

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 05-1038

BY REPRESENTATIVE(S) Cadman, Balmer, Berens, Buescher, Butcher, Carroll M., Clapp, Coleman, Crane, Frangas, Hefley, Lundberg, Massey, Merrifield, Schultheis, and Stafford;
also SENATOR(S) Gordon.

CONCERNING AUTOMATIC TERMINATION OF CHILD SUPPORT.

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

SECTION 1. 14-10-115 (1.6), Colorado Revised Statutes, is amended to read:

14-10-115. Child support - guidelines - schedule of basic child support obligations. (1.6) For child support orders entered on or after July 1, 1997, unless a court finds that a child is otherwise emancipated, emancipation occurs and child support terminates WITHOUT EITHER PARTY FILING A MOTION when the child attains nineteen years of age unless one or more of the following conditions exist:

(a) The parties agree otherwise in a written stipulation after July 1, 1997.

(b) If the child is mentally or physically disabled, the court or the

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

delegate child support enforcement unit may order child support, including payments for medical expenses or insurance or both, to continue beyond the age of nineteen.

(c) If the child is still in high school or an equivalent program, support continues until the end of the month following graduation. A child who ceases to attend high school prior to graduation and later reenrolls is entitled to support upon reenrollment and until the end of the month following graduation, but not beyond age twenty-one.

SECTION 2. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of 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 (August 10, 2005, if adjournment sine die is on May 11, 2005); except that, if 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 child support orders entered on or after July 1, 1997.

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO