTS. A COPY OF THE

21 ADMINISTRATIVE LIEN AND LEVY MUST BE PROVIDED TO THE OBLIGOR AND

22 MUST INCLUDE INFORMATION ON THE OBLIGOR'S AND, IF APPLICABLE, A

23 JOINT ACCOUNT HOLDER OR HOLDERS', RIGHT TO FILE AN APPLICABLE

24 EXCEPTION, EXEMPTION, OR APPEAL, INCLUDING BUT NOT LIMITED TO,

25 CUSTODIAL ACCOUNTS PURSUANT TO SECTION 11-50-110, THE EARNINGS

26 LIMITATIONS SET FORTH IN SECTION 13-54-104 (3), AND THE APPEAL

27 POLICY FOR JOINTLY OWNED OR SHARED ACCOUNTS.

1           (4) SUBSECTION (3) OF THIS SECTION APPLIES TO ALL PAST-DUE  
2 CHILD SUPPORT OBLIGATIONS ORDERED AS PART OF ANY PROCEEDING,  
3 REGARDLESS OF WHEN THE ORDER WAS ENTERED, AND ALL SUCH CHILD  
4 SUPPORT OBLIGORS ARE SUBJECT TO NOTICE OF ADMINISTRATIVE LIEN AND  
5 LEVY AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

6           **SECTION 7.** In Colorado Revised Statutes, 26-13.5-105, **amend**  
7 (4) as follows:

8           **26-13.5-105. Negotiation conference - issuance of order of**  
9 **financial responsibility - filing of order with district court.** (4) The  
10 determination of the monthly support obligation ~~shall be~~ is based on the  
11 child support guidelines set forth in section 14-10-115. ~~C.R.S.~~ The  
12 delegate child support enforcement unit may issue an administrative  
13 subpoena requesting income information, including but not limited to  
14 wage statements, pay stubs, and tax records. In the absence of reliable  
15 information, which may include such information as wage statements or  
16 other wage information obtained from the department of labor and  
17 employment, tax records, and verified statements made by the obligee, the  
18 delegate child support enforcement unit shall set the amount included in  
19 the order of financial responsibility pursuant to section 14-10-115, ~~C.R.S.~~,  
20 ~~based on the current minimum wage for a forty-hour workweek~~ AFTER  
21 CONSIDERING THE FACTORS SET FORTH IN SECTION 14-10-115 (5)(b.5)(II).

22           **SECTION 8. Appropriation.** For the 2019-20 state fiscal year,  
23 \$143,650 is appropriated to the department of human services for use by  
24 the office of self sufficiency. This appropriation is from the child support  
25 deficit reduction act fee cash fund. To implement this act, the office may  
26 use this appropriation for the automated child support enforcement  
27 system.

1           **SECTION 9. Effective date - applicability.** (1) This act takes  
2 effect July 1, 2019; except that section 14-10-115 (3)(c.5), (6)(b),  
3 (7)(a)(II)(B), (7)(a)(II)(C), (7)(a)(II)(D), (7)(b), (8)(g), (11)(a)  
4 introductory portion, (11)(a)(I), and (11)(c), Colorado Revised Statutes,  
5 as amended and added in section 1 of this act, takes effect July 1, 2020.  
6           (2) Section 1 of this act applies to orders entered on or after the  
7 applicable effective dates specified in subsection (1) of this section.  
8           **SECTION 10. Safety clause.** The general assembly hereby finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, and safety. ■■■