

**First Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO**

**REREVISED**

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

LLS NO. 07-0861.01 Stephen Miller

**HOUSE BILL 07-1349**

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**HOUSE SPONSORSHIP**

**Kefalas,**

**SENATE SPONSORSHIP**

**Ward,**

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**House Committees**

Health and Human Services  
Appropriations

**Senate Committees**

State, Veterans & Military Affairs  
Appropriations

SENATE  
Amended 3rd Reading  
May 4, 2007

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**A BILL FOR AN ACT**

101 **CONCERNING CHILD SUPPORT OBLIGATIONS, AND MAKING AN**  
102 **APPROPRIATION IN CONNECTION THEREWITH.**

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SENATE  
Amended 2nd Reading  
May 3, 2007

**Bill Summary**

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

Modifies circumstances in which the attorney for a county department of social services ("county department") may enter an appearance in a dissolution proceeding. Specifies 2 situations in which a child is considered emancipated for purposes of determining when child support terminates. Modifies the calculation of certain adjustments to the income of a parent responsible for child support.

Specifies that, if a spouse of a parent provides health care

HOUSE  
3rd Reading Unamended  
April 25, 2007

HOUSE  
Amended 2nd Reading  
April 24, 2007

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

insurance for the parent's child, a credit on the child support worksheet shall be given to the parent in the same manner as if the premium were paid by the parent. Removes references to "absent parent" and replaces them with "obligor".

Specifies that the right to require a hearing before a judge does not apply to parentage proceedings or support proceedings held pursuant to the children's code. Specifies that contested final orders in those proceedings regarding the allocation of parental responsibilities may be heard by the juvenile court magistrate with the consent of the parties. Enables a county department to collect a fee from an obligee that never received public assistance, once \$500 in support has been received, as required by the federal "Deficit Reduction Act of 2005".

Requires a party to provide financial information when requesting a review of a current child support order. Requires the delegate child support enforcement unit, if the obligee is receiving temporary assistance to needy families, to review a child support order every 36 months, as required by the federal "Deficit Reduction Act of 2005".

Specifies the content required for the notice of review of a current child support order. Modifies the requirements for conducting the review. Requires the delegate child support enforcement unit to include a child support guideline worksheet with the review results and to provide the parties with the supporting financial documentation used to calculate the monthly support obligation.

Modifies the time frame for challenging the review results. Provides the delegate child support enforcement unit 15 days within which to respond to a challenge. Requires an amended notice of review to be issued if a challenge results in a change to the monthly support obligation. Requires that, if the review indicates modification is appropriate and there are no challenges or after all challenges have been addressed, the delegate child support enforcement unit shall file a motion to modify with the court. Modifies the procedure for the court to follow after the motion is filed.

Replaces the requirement to send the national medical support notice to the obligor with an additional advisement of rights.

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

2           **SECTION 1.** 14-10-107.5 (1), Colorado Revised Statutes, is  
3 amended to read:

4           **14-10-107.5. Entry of appearance to establish support.**

5 (1) The attorney for the county department of social services may file an

1 entry of appearance on behalf of the department in any proceeding for  
2 dissolution of marriage or legal separation under this article for purposes  
3 of establishing, modifying, and enforcing child support and medical  
4 support ~~of a child on whose behalf the custodian of said child~~ IF ANY  
5 PARTY is receiving support enforcement services pursuant to section  
6 26-13-106, C.R.S., and for purposes of establishing and enforcing  
7 reimbursement of payments for ~~aid to families with dependent children~~  
8 TEMPORARY ASSISTANCE TO NEEDY FAMILIES.

9 **SECTION 2.** The introductory portion to 14-10-115 (1.5) (a),  
10 Colorado Revised Statutes, is amended, and the said 14-10-115 (1.5) (a)  
11 is further amended BY THE ADDITION OF THE FOLLOWING NEW  
12 SUBPARAGRAPHS, to read:

13 **14-10-115. Child support - guidelines - schedule of basic child**  
14 **support obligations.** (1.5) (a) For child support orders entered prior to  
15 July 1, 1997, unless a court finds that a child is otherwise emancipated,  
16 emancipation occurs and child support terminates WITHOUT EITHER PARTY  
17 FILING A MOTION when the LAST OR ONLY child attains nineteen years of  
18 age unless one or more of the following conditions exist:

19 (IV) IF THE CHILD MARRIES, THE CHILD SHALL BE CONSIDERED  
20 EMANCIPATED AS OF THE DATE OF THE MARRIAGE. IF THE MARRIAGE IS  
21 ANNULLED, DISSOLVED, OR DECLARED INVALID, CHILD SUPPORT MAY BE  
22 REINSTATED.

23 (V) IF THE CHILD ENTERS INTO ACTIVE MILITARY DUTY, THE CHILD  
24 SHALL BE CONSIDERED EMANCIPATED.

25 **SECTION 3.** The introductory portion to 14-10-115 (15) (b),  
26 Colorado Revised Statutes, as amended by Senate Bill 07-015, enacted at  
27 the First Regular Session of the Sixty-sixth General Assembly, is

1 amended, and the said 14-10-115 (15) (b) is further amended BY THE  
2 ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

3 **14-10-115. Child support - guidelines - schedule of basic child**  
4 **support obligations.** (15) (b) For child support orders entered prior to  
5 July 1, 1997, unless a court finds that a child is otherwise emancipated,  
6 emancipation occurs and child support terminates WITHOUT EITHER PARTY  
7 FILING A MOTION when the LAST OR ONLY child attains nineteen years of  
8 age unless one or more of the following conditions exist:

9 (IV) IF THE CHILD MARRIES, THE CHILD SHALL BE CONSIDERED  
10 EMANCIPATED AS OF THE DATE OF THE MARRIAGE. IF THE MARRIAGE IS  
11 ANNULLED, DISSOLVED, OR DECLARED INVALID, CHILD SUPPORT MAY BE  
12 REINSTATED.

13 (V) IF THE CHILD ENTERS INTO ACTIVE MILITARY DUTY, THE CHILD  
14 SHALL BE CONSIDERED EMANCIPATED.

15 **SECTION 4.** 14-10-115 (1.6), Colorado Revised Statutes, is  
16 amended BY THE ADDITION OF THE FOLLOWING NEW  
17 PARAGRAPHS to read:

18 **14-10-115. Child support - guidelines - schedule of basic child**  
19 **support obligations.** (1.6) For child support orders entered on or after  
20 July 1, 1997, unless a court finds that a child is otherwise emancipated,  
21 emancipation occurs and child support terminates without either party  
22 filing a motion when the last or only child attains nineteen years of age  
23 unless one or more of the following conditions exist:

24 (d) IF THE CHILD MARRIES, THE CHILD SHALL BE CONSIDERED  
25 EMANCIPATED AS OF THE DATE OF THE MARRIAGE. IF THE MARRIAGE IS  
26 ANNULLED, DISSOLVED, OR DECLARED INVALID, CHILD SUPPORT MAY BE  
27 REINSTATED.

1 (e) IF THE CHILD ENTERS INTO ACTIVE MILITARY DUTY, THE CHILD  
2 SHALL BE CONSIDERED EMANCIPATED.

3 **SECTION 5.** 14-10-115 (13) (a), Colorado Revised Statutes, as  
4 amended by Senate Bill 07-015, enacted at the First Regular Session of  
5 the Sixty-sixth General Assembly, is amended BY THE ADDITION OF  
6 THE FOLLOWING NEW SUBPARAGRAPHS to read:

7 **14-10-115. Child support - guidelines - schedule of basic child**  
8 **support obligations.** (13) **Emancipation.** (a) For child support orders  
9 entered on or after July 1, 1997, unless a court finds that a child is  
10 otherwise emancipated, emancipation occurs and child support terminates  
11 without either party filing a motion when the last or only child attains  
12 nineteen years of age unless one or more of the following conditions  
13 exist:

14 (IV) IF THE CHILD MARRIES, THE CHILD SHALL BE CONSIDERED  
15 EMANCIPATED AS OF THE DATE OF THE MARRIAGE. IF THE MARRIAGE IS  
16 ANNULLED, DISSOLVED, OR DECLARED INVALID, CHILD SUPPORT MAY BE  
17 REINSTATED.

18 (V) IF THE CHILD ENTERS INTO ACTIVE MILITARY DUTY, THE CHILD  
19 SHALL BE CONSIDERED EMANCIPATED.

20 **SECTION 6.** 14-10-115 (7) (d.5) (I) and (13.5) (a), Colorado  
21 Revised Statutes, are amended to read:

22 **14-10-115. Child support - guidelines - schedule of basic child**  
23 **support obligations.** (7) **Determination of income.** (d.5) (I) At the  
24 time of the initial establishment of a child support order, or in any  
25 proceeding to modify a support order, if a parent is also legally  
26 responsible for the support of other children ~~born prior to the children~~  
27 ~~who are the subject of the child support order and for whom the parents~~

1 do not share joint legal responsibility, an adjustment shall be made  
2 revising such parent's income prior to calculating the basic child support  
3 obligation for the children who are the subject of the support order if the  
4 children are living in the home of the parent seeking the adjustment or if  
5 the children are living out of the home, and the parent seeking the  
6 adjustment provides documented proof of money payments of support of  
7 those children. The amount shall not exceed the guidelines listed in this  
8 section. ~~An amount equal to the amount listed under the schedule of~~  
9 ~~basic child support obligations in paragraph (b) of subsection (10) of this~~  
10 ~~section which would represent a support obligation based only upon the~~  
11 ~~responsible parent's gross income, without any other adjustments, for the~~  
12 ~~number of such other children for whom such parent is also responsible~~  
13 ~~shall be subtracted from the amount of such parent's gross income prior~~  
14 ~~to calculating the basic child support obligation based on both parents'~~  
15 ~~gross income as provided in subsection (10) of this section.~~ FOR A  
16 PARENT WITH A GROSS INCOME OF ONE THOUSAND EIGHT HUNDRED FIFTY  
17 DOLLARS OR LESS PER MONTH, THE ADJUSTMENT SHALL BE SEVENTY-FIVE  
18 PERCENT OF THE AMOUNT CALCULATED USING THE LOW-INCOME  
19 ADJUSTMENT DESCRIBED IN SUB-SUBPARAGRAPHS (B) AND (C) OF  
20 SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (10) OF THIS  
21 SECTION BASED ONLY UPON THE RESPONSIBLE PARENT'S INCOME, WITHOUT  
22 ANY OTHER ADJUSTMENTS FOR THE NUMBER OF OTHER CHILDREN FOR  
23 WHOM THE PARENT IS RESPONSIBLE. FOR A PARENT WITH A GROSS INCOME  
24 OF MORE THAN ONE THOUSAND EIGHT HUNDRED FIFTY DOLLARS PER  
25 MONTH, THE ADJUSTMENT SHALL BE SEVENTY-FIVE PERCENT OF THE  
26 AMOUNT LISTED UNDER THE SCHEDULE OF BASIC SUPPORT OBLIGATIONS  
27 IN PARAGRAPH (b) OF SUBSECTION (10) OF THIS SECTION THAT WOULD

1 REPRESENT A SUPPORT OBLIGATION BASED ONLY UPON THE RESPONSIBLE  
2 PARENT'S INCOME, WITHOUT ANY OTHER ADJUSTMENTS FOR THE NUMBER  
3 OF OTHER CHILDREN FOR WHOM THE PARENT IS RESPONSIBLE. THE  
4 AMOUNT CALCULATED AS SET FORTH IN THIS SUBPARAGRAPH (I) SHALL BE  
5 SUBTRACTED FROM THE AMOUNT OF THE PARENT'S GROSS INCOME PRIOR  
6 TO CALCULATING THE BASIC SUPPORT OBLIGATION BASED UPON BOTH  
7 PARENTS' GROSS INCOME, AS PROVIDED IN SUBSECTION (10) OF THIS  
8 SECTION.

9 (13.5) (a) **Health care expenditures for children.** In orders  
10 issued pursuant to this section, the court shall also provide for the child's  
11 or children's current and future medical needs by ordering either parent  
12 or both parents to initiate medical or medical and dental insurance  
13 coverage for the child or children through currently effective medical or  
14 medical and dental insurance policies held by the parent or parents,  
15 purchase medical or medical and dental insurance for the child or  
16 children, or provide the child or children with current and future medical  
17 needs through some other manner. IF A PARENT HAS BEEN DIRECTED TO  
18 PROVIDE INSURANCE PURSUANT TO THIS SECTION AND THAT PARENT'S  
19 SPOUSE PROVIDES THE INSURANCE FOR THE BENEFIT OF THE CHILD OR  
20 CHILDREN EITHER DIRECTLY OR THROUGH EMPLOYMENT, A CREDIT ON THE  
21 CHILD SUPPORT WORKSHEET SHALL BE GIVEN TO THE PARENT IN THE SAME  
22 MANNER AS IF THE PREMIUM WERE PAID BY THE PARENT. At the same  
23 time, the court shall order payment of medical insurance or medical and  
24 dental insurance deductibles and copayments.

25 **SECTION 7.** 14-10-115 (6) (b) (I) and (10) (a), Colorado Revised  
26 Statutes, as amended by Senate Bill 07-015, enacted at the First Regular  
27 Session of the Sixty-sixth General Assembly, are amended to read:

1           **14-10-115. Child support - guidelines - schedule of basic child**  
2 **support obligations. (6) Adjustments to gross income. (b) (I)** At the  
3 time of the initial establishment of a child support order, or in any  
4 proceeding to modify a support order, if a parent is also legally  
5 responsible for the support of other children ~~born prior to the children~~  
6 ~~who are the subject of the child support order and~~ for whom the parents  
7 do not share joint legal responsibility, an adjustment shall be made  
8 revising the parent's income prior to calculating the basic child support  
9 obligation for the children who are the subject of the support order if the  
10 children are living in the home of the parent seeking the adjustment or if  
11 the children are living out of the home, and the parent seeking the  
12 adjustment provides documented proof of money payments of support of  
13 those children. The amount shall not exceed the schedule of basic  
14 support obligations listed in this section. ~~An amount equal to the amount~~  
15 ~~listed under the schedule of basic child support obligations in paragraph~~  
16 ~~(b) of subsection (7) of this section that would represent a support~~  
17 ~~obligation based only upon the responsible parent's gross income, without~~  
18 ~~any other adjustments, for the number of other children for whom the~~  
19 ~~parent is also responsible shall be subtracted from the amount of the~~  
20 ~~parent's gross income prior to calculating the basic child support~~  
21 ~~obligation based on both parents' gross income as provided in subsection~~  
22 ~~(7) of this section.~~ FOR A PARENT WITH A GROSS INCOME OF ONE  
23 THOUSAND EIGHT HUNDRED FIFTY DOLLARS OR LESS PER MONTH, THE  
24 ADJUSTMENT SHALL BE SEVENTY-FIVE PERCENT OF THE AMOUNT  
25 CALCULATED USING THE LOW-INCOME ADJUSTMENT DESCRIBED IN  
26 SUB-SUBPARAGRAPHS (B) AND (C) OF SUBPARAGRAPH (II) OF PARAGRAPH  
27 (a) OF SUBSECTION (7) OF THIS SECTION BASED ONLY UPON THE



1 RESPONSIBLE PARENT'S INCOME, WITHOUT ANY OTHER ADJUSTMENTS FOR  
2 THE NUMBER OF OTHER CHILDREN FOR WHOM THE PARENT IS RESPONSIBLE.  
3 FOR A PARENT WITH GROSS INCOME OF MORE THAN ONE THOUSAND EIGHT  
4 HUNDRED FIFTY DOLLARS PER MONTH, THE ADJUSTMENT SHALL BE  
5 SEVENTY-FIVE PERCENT OF THE AMOUNT LISTED UNDER THE SCHEDULE OF  
6 BASIC SUPPORT OBLIGATIONS IN PARAGRAPH (b) OF SUBSECTION (7) OF  
7 THIS SECTION THAT WOULD REPRESENT A SUPPORT OBLIGATION BASED  
8 ONLY UPON THE RESPONSIBLE PARENT'S INCOME, WITHOUT ANY OTHER  
9 ADJUSTMENTS FOR THE NUMBER OF OTHER CHILDREN FOR WHOM THE  
10 PARENT IS RESPONSIBLE. THE AMOUNT CALCULATED AS SET FORTH IN THIS  
11 SUBPARAGRAPH (I) SHALL BE SUBTRACTED FROM THE AMOUNT OF THE  
12 PARENT'S GROSS INCOME PRIOR TO CALCULATING THE BASIC SUPPORT  
13 OBLIGATION BASED UPON BOTH PARENTS' GROSS INCOME, AS PROVIDED IN  
14 SUBSECTION (7) OF THIS SECTION.

15 (10) (a) **Adjustments for health care expenditures for children.**  
16 In orders issued pursuant to this section, the court shall also provide for  
17 the child's or children's current and future medical needs by ordering  
18 either parent or both parents to initiate medical or medical and dental  
19 insurance coverage for the child or children through currently effective  
20 medical or medical and dental insurance policies held by the parent or  
21 parents, purchase medical or medical and dental insurance for the child  
22 or children, or provide the child or children with current and future  
23 medical needs through some other manner. IF A PARENT HAS BEEN  
24 DIRECTED TO PROVIDE INSURANCE PURSUANT TO THIS SECTION AND THAT  
25 PARENT'S SPOUSE PROVIDES THE INSURANCE FOR THE BENEFIT OF THE  
26 CHILD OR CHILDREN EITHER DIRECTLY OR THROUGH EMPLOYMENT, A  
27 CREDIT ON THE CHILD SUPPORT WORKSHEET SHALL BE GIVEN TO THE

1 PARENT IN THE SAME MANNER AS IF THE PREMIUM WERE PAID BY THE  
2 PARENT. At the same time, the court shall order payment of medical  
3 insurance or medical and dental insurance deductibles and copayments.

4 **SECTION 8.** 14-14-104 (1) (b), Colorado Revised Statutes, is  
5 amended to read:

6 **14-14-104. Recovery for child support debt.** (1) (b) Where  
7 there has been no court or administrative order for child support, the  
8 county department of social services through its delegate child support  
9 enforcement unit may initiate a court or administrative action to establish  
10 the amount of child support debt accrued, and the court or delegate child  
11 support enforcement unit, after hearing or upon stipulation or upon a  
12 default order, shall enter an order for child support debt. The debt shall  
13 be based on the amount of current child support due, or which would be  
14 HAVE BEEN due if ~~the obligor were an absent parent~~ THERE WERE AN  
15 EXISTING ORDER FOR CHILD SUPPORT, under the current child support  
16 enforcement guidelines in effect on the date of the stipulation, default  
17 order, or hearing to establish the child support debt, times the number of  
18 months the family received public assistance. The total amount of child  
19 support debt shall not exceed the total amount paid for public assistance.  
20 A child support debt established pursuant to this paragraph (b) shall be in  
21 addition to any subsequent child support debt accrued pursuant to  
22 paragraph (a) of this subsection (1).

23 **SECTION 9.** 19-1-108 (3) (a.5), Colorado Revised Statutes, is  
24 amended to read:

25 **19-1-108. Magistrates - qualifications - duties - repeal.**  
26 (3) (a.5) Magistrates shall conduct hearings in the manner provided for  
27 the hearing of cases by the court. During the initial advisement of the

1 rights of any party, the magistrate shall inform the party that, except as  
2 provided in this subsection (3), he or she has the right to a hearing before  
3 the judge in the first instance and that he or she may waive that right but  
4 that, by waiving that right, he or she is bound by the findings and  
5 recommendations of the magistrate, subject to a request for review as  
6 provided in subsection (5) of this section. The right to require a hearing  
7 before a judge shall not apply to hearings at which a child is advised of  
8 his or her rights pursuant to section 19-2-706, detention hearings held  
9 pursuant to sections 19-2-507 and 19-2-508, preliminary hearings held  
10 pursuant to section 19-2-705, ~~and~~ temporary custody hearings held  
11 pursuant to section 19-3-403, PROCEEDINGS HELD PURSUANT TO ARTICLE  
12 4 OF THIS TITLE, AND SUPPORT PROCEEDINGS HELD PURSUANT TO ARTICLE  
13 6 OF THIS TITLE. IN PROCEEDINGS HELD PURSUANT TO ARTICLE 4 OR 6 OF  
14 THIS TITLE, CONTESTED FINAL ORDERS REGARDING ALLOCATION OF  
15 PARENTAL RESPONSIBILITIES MAY BE HEARD BY THE MAGISTRATE ONLY  
16 WITH THE CONSENT OF ALL PARTIES.

17 **SECTION 10.** 26-2-805 (1) (d), Colorado Revised Statutes, is  
18 amended to read:

19 **26-2-805. Services - assistance provided - rules.** (1) (d) On and  
20 after January 1, 2005, a county may require a person who receives child  
21 care assistance pursuant to this section and who is not otherwise a  
22 participant to apply, pursuant to section 26-13-106 (2), for child support  
23 establishment, modification, and enforcement services related to any  
24 support owed by ~~absent parents~~ OBLIGORS to their children and to  
25 cooperate with the delegate child support enforcement unit to receive  
26 these services; except that no person shall be required to submit a written  
27 application for child support establishment, modification, and

1 enforcement services if the person shows good cause to the county  
2 implementing the Colorado child care assistance program for not  
3 receiving these services. On or before October 1, 2004, the state board  
4 shall promulgate rules for the implementation of this paragraph (d),  
5 including but not limited to rules establishing good cause for not  
6 receiving these services, and rules for the imposition of sanctions upon  
7 a person who fails, without good cause as determined by the county  
8 implementing the Colorado child care assistance program, to apply for  
9 child support enforcement services or to cooperate with the delegate child  
10 support enforcement unit as required by this paragraph (d).

11 **SECTION 11.** 26-13-102, Colorado Revised Statutes, is amended  
12 to read:

13 **26-13-102. Legislative declaration.** The purposes of this article  
14 are to provide for enforcing the support obligations owed by ~~absent~~  
15 ~~parents~~ OBLIGORS, to locate ~~absent-parents~~ OBLIGORS, to establish  
16 parentage, to establish and modify child support obligations, and to obtain  
17 support in cooperation with the federal government pursuant to Title  
18 IV-D of the federal "Social Security Act", as amended, and other  
19 applicable federal regulations.

20 **SECTION 12.** 26-13-106 (1), Colorado Revised Statutes, is  
21 amended, and the said 26-13-106 is further amended BY THE  
22 ADDITION OF A NEW SUBSECTION, to read:

23 **26-13-106. Eligibility for services.** (1) Support enforcement  
24 services shall be provided to those recipients of medicaid-only and Title  
25 IV-E foster care as required by federal law and to participants in the  
26 Colorado works program implemented pursuant to part 7 of article 2 of  
27 this title who, as a condition of eligibility pursuant to federal law, must

1 assign their rights to support to, and cooperate with, the state department  
2 in the establishment, modification, and enforcement of support  
3 obligations owed by ~~absent parents~~ OBLIGORS to their children and the  
4 enforcement of maintenance owed by ~~absent parents~~ OBLIGORS to their  
5 spouses or former spouses.

6 (4) AFTER MORE THAN FIVE HUNDRED DOLLARS HAS BEEN  
7 COLLECTED FROM AN OBLIGOR DURING A YEAR, THE COUNTY DEPARTMENT  
8 SHALL RECOVER A FEE OF TWENTY-FIVE DOLLARS FROM THE OBLIGEE IF  
9 THE OBLIGEE HAS NEVER RECEIVED PUBLIC ASSISTANCE. THE COUNTY  
10 DEPARTMENT SHALL WITHHOLD THE FEE FROM THE FIRST AMOUNT  
11 COLLECTED THAT EXCEEDS THE FIVE-HUNDRED-DOLLAR THRESHOLD.

12 **SECTION 13.** 26-13-119 (2), Colorado Revised Statutes, is  
13 amended to read:

14 **26-13-119. Distribution of amounts collected.**

15 (2) Notwithstanding any provision in the Colorado rules of civil  
16 procedure to the contrary, any amounts collected by the delegate child  
17 support enforcement agency, except for federal income tax refund offsets,  
18 shall be allocated and distributed first to satisfy the required support  
19 obligation for the month in which the collection was received, EXCEPT  
20 WHEN THE PAYMENT IS DISTRIBUTED TO PAY THE FEE REQUIRED BY  
21 SECTION 26-13-106 (4). In cases where some portion of an amount  
22 collected pursuant to execution on a judgment is diverted to satisfy the  
23 required support obligation for the month in which the collection was  
24 received, the delegate child support enforcement agency shall file a  
25 partial satisfaction of judgment with the court that reflects the portion of  
26 the amount collected that is actually allocated and distributed to satisfy  
27 the judgment.

1           **SECTION 14.** 26-13-121, Colorado Revised Statutes, is amended  
2 BY THE ADDITION OF A NEW SUBSECTION to read:

3           **26-13-121. Review and modification of child support orders.**

4 (2.5) IF THERE IS AN ACTIVE ASSIGNMENT OF RIGHTS, THE DELEGATE  
5 CHILD SUPPORT ENFORCEMENT UNIT SHALL REVIEW THE CHILD SUPPORT  
6 ORDER ONCE EVERY THIRTY-SIX MONTHS TO DETERMINE IF AN  
7 ADJUSTMENT OF THE CHILD SUPPORT ORDER IS APPROPRIATE.

8           **SECTION 15.** 26-13-121 (1), (2), (3) (a), (3) (b), (4), and (5) (a),  
9 Colorado Revised Statutes, are amended, and the said 26-13-121 is  
10 further amended BY THE ADDITION OF THE FOLLOWING NEW  
11 SUBSECTIONS, to read:

12           **26-13-121. Review and modification of child support orders.**

13 (1) (a) The general assembly finds that review of child support orders is  
14 required in order for this state to comply with the federal "Family Support  
15 Act of 1988", and the federal "Personal Responsibility and Work  
16 Opportunity Reconciliation Act of 1996", AND THE FEDERAL "DEFICIT  
17 REDUCTION ACT OF 2005".

18           (b) The [REDACTED] delegate child support enforcement unit shall  
19 provide the obligor and obligee not less than once every thirty-six months  
20 notice of their right to request a review of a child support order. The  
21 notice may be included in the support order. ~~Either party to the action~~  
22 ~~may submit a written request for review of a child support order.~~

23           (c) EITHER PARTY TO A CASE IN WHICH SERVICES ARE BEING  
24 PROVIDED PURSUANT TO SECTION 26-13-106 MAY SUBMIT A WRITTEN  
25 REQUEST FOR REVIEW OF THE CURRENT CHILD SUPPORT ORDER. THE  
26 REQUEST SHALL INCLUDE THE FINANCIAL INFORMATION FROM THE  
27 REQUESTING PARTY NECESSARY TO CONDUCT A CALCULATION PURSUANT

1 TO THE COLORADO CHILD SUPPORT GUIDELINES SET FORTH IN SECTION  
2 14-10-115, C.R.S. THE REQUESTING PARTY SHALL PROVIDE HIS OR HER  
3 FINANCIAL INFORMATION ON THE FORM REQUIRED BY THE DIVISION OF  
4 CHILD SUPPORT ENFORCEMENT.

5 (d) THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT MAY  
6 INITIATE A REVIEW OF A CURRENT CHILD SUPPORT ORDER UPON ITS OWN  
7 REQUEST.

8 (2) The delegate child support enforcement unit shall ~~issue a~~  
9 ~~notice of review accompanied by an affidavit with respect to child~~  
10 ~~support when one of the following conditions is met~~ REVIEW EACH  
11 REQUEST RECEIVED FROM A PARTY AND:

12 (a) If it has been thirty-six months or more since the last review  
13 ~~upon receipt of a written request for review or upon its own request to an~~  
14 ~~obligor and obligee who have an existing order for the support of a child~~  
15 OF THE CURRENT CHILD SUPPORT ORDER, THE DELEGATE CHILD SUPPORT  
16 ENFORCEMENT UNIT SHALL GRANT THE REQUEST FOR REVIEW; or

17 (b) If it has been fewer than thirty-six months since the last review  
18 ~~upon receipt of a written request for review~~ OF THE CURRENT CHILD  
19 SUPPORT ORDER, THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT  
20 SHALL GRANT THE REQUEST FOR REVIEW if the requesting party provides  
21 a reason for ~~such~~ review ~~with~~ THAT COULD RESULT IN A CHANGE TO THE  
22 MONTHLY SUPPORT OBLIGATION BASED UPON THE APPLICATION OF THE  
23 COLORADO CHILD SUPPORT GUIDELINES SET FORTH IN SECTION 14-10-115,  
24 C.R.S. IF THE REASON FOR REVIEW ARISES FROM THE CIRCUMSTANCES OF  
25 THE REQUESTING PARTY, supporting documentation or ~~otherwise~~  
26 ~~demonstrates~~ A DEMONSTRATION that there has been a substantial AND  
27 CONTINUING change in circumstances warranting a review of the child

1 support amount SHALL BE INCLUDED WITH THE REQUEST. The delegate  
2 child support enforcement unit shall assess and consider the information  
3 provided to determine whether a review is warranted and should be  
4 conducted. IF A REQUEST IS DENIED PURSUANT TO THIS PARAGRAPH (b),  
5 THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL NOTIFY THE  
6 REQUESTING PARTY IN WRITING THAT THE DENIAL DOES NOT LIMIT THE  
7 PARTY'S RIGHT TO SEEK MODIFICATION OF A CHILD SUPPORT ORDER  
8 PURSUANT TO SECTION 14-10-122, C.R.S.

9 (3) (a) ~~If the delegate child support enforcement unit determines~~  
10 ~~there has been a substantial change in circumstances, it shall issue a~~  
11 ~~notice of review accompanied by an affidavit with respect to child~~  
12 ~~support. The delegate child support enforcement unit shall send the~~  
13 ~~notice of review and affidavits at least thirty days before the~~  
14 ~~commencement of the review.~~ IF THE DELEGATE CHILD SUPPORT  
15 ENFORCEMENT UNIT GRANTS THE REQUEST FOR REVIEW, IT SHALL ISSUE A  
16 NOTICE OF REVIEW TO THE PARTIES. IN THE CASE OF AN AUTOMATIC  
17 REVIEW IN WHICH THERE IS AN ACTIVE ASSIGNMENT OF RIGHTS, BOTH  
18 PARTIES SHALL BE CONSIDERED NON-REQUESTERS. THE NOTICE OF REVIEW  
19 SHALL ADVISE THE PARTIES THAT A REVIEW IS TO BE CONDUCTED AND  
20 ALLOW THE NON-REQUESTERS TWENTY DAYS FROM THE DATE OF THE  
21 NOTICE TO PROVIDE THE FINANCIAL INFORMATION NECESSARY TO  
22 CALCULATE THE CHILD SUPPORT OBLIGATION PURSUANT TO SECTION  
23 14-10-115, C.R.S. IF THE CHILD SUPPORT ORDER IS AN ADMINISTRATIVE  
24 ORDER ESTABLISHED PURSUANT TO ARTICLE 13.5 OF THIS TITLE, THE  
25 REVIEW SHALL BE CONDUCTED PURSUANT TO SECTION 26-13.5-112.

26 (b) THE REVIEW OF THE CHILD SUPPORT ORDER SHALL BE  
27 CONDUCTED ON OR BEFORE THE THIRTIETH DAY AFTER NOTICE OF REVIEW



1 IS SENT TO THE PARTIES. THE REVIEW MAY BE CONDUCTED IN PERSON AT  
2 THE DELEGATE CHILD SUPPORT ENFORCEMENT OFFICE OR VIA UNITED  
3 STATES MAIL OR VIA AN ELECTRONIC COMMUNICATION METHOD. THE  
4 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT MAY GRANT A  
5 CONTINUANCE OF THE REVIEW FOR GOOD CAUSE. THE CONTINUANCE  
6 SHALL BE FOR A REASONABLE PERIOD OF TIME TO BE DETERMINED BY THE  
7 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT, NOT TO EXCEED THIRTY  
8 DAYS. DURING THE REVIEW, the determination of the monthly support  
9 obligation shall be based on the child support guidelines set forth in  
10 section 14-10-115, C.R.S. TO OBTAIN INFORMATION NECESSARY TO  
11 CONDUCT THE REVIEW, the delegate child support enforcement unit is  
12 authorized to serve, by first-class mail OR BY ELECTRONIC MEANS IF  
13 MUTUALLY AGREED UPON, an administrative subpoena to any person,  
14 corporation, partnership, or other entity, public employee retirement  
15 benefit plan, financial institution, or labor union for an appearance or for  
16 the production of records and financial documents.

17 (4) (a) AFTER THE REVIEW IS COMPLETED, the child support  
18 enforcement unit shall ~~send~~ PROVIDE a post-review notice advising the  
19 obligor and obligee of the review results. THE REVIEW RESULTS SHALL  
20 INCLUDE A CHILD SUPPORT GUIDELINE WORKSHEET. IF THE REVIEW  
21 INDICATES THAT AN ADJUSTMENT TO THE CURRENT MONTHLY SUPPORT  
22 OBLIGATION SHOULD BE MADE, A PROPOSED ORDER SHALL ALSO BE  
23 INCLUDED. THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL  
24 PROVIDE ALL SUPPORTING FINANCIAL DOCUMENTATION USED TO  
25 CALCULATE THE MONTHLY SUPPORT OBLIGATION TO BOTH PARTIES. THE  
26 REVIEW RESULTS SHALL ALSO CONTAIN AN ADVISEMENT TO THE PARTIES  
27 OF THE RIGHT TO CHALLENGE THE PROPOSED ORDER, THE TIME FRAME IN

1 WHICH TO ASSERT THE CHALLENGE, AND THE METHOD FOR DOING SO.

2 (b) The obligor and obligee shall be given ~~thirty~~ FIFTEEN days  
3 FROM THE DATE OF THE POST-REVIEW NOTICE to challenge the review  
4 results. THE GROUNDS FOR THE CHALLENGE SHALL BE LIMITED TO THE  
5 ISSUE OF MATHEMATICAL OR FACTUAL ERROR IN THE CALCULATION OF THE  
6 MONTHLY SUPPORT OBLIGATION. THE DELEGATE CHILD SUPPORT  
7 ENFORCEMENT UNIT MAY GRANT AN EXTENSION OF UP TO FIFTEEN DAYS  
8 TO CHALLENGE THE REVIEW RESULTS BASED UPON A SHOWING OF GOOD  
9 CAUSE.

10 (b.5) THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL  
11 HAVE FIFTEEN DAYS FROM THE DATE OF RECEIPT OF THE CHALLENGE TO  
12 RESPOND TO A CHALLENGE BASED UPON A MATHEMATICAL OR FACTUAL  
13 ERROR. IF A CHALLENGE RESULTS IN A CHANGE TO THE MONTHLY SUPPORT  
14 OBLIGATION, THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL  
15 PROVIDE AN AMENDED NOTICE OF REVIEW TO THE OBLIGOR AND OBLIGEE.  
16 THE OBLIGOR AND OBLIGEE SHALL BE GIVEN FIFTEEN DAYS FROM THE  
17 DATE OF THE AMENDED NOTICE OF REVIEW TO CHALLENGE THE RESULTS  
18 OF ANY SUBSEQUENT REVIEW. THE GROUNDS FOR THE CHALLENGE SHALL  
19 BE LIMITED TO THE ISSUE OF MATHEMATICAL OR FACTUAL ERROR IN  
20 CALCULATION OF THE MONTHLY SUPPORT OBLIGATION.

21 ~~(c) If the obligor and the obligee agree with the review results, a~~  
22 ~~stipulation or administrative process order shall be filed with the court.~~  
23 ~~If either party disagrees, a motion to modify may be filed with the court.~~

24 (5) (a) (I) IF THE REVIEW INDICATES THAT A CHANGE TO THE  
25 MONTHLY SUPPORT OBLIGATION IS APPROPRIATE AND THE REVIEW IS NOT  
26 CHALLENGED OR ALL CHALLENGES HAVE BEEN ADDRESSED, THE DELEGATE  
27 CHILD SUPPORT ENFORCEMENT UNIT SHALL FILE A MOTION TO MODIFY

1 WITH THE COURT. A COPY OF THE MOTION SHALL BE PROVIDED BY THE  
2 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT TO THE OBLIGOR AND  
3 OBLIGEE AND SHALL CONTAIN AN ADVISEMENT THAT THE OBLIGOR AND  
4 OBLIGEE MAY FILE A WRITTEN RESPONSE WITH THE COURT SETTING FORTH  
5 ANY OBJECTIONS TO THE MOTION TO MODIFY.

6 (II) If a motion to modify is filed with the court, ~~and a response~~  
7 ~~is not filed within fifteen days thereafter,~~ the court may enter an order  
8 granting the motion, ~~If no income information is available, the court may~~  
9 ~~enter an order increasing the child support obligation by an increment not~~  
10 ~~to exceed ten percent per year for each year since the support order was~~  
11 ~~entered or last modified.~~ ISSUE A REVISED ORDER, OR SET A HEARING.  
12 REGARDLESS OF WHETHER THE ORDER HAS BEEN APPROVED BY THE  
13 OBLIGOR AND OBLIGEE, THE COURT MAY GRANT THE MOTION TO MODIFY.

14 (5.3) IF INCOME INFORMATION IS NOT AVAILABLE FOR THE  
15 OBLIGOR, THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT MAY FILE A  
16 MOTION TO MODIFY CHILD SUPPORT WITH THE COURT. THE COURT MAY  
17 ENTER AN ORDER INCREASING THE CHILD SUPPORT OBLIGATION BY AN  
18 INCREMENT NOT TO EXCEED TEN PERCENT PER YEAR FOR EACH YEAR  
19 AFTER THE SUPPORT ORDER WAS ENTERED OR LAST MODIFIED.

20 (5.7) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT A  
21 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT'S RIGHT TO FILE A MOTION  
22 TO MODIFY WITH THE COURT PURSUANT TO SECTION 14-10-122, C.R.S.

23 **SECTION 16.** 26-13-121.5 (2) and the introductory portion to  
24 26-13-121.5 (3) (a), Colorado Revised Statutes, are amended to read:

25 **26-13-121.5. Enforcement of obligation to maintain health**  
26 **insurance.** (2) The national medical support notice shall be sent to the  
27 employer by means of first-class mail. ~~A copy of the notice shall also be~~

1 ~~sent to the obligor by first-class mail.~~ The notice shall be continuing and  
2 shall remain in effect and be binding upon any current or successor  
3 employer upon whom it is served until further notice by the court or by  
4 the delegate child support enforcement unit. Receipt of the national  
5 medical support notice by the employer shall confer jurisdiction of the  
6 court over the employer. A NOTICE DESCRIBING THE RIGHTS AND  
7 CONDITIONS IN PARAGRAPHS (a) TO (c) OF SUBSECTION (3) OF THIS  
8 SECTION SHALL BE SENT TO THE OBLIGOR BY FIRST-CLASS MAIL.

9 (3) (a) THE OBLIGOR SHALL BE PROVIDED WITH A COPY OF THE  
10 NATIONAL MEDICAL SUPPORT NOTICE UPON SUBMITTING A WRITTEN  
11 REQUEST TO THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT. The  
12 obligor shall have ten days from the date the ~~national medical support~~  
13 notice DESCRIBING THE RIGHTS AND CONDITIONS IN PARAGRAPHS (a) TO  
14 (c) OF THIS SUBSECTION (3) is mailed to the obligor in which to file a  
15 written objection with the delegate child support enforcement unit based  
16 only upon one of the following mistakes of fact:

17 **SECTION 17.** 26-13-122 (3), Colorado Revised Statutes, is  
18 amended to read:

19 **26-13-122. Administrative lien and attachment.** (3) In order  
20 to attach and collect workers' compensation income for current child  
21 support, child support debt, retroactive child support, medical support,  
22 child support arrearages, or child support when combined with  
23 maintenance, the state child support enforcement agency is authorized to  
24 serve, by first-class mail OR BY ELECTRONIC MEANS IF MUTUALLY AGREED  
25 UPON, a notice of administrative lien and attachment on any person,  
26 insurance company, or agency holding workers' compensation benefits  
27 that are owed to an obligor. A copy of the administrative lien and

1 attachment shall be provided to the obligor and shall include information  
2 on the obligor's right to object to the administrative lien and attachment  
3 and to request an administrative review pursuant to the rules ~~and~~  
4 ~~regulations~~ of the state board.

5 **SECTION 18.** 26-13.5-112 (1), Colorado Revised Statutes, is  
6 amended, and the said 26-13.5-112 is further amended BY THE  
7 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

8 **26-13.5-112. Modification of an order.** (1) At any time after the  
9 entry of an order of financial responsibility or an order of default under  
10 this article, in order to add, alter, or delete any provisions to such an  
11 order, the delegate child support enforcement unit may issue a notice of  
12 financial responsibility to ~~an~~ THE obligor ~~requesting~~ AND OBLIGEE  
13 ADVISING THE OBLIGOR AND OBLIGEE OF the POSSIBLE modification of ~~an~~  
14 THE existing administrative order issued pursuant to this article. The  
15 delegate child support enforcement unit shall serve the obligor AND THE  
16 OBLIGEE with a notice of financial responsibility by first class mail ~~and~~  
17 ~~shall proceed as set forth in this article~~ OR BY ELECTRONIC MEANS IF  
18 MUTUALLY AGREED UPON. The obligor or the obligee may file a written  
19 request for modification of an administrative order issued under this  
20 article with the delegate child support enforcement unit. ~~by serving the~~  
21 ~~delegate child support enforcement unit by first class mail or in person.~~  
22 If ~~such~~ THE DELEGATE CHILD SUPPORT ENFORCEMENT unit ~~objects to~~  
23 DENIES the request for modification based upon the failure to demonstrate  
24 a showing of changed circumstances required pursuant to section  
25 14-10-122, C.R.S., the delegate child support enforcement unit shall  
26 advise the requesting party of the party's right to ~~request the court to set~~  
27 ~~the matter for a court hearing. The court shall hold a hearing and decide~~

1     ~~only the issue of modification within ninety days of such request. If the~~  
2     ~~delegate child support enforcement unit does not object to the obligor's~~  
3     ~~or obligee's request for modification, the unit shall serve the obligor with~~  
4     ~~a notice of financial responsibility by first class mail and shall proceed as~~  
5     ~~set forth in this article. Within thirty days of receipt of the request for~~  
6     ~~modification, the delegate child support enforcement unit shall either~~  
7     ~~advise the requesting party of the party's right to request a court hearing~~  
8     ~~or shall issue a notice of financial responsibility. If the child for whom~~  
9     ~~the order applies is no longer in the custody of a person receiving public~~  
10    ~~assistance or receiving support enforcement services from the delegate~~  
11    ~~child support enforcement unit pursuant to article 13 of this title, the~~  
12    ~~delegate child support enforcement unit shall certify the matter for~~  
13    ~~hearing to the district court in which the order was filed. SEEK A~~  
14    ~~MODIFICATION PURSUANT TO SECTION 14-10-122, C.R.S.~~

15           (1.2) AT ANY TIME AFTER ENTRY OF AN ADMINISTRATIVE ORDER  
16    ISSUED PURSUANT TO THIS ARTICLE, AN OBLIGOR OR OBLIGEE MAY FILE A  
17    WRITTEN REQUEST FOR REVIEW OF THE ORDER WITH THE DELEGATE CHILD  
18    SUPPORT ENFORCEMENT UNIT. THE WRITTEN REQUEST FOR REVIEW SHALL  
19    INCLUDE FINANCIAL INFORMATION OF THE REQUESTING PARTY NECESSARY  
20    TO CONDUCT A CALCULATION PURSUANT TO THE COLORADO CHILD  
21    SUPPORT GUIDELINES DESCRIBED IN SECTION 14-10-115, C.R.S. THE  
22    REQUESTING PARTY SHALL PROVIDE HIS OR HER FINANCIAL INFORMATION  
23    ON THE FORM REQUIRED BY THE DIVISION OF CHILD SUPPORT  
24    ENFORCEMENT. THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT  
25    SHALL REVIEW EACH REQUEST RECEIVED AND GRANT OR DENY THE  
26    REQUEST USING THE STANDARDS DESCRIBED IN SECTION 26-13-121 (2) (a)  
27    OR (2) (b).

1 (1.3) IF THERE IS AN ACTIVE ASSIGNMENT OF RIGHTS, THE  
2 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL, ONCE EVERY  
3 THIRTY-SIX MONTHS, REVIEW THE ADMINISTRATIVE ORDER TO DETERMINE  
4 IF AN ADJUSTMENT OF THE ADMINISTRATIVE ORDER IS APPROPRIATE.

5 (1.4) IF THE REQUEST FOR REVIEW IS GRANTED OR IN CASE OF AN  
6 AUTOMATIC REVIEW WHERE THERE IS AN ACTIVE ASSIGNMENT OF RIGHTS,  
7 A NOTICE OF REVIEW SHALL BE ISSUED TO THE REQUESTING AND  
8 NON-REQUESTING PARTIES. IN THE CASE OF A REVIEW IN WHICH THERE IS  
9 AN ACTIVE ASSIGNMENT OF RIGHTS, THE OBLIGOR AND OBLIGEE SHALL BE  
10 CONSIDERED NON-REQUESTERS. THE NOTICE OF REVIEW SHALL ADVISE  
11 THE OBLIGOR AND OBLIGEE THAT A REVIEW IS TO BE CONDUCTED AND  
12 PROVIDE THE NON-REQUESTERS TWENTY DAYS WITHIN WHICH TO PROVIDE  
13 THE FINANCIAL INFORMATION NECESSARY TO CALCULATE THE CHILD  
14 SUPPORT OBLIGATION PURSUANT TO THE COLORADO CHILD SUPPORT  
15 GUIDELINES DESCRIBED IN SECTION 14-10-115, C.R.S.

16 (1.5) (a) THE REVIEW OF THE ADMINISTRATIVE ORDER SHALL BE  
17 CONDUCTED ON OR BEFORE THE THIRTIETH DAY AFTER NOTICE OF REVIEW  
18 IS SENT TO THE PARTIES. DURING THE REVIEW, THE DETERMINATION OF  
19 THE MONTHLY SUPPORT OBLIGATION SHALL BE BASED ON THE CHILD  
20 SUPPORT GUIDELINES SET FORTH IN SECTION 14-10-115, C.R.S. THE  
21 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT MAY GRANT A  
22 CONTINUANCE OF THE REVIEW FOR GOOD CAUSE. THE CONTINUANCE  
23 SHALL BE FOR A REASONABLE PERIOD OF TIME TO BE DETERMINED BY THE  
24 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT, NOT TO EXCEED THIRTY  
25 DAYS.

26 (b) IN ORDER TO OBTAIN INFORMATION NECESSARY TO CONDUCT  
27 THE REVIEW, THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT IS

1 AUTHORIZED, PURSUANT TO SECTIONS 26-13.5-103 (1) AND 26-13-121 (3)  
2 (d), TO SERVE, BY FIRST-CLASS MAIL OR BY ELECTRONIC MEANS IF  
3 MUTUALLY AGREED UPON, AN ADMINISTRATIVE SUBPOENA TO ANY  
4 PERSON, CORPORATION, PARTNERSHIP, PUBLIC EMPLOYEE RETIREMENT  
5 BENEFIT PLAN, FINANCIAL INSTITUTION, LABOR UNION, OR OTHER ENTITY  
6 TO APPEAR OR FOR THE PRODUCTION OF RECORDS AND FINANCIAL  
7 DOCUMENTS.

8 (c) AN ADJUSTMENT TO THE ADMINISTRATIVE ORDER SHALL BE  
9 APPROPRIATE ONLY IF THE STANDARD SET FORTH IN SECTION 14-10-122  
10 (1) (b), C.R.S., IS MET.

11 (1.7) (a) AFTER THE REVIEW IS COMPLETED, THE DELEGATE CHILD  
12 SUPPORT ENFORCEMENT UNIT SHALL PROVIDE A POST-REVIEW NOTICE AND  
13 CHILD SUPPORT GUIDELINE WORKSHEET ADVISING THE OBLIGOR AND  
14 OBLIGEE OF THE REVIEW RESULTS. IF A REVIEW INDICATES THAT AN  
15 ADJUSTMENT SHOULD BE MADE, A NOTICE OF FINANCIAL RESPONSIBILITY  
16 AND A PROPOSED ORDER OF FINANCIAL RESPONSIBILITY SHALL BE  
17 INCLUDED. THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL  
18 PROVIDE ALL SUPPORTING FINANCIAL DOCUMENTATION USED TO  
19 CALCULATE THE MONTHLY SUPPORT OBLIGATION TO BOTH PARTIES. THE  
20 NOTICE OF FINANCIAL RESPONSIBILITY SHALL ADVISE THE PARTIES OF THE  
21 RIGHT TO CHALLENGE THE POST-REVIEW NOTICE OF THE REVIEW RESULTS,  
22 THE TIME FRAME FOR CHALLENGING THE REVIEW RESULTS, AND THE  
23 METHOD FOR ASSERTING THE CHALLENGE.

24 (b) THE OBLIGOR AND OBLIGEE SHALL BE GIVEN FIFTEEN DAYS  
25 FROM THE DATE OF THE POST-REVIEW NOTICE TO CHALLENGE THE REVIEW  
26 RESULTS. THE GROUNDS FOR THE CHALLENGE SHALL BE LIMITED TO THE  
27 ISSUE OF MATHEMATICAL OR FACTUAL ERROR IN THE CALCULATION OF THE



1 MONTHLY SUPPORT OBLIGATION. THE DELEGATE CHILD SUPPORT  
2 ENFORCEMENT UNIT MAY GRANT AN EXTENSION OF UP TO FIFTEEN DAYS  
3 TO CHALLENGE THE REVIEW RESULTS BASED UPON A SHOWING OF GOOD  
4 CAUSE. ANY CHALLENGE MAY BE PRESENTED AT THE NEGOTIATION  
5 CONFERENCE SCHEDULED PURSUANT TO SECTION 26-13.5-103 VIA  
6 FIRST-CLASS MAIL OR VIA AN ELECTRONIC COMMUNICATION METHOD.

7 (c) THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL  
8 HAVE FIFTEEN DAYS FROM THE DATE OF RECEIPT OF THE CHALLENGE TO  
9 RESPOND TO A CHALLENGE BASED UPON A MATHEMATICAL OR FACTUAL  
10 ERROR. IF A CHALLENGE RESULTS IN A CHANGE TO THE MONTHLY SUPPORT  
11 OBLIGATION, THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL  
12 PROVIDE AN AMENDED NOTICE OF REVIEW TO THE OBLIGOR AND OBLIGEE.  
13 THE PARTIES SHALL BE GIVEN FIFTEEN DAYS FROM THE DATE OF THE  
14 AMENDED NOTICE OF REVIEW TO CHALLENGE THE RESULTS OF ANY  
15 SUBSEQUENT REVIEW. THE GROUNDS FOR THE CHALLENGE SHALL BE  
16 LIMITED TO THE ISSUE OF MATHEMATICAL OR FACTUAL ERROR IN THE  
17 CALCULATION OF THE MONTHLY SUPPORT OBLIGATION.

18 (1.9) (a) IF THE REVIEW INDICATES THAT A CHANGE TO THE  
19 MONTHLY SUPPORT OBLIGATION IS APPROPRIATE AND THE REVIEW IS NOT  
20 CHALLENGED OR ALL CHALLENGES HAVE BEEN ADDRESSED, THE DELEGATE  
21 CHILD SUPPORT ENFORCEMENT UNIT SHALL FILE THE NOTICE OF FINANCIAL  
22 RESPONSIBILITY, THE ORDER OF FINANCIAL RESPONSIBILITY ACCOMPANIED  
23 BY THE GUIDELINE WORKSHEET, AND THE SUPPORTING FINANCIAL  
24 DOCUMENTATION WITH THE COURT. WHEN THE ORDER OF FINANCIAL  
25 RESPONSIBILITY IS FILED WITH THE COURT, IT SHALL BE PROVIDED TO THE  
26 PARTIES AND SHALL CONTAIN AN ADVISEMENT THAT THE PARTIES HAVE  
27 FIFTEEN DAYS FROM THE DATE OF FILING TO FILE A WRITTEN OBJECTION TO

1 THE ORDER OF FINANCIAL RESPONSIBILITY WITH THE COURT.

2 (b) IF THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT HAS  
3 FILED AN ORDER OF FINANCIAL RESPONSIBILITY MODIFYING THE MONTHLY  
4 SUPPORT OBLIGATION AND AN OBJECTION HAS NOT BEEN RECEIVED BY THE  
5 COURT WITHIN FIFTEEN DAYS AFTER THE ORDER IS FILED WITH THE COURT,  
6 THE ORDER OF FINANCIAL RESPONSIBILITY SHALL BECOME FINAL. IF AN  
7 OBJECTION IS RECEIVED WITHIN THE FIFTEEN-DAY PERIOD, THE COURT MAY  
8 AFFIRM THE ORDER OF FINANCIAL RESPONSIBILITY AS SUBMITTED, ISSUE  
9 AN ORDER REVISING THE MONTHLY SUPPORT OBLIGATION, OR SET THE  
10 MATTER FOR A HEARING. IF A HEARING IS NECESSARY, THE COURT SHALL  
11 HOLD A HEARING WITHIN FORTY-FIVE DAYS AFTER THE FILING OF THE  
12 ORDER OF FINANCIAL RESPONSIBILITY, AND THE COURT SHALL DECIDE  
13 ONLY THE ISSUES OF CHILD SUPPORT AND MEDICAL SUPPORT. ANY  
14 DOCUMENTARY EVIDENCE PROVIDED BY THE OBLIGEE OR THE OBLIGOR OR  
15 BY THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT MAY BE ADMITTED  
16 INTO EVIDENCE BY THE COURT WITHOUT THE NECESSITY OF LAYING A  
17 FOUNDATION FOR ITS ADMISSIBILITY, AND THE COURT MAY DETERMINE  
18 THE RELATIVE WEIGHT OR CREDIBILITY TO GIVE ANY SUCH  
19 DOCUMENTATION.

20 **SECTION 19.** Article 35 of title 24, Colorado Revised Statutes,  
21 is amended BY THE ADDITION OF A NEW PART to read:

22 **PART 6**

23 **GAMBLING PAYMENT INTERCEPT ACT**

24 **24-35-601. Short title.** THIS PART 6 SHALL BE KNOWN AND MAY  
25 BE CITED AS THE "GAMBLING PAYMENT INTERCEPT ACT".

26 **24-35-602. Legislative declaration.** (1) THE GENERAL  
27 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

1 (a) PARENTS SHOULD PROVIDE FINANCIAL SUPPORT TO THEIR  
2 MINOR CHILDREN WHO CANNOT CARE FOR THEMSELVES.

3 (b) THE STATE SHOULD INTERVENE WHEN PARENTS FAIL TO MEET  
4 THEIR SUPPORT OBLIGATIONS.

5 (c) CHILDREN ARE ADVERSELY AFFECTED WHEN PARENTS DIVERT  
6 THEIR FINANCIAL SUPPORT TO LIMITED GAMING AND PARI-MUTUEL  
7 WAGERING.

8 (d) A PARENT'S WINNINGS FROM MONEY DIVERTED FROM A CHILD'S  
9 SUPPORT SHOULD BE APPLIED TO THE PARENT'S OUTSTANDING SUPPORT  
10 OBLIGATIONS.

11 (e) SECTION 12-47.1-102(1)(c), C.R.S., OF THE "LIMITED GAMING  
12 ACT OF 1991" RECOGNIZES THAT THE LIMITED GAMING INDUSTRY MUST BE  
13 ASSISTED IN PROTECTING THE GENERAL WELFARE OF THE PEOPLE OF THE  
14 STATE.

15 **24-35-603. Definitions.** AS USED IN THIS PART 6, UNLESS THE  
16 CONTEXT OTHERWISE REQUIRES:

17 (1) "LICENSEE" MEANS A LICENSEE AS DEFINED IN SECTION  
18 12-60-102 (17), C.R.S., OR AN OPERATOR OR RETAIL GAMING LICENSEE  
19 UNDER SECTION 12-47.1-501 (1) (b) OR (1) (c), C.R.S.

20 (2) "OUTSTANDING DEBT" MEANS UNPAID CHILD SUPPORT DEBT OR  
21 CHILD SUPPORT COSTS TO THE STATE PURSUANT TO SECTION 14-14-104,  
22 C.R.S., AND ARREARAGES OF CHILD SUPPORT REQUESTED AS PART OF AN  
23 ENFORCEMENT ACTION PURSUANT TO ARTICLE 5 OF TITLE 14, C.R.S., OR  
24 ARREARAGES OF CHILD SUPPORT THAT ARE THE SUBJECT OF ENFORCEMENT  
25 SERVICES PROVIDED PURSUANT TO SECTION 26-13-106, C.R.S.

26 (3) "PAYMENT" MEANS CASH WINNINGS FROM LIMITED GAMING OR  
27 FROM PARI-MUTUEL WAGERING ON HORSE OR GREYHOUND RACING

1 PAYABLE BY A LICENSEE FOR WHICH THE LICENSEE IS REQUIRED TO FILE  
2 FORM W-2G, OR A SUBSTANTIALLY EQUIVALENT FORM, WITH THE UNITED  
3 STATES INTERNAL REVENUE SERVICE.

4 (4) "REGISTRY" MEANS THE REGISTRY CREATED AND MAINTAINED  
5 BY OR FOR THE DEPARTMENT OF REVENUE PURSUANT TO SECTION  
6 24-35-604.

7 (5) "REGISTRY OPERATOR" MEANS THE DEPARTMENT OF REVENUE  
8 OR THE PRIVATE ENTITY THAT MAINTAINS THE REGISTRY UNDER THE  
9 DIRECTION AND CONTROL OF THE DEPARTMENT.

10 **24-35-604. Registry - creation - information.** (1) THE  
11 DEPARTMENT OF REVENUE SHALL CREATE AND MAINTAIN, OR CONTRACT  
12 WITH A PRIVATE ENTITY PURSUANT TO SECTION 24-35-607 TO CREATE AND  
13 MAINTAIN, THE REGISTRY IN ACCORDANCE WITH THIS SECTION.

14 (2) THE DEPARTMENT OF HUMAN SERVICES SHALL CERTIFY TO THE  
15 REGISTRY OPERATOR THE INFORMATION INDICATED IN SUBSECTION (4) OF  
16 THIS SECTION REGARDING EACH CHILD SUPPORT OBLIGOR WITH AN  
17 OUTSTANDING DEBT AS DEFINED IN SECTION 24-35-603 (2).

18 (3) THE REGISTRY OPERATOR SHALL ENTER IN THE REGISTRY THE  
19 INFORMATION CERTIFIED TO THE REGISTRY OPERATOR BY THE  
20 DEPARTMENT OF HUMAN SERVICES PURSUANT TO SUBSECTION (2) OF THIS  
21 SECTION.

22 (4) THE REGISTRY SHALL CONTAIN THE FOLLOWING INFORMATION:

23 (a) THE NAME OF EACH PERSON WITH AN OUTSTANDING DEBT;

24 (b) THE SOCIAL SECURITY NUMBER OF EACH PERSON WITH AN  
25 OUTSTANDING DEBT;

26 (c) THE ACCOUNT OR CASE IDENTIFIER ASSIGNED TO THE  
27 OUTSTANDING DEBT BY THE DEPARTMENT OF HUMAN SERVICES;

1 (d) THE NAME, TELEPHONE NUMBER, AND ADDRESS OF THE  
2 DEPARTMENT OF HUMAN SERVICES; AND

3 (e) THE AMOUNT OF THE OUTSTANDING DEBT.

4 **24-35-605. Payments - limited gaming and pari-mutuel**  
5 **wagering licensees - procedures.** (1) ON AND AFTER JULY 1, 2008:

6 (a) A LICENSEE SHALL HAVE THE MEANS TO COMMUNICATE WITH  
7 THE REGISTRY OPERATOR.

8 (b) BEFORE MAKING A PAYMENT TO A WINNER, THE LICENSEE  
9 SHALL OBTAIN THE NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF  
10 THE WINNER FROM FORM W-2G, OR A SUBSTANTIALLY EQUIVALENT FORM,  
11 TO BE FILED WITH THE UNITED STATES INTERNAL REVENUE SERVICE AND  
12 SUBMIT THE REQUIRED INFORMATION TO THE REGISTRY OPERATOR. THE  
13 REGISTRY OPERATOR SHALL INFORM THE LICENSEE WHETHER THE WINNER  
14 IS LISTED IN THE REGISTRY. THE LICENSEE SHALL COMPLY WITH  
15 SUBSECTION (2) OF THIS SECTION.

16 (2) (a) IF THE REGISTRY OPERATOR REPLIES THAT THE WINNER IS  
17 NOT LISTED IN THE REGISTRY OR IF THE LICENSEE IS UNABLE TO RECEIVE  
18 INFORMATION FROM THE REGISTRY OPERATOR AFTER ATTEMPTING IN  
19 GOOD FAITH TO DO SO, THE LICENSEE MAY MAKE THE PAYMENT TO THE  
20 WINNER.

21 (b) IF THE REGISTRY OPERATOR REPLIES THAT THE WINNER IS  
22 LISTED IN THE REGISTRY:

23 (I) THE REPLY FROM THE REGISTRY OPERATOR TO THE LICENSEE  
24 SHALL INDICATE THE NAME, TELEPHONE NUMBER, AND ADDRESS OF THE  
25 DEPARTMENT OF HUMAN SERVICES AND THE AMOUNT OF THE WINNER'S  
26 OUTSTANDING DEBT.

27 (II) THE LICENSEE SHALL WITHHOLD FROM THE AMOUNT OF THE

1 PAYMENT AN AMOUNT EQUAL TO THE AMOUNT CERTIFIED PURSUANT TO  
2 SECTION 24-35-604 (2). IF THE AMOUNT OF THE PAYMENT IS LESS THAN OR  
3 EQUAL TO THE AMOUNT CERTIFIED, THE LICENSEE SHALL WITHHOLD THE  
4 ENTIRE AMOUNT OF THE PAYMENT. THE LICENSEE SHALL REFER THE  
5 WINNER TO THE DEPARTMENT OF HUMAN SERVICES.

6 (III) WITHIN TWENTY-FOUR HOURS AFTER WITHHOLDING A  
7 PAYMENT PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (b), THE  
8 LICENSEE SHALL SEND THE AMOUNT WITHHELD TO THE REGISTRY  
9 OPERATOR AND REPORT TO THE REGISTRY OPERATOR THE FULL NAME,  
10 ADDRESS, AND SOCIAL SECURITY NUMBER OF THE WINNER, THE ACCOUNT  
11 OR CASE IDENTIFIER ASSIGNED BY THE DEPARTMENT OF HUMAN SERVICES,  
12 THE DATE AND AMOUNT OF THE PAYMENT, AND THE NAME AND LOCATION  
13 OF THE LICENSEE.

14 (IV) THE REGISTRY OPERATOR SHALL SEND TO THE DEPARTMENT  
15 OF HUMAN SERVICES THE MONEYS AND INFORMATION RECEIVED FROM A  
16 LICENSEE PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (b).

17 (V) THE DEPARTMENT OF HUMAN SERVICES SHALL PROCESS  
18 MONEYS RECEIVED FROM THE REGISTRY OPERATOR PURSUANT TO  
19 SUBPARAGRAPH (IV) OF THIS PARAGRAPH (b) IN ACCORDANCE WITH  
20 SECTION 26-13-118.7, C.R.S.

21 **24-35-606. Liability - immunity.** (1) A LICENSEE THAT FAILS  
22 TO COMPLY WITH THE PROVISIONS OF SECTION 24-35-605 SHALL BE  
23 SUBJECT TO SANCTIONS BY ITS LICENSING AUTHORITY PURSUANT TO  
24 SECTIONS 12-47.1-525 (1) AND 12-60-507 (1), C.R.S.

25 (2) A LICENSEE THAT MAKES A PAYMENT TO A WINNER IN  
26 VIOLATION OF SECTION 24-35-605 SHALL NOT BE LIABLE TO THE PERSON  
27 TO WHOM THE WINNER OWES AN OUTSTANDING DEBT.

1           (3) EXCEPT AS PROVIDED IN SECTION 24-35-606, A LICENSEE SHALL  
2 BE IMMUNE FROM CIVIL AND CRIMINAL LIABILITY FOR ACTING IN  
3 COMPLIANCE WITH THE PROVISIONS OF THIS PART 6.

4           **24-35-607. Contracting authority - memoranda of**  
5 **understanding - rules.** (1) THE EXECUTIVE DIRECTOR OF THE  
6 DEPARTMENT OF REVENUE MAY ENTER INTO A CONTRACT WITH A PRIVATE  
7 ENTITY, IN ACCORDANCE WITH THE "PROCUREMENT CODE", ARTICLES 101  
8 TO 112 OF THIS TITLE, TO CREATE AND MAINTAIN THE REGISTRY.

9           (2) THE DEPARTMENT OF REVENUE MAY ENTER INTO A  
10 MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT OF HUMAN  
11 SERVICES TO IMPLEMENT THIS PART 6. IF THE REGISTRY IS OPERATED BY  
12 A PRIVATE ENTITY PURSUANT TO THIS SECTION, THE REGISTRY OPERATOR  
13 MAY ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE  
14 DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT THIS PART 6.

15           (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE  
16 SHALL PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE  
17 TO IMPLEMENT THIS PART 6. THE RULES SHALL INCLUDE, BUT NEED NOT  
18 BE LIMITED TO, RULES REGARDING:

19           (a) THE REMOVAL FROM THE REGISTRY OF INFORMATION  
20 REGARDING PERSONS WHO SATISFY THEIR OUTSTANDING DEBTS;

21           (b) THE MANNER IN WHICH A LICENSEE SHALL COMMUNICATE WITH  
22 THE REGISTRY, INCLUDING THE INFORMATION A LICENSEE SHALL SUBMIT  
23 TO THE REGISTRY AND THE PROCEDURES TO BE FOLLOWED IF THE  
24 REGISTRY IS INACCESSIBLE DUE TO TECHNICAL OR OTHER PROBLEMS; AND

25           (c) THE PROTECTION OF THE CONFIDENTIALITY OF INFORMATION  
26 IN THE REGISTRY.

27           (4) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE

1 SHALL PROMULGATE A RULE IN ACCORDANCE WITH ARTICLE 4 OF THIS  
2 TITLE ALLOWING A LICENSEE TO RETAIN A PORTION OF A PAYMENT  
3 WITHHELD PURSUANT TO THIS PART 6 TO COVER THE LICENSEE'S COSTS OF  
4 COMPLIANCE WITH THIS PART 6, WHICH AMOUNT SHALL BE ADDED TO THE  
5 DEBTOR'S OUTSTANDING DEBT.

6 **24-35-608. Conditional repeal of part.** (1) THIS PART 6 SHALL  
7 BE REPEALED IF, WITHIN TWELVE MONTHS BEGINNING JULY 1, 2008, THERE  
8 IS NO WINNER IDENTIFIED AS LISTED IN THE REGISTRY TO WHOM PAYMENT  
9 WOULD OTHERWISE BE PAYABLE BY A LICENSEE. IF THERE IS NO SUCH  
10 WINNER IDENTIFIED AS LISTED IN THE REGISTRY WITHIN THE  
11 TWELVE-MONTH PERIOD, THE REGISTRY OPERATOR SHALL, AT THE  
12 EXPIRATION OF THE TWELVE-MONTH PERIOD, IMMEDIATELY NOTIFY THE  
13 REVISOR OF STATUTES, IN WRITING.

14 (2) THIS PART 6 SHALL BE REPEALED UPON RECEIPT BY THE  
15 REVISOR OF STATUTES OF THE NOTIFICATION DESCRIBED IN SUBSECTION (1)  
16 OF THIS SECTION.

17 **SECTION 20.** 12-14-103 (2) (b), Colorado Revised Statutes, is  
18 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

19 **12-14-103. Definitions.** As used in this article, unless the context  
20 otherwise requires:

21 (2) (b) "Collection agency" does not include:

22 (IX) A LIMITED GAMING OR RACING LICENSEE ACTING PURSUANT  
23 TO PART 6 OF ARTICLE 35 OF TITLE 24, C.R.S.

24 **SECTION 21.** The introductory portion to 12-47.1-525 (1),  
25 Colorado Revised Statutes, is amended to read:

26 **12-47.1-525. Suspension or revocation of license - grounds -**  
27 **penalties.** (1) Any license granted pursuant to this article may be



1 suspended for up to six months or revoked for any cause ~~which~~ THAT  
2 would have prevented its issuance, or for any violation by the licensee or  
3 any officer, director, agent, member, or employee of a licensee of this  
4 article, ~~or any rule or regulation~~ promulgated by the commission, ANY  
5 PROVISION OF PART 6 OF ARTICLE 35 OF TITLE 24, C.R.S., OR ANY RULE  
6 PROMULGATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
7 REVENUE PURSUANT TO SECTION 24-35-607 (3), C.R.S., or for conviction  
8 of a crime involving moral turpitude or a felony, after notice to the  
9 licensee and a hearing upon proof by a preponderance of the evidence as  
10 determined by the commission. In addition to revocation or suspension,  
11 or in lieu of revocation or suspension, the commission may impose a  
12 reprimand or a monetary penalty not to exceed the following amounts:

13 **SECTION 22.** Part 5 of article 47.1 of title 12, Colorado Revised  
14 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
15 read:

16 **12-47.1-531. Payments of winnings - intercept - conditional**  
17 **repeal.** (1) BEFORE MAKING A PAYMENT OF CASH GAMING WINNINGS FOR  
18 WHICH THE LICENSEE IS REQUIRED TO FILE FORM W-2G, OR A  
19 SUBSTANTIALLY EQUIVALENT FORM, WITH THE UNITED STATES INTERNAL  
20 REVENUE SERVICE, A LICENSEE SHALL COMPLY WITH THE REQUIREMENTS  
21 OF PART 6 OF ARTICLE 35 OF TITLE 24, C.R.S.

22 (2) THIS SECTION SHALL BE REPEALED IF PART 6 OF ARTICLE 35 OF  
23 TITLE 24, C.R.S., IS REPEALED PURSUANT TO SECTION 24-35-608, C.R.S.

24 **SECTION 23.** 12-47.1-817 (1), Colorado Revised Statutes, is  
25 amended to read:

26 **12-47.1-817. Failure to pay winners.** (1) It is unlawful for any  
27 licensee to willfully refuse to pay the winner of any limited gaming game,

1 EXCEPT AS AUTHORIZED BY SECTION 24-35-605 (2) (b) (II), C.R.S.

2 SECTION 24. 12-60-507 (1), Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 12-60-507. Investigation - denial, suspension, and revocation  
5 actions against licensees - unlawful acts - conditional repeal. (1) The  
6 commission upon its own motion may, and upon complaint in writing of  
7 any person shall, investigate the activities of any licensee or applicant  
8 within the state or any person upon the premises of any facility licensed  
9 pursuant to this article. In addition to its authority under any other  
10 provision of this article, the commission may issue a letter of admonition  
11 to a licensee, fine a licensee, suspend a license, deny an application for a  
12 license, or revoke a license, if such person has committed any of the  
13 following violations:

14 (w) (I) FAILING TO COMPLY WITH THE REQUIREMENTS OF PART 6  
15 OF ARTICLE 35 OF TITLE 24, C.R.S., OR ANY RULE PROMULGATED BY THE  
16 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE PURSUANT TO  
17 SECTION 24-35-607 (3), C.R.S.

18 (II) THIS PARAGRAPH (w) SHALL BE REPEALED IF PART 6 OF  
19 ARTICLE 35 OF TITLE 24, C.R.S., IS REPEALED PURSUANT TO SECTION  
20 24-35-608, C.R.S.

21 SECTION 25. Part 5 of article 60 of title 12, Colorado Revised  
22 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
23 read:

24 12-60-513. Payments of winnings - intercept - conditional  
25 repeal. (1) BEFORE MAKING A PAYMENT OF CASH WINNINGS FROM  
26 PARI-MUTUEL WAGERING ON HORSE OR GREYHOUND RACING FOR WHICH  
27 THE LICENSEE IS REQUIRED TO FILE FORM W-2G, OR A SUBSTANTIALLY

1 EQUIVALENT FORM, WITH THE UNITED STATES INTERNAL REVENUE  
2 SERVICE, THE LICENSEE SHALL COMPLY WITH THE REQUIREMENTS OF PART  
3 6 OF ARTICLE 35 OF TITLE 24, C.R.S.

4 (2) THIS SECTION SHALL BE REPEALED IF PART 6 OF ARTICLE 35 OF  
5 TITLE 24, C.R.S., IS REPEALED PURSUANT TO SECTION 24-35-608, C.R.S.

6 **SECTION 26.** Article 13 of title 26, Colorado Revised Statutes,  
7 is amended BY THE ADDITION OF A NEW SECTION to read:

8 **26-13-118.7. Gambling winnings - interception - conditional**  
9 **repeal.** (1) PURSUANT TO SECTION 24-35-604 (2), C.R.S., THE STATE

10 DEPARTMENT SHALL PERIODICALLY CERTIFY TO THE REGISTRY OPERATOR  
11 INFORMATION REGARDING PERSONS WHO OWE A CHILD SUPPORT DEBT OR  
12 CHILD SUPPORT COSTS TO THE STATE PURSUANT TO SECTION 14-14-104,  
13 C.R.S., OR WHO OWE CHILD SUPPORT ARREARAGES REQUESTED AS PART  
14 OF AN ENFORCEMENT ACTION PURSUANT TO ARTICLE 5 OF TITLE 14,  
15 C.R.S., OR WHO OWE CHILD SUPPORT ARREARAGES OR CHILD SUPPORT  
16 COSTS THAT ARE THE SUBJECT OF ENFORCEMENT SERVICES PROVIDED  
17 PURSUANT TO SECTION 26-13-106. THE INFORMATION SHALL INCLUDE THE  
18 SOCIAL SECURITY NUMBER OF THE PERSON OWING THE CHILD SUPPORT  
19 DEBT, ARREARAGES, OR CHILD SUPPORT COSTS, THE AMOUNT OWED, AND  
20 THE OTHER INFORMATION REQUIRED BY THE REGISTRY OPERATOR  
21 PURSUANT TO SECTION 24-35-604 (4), C.R.S.

22 (2) UPON RECEIPT FROM THE REGISTRY OPERATOR OF A PAYMENT  
23 AND ACCOMPANYING INFORMATION PURSUANT TO SECTION 24-35-605 (2)  
24 (b), C.R.S., THE STATE DEPARTMENT SHALL NOTIFY THE OBLIGATED  
25 PARENT IN WRITING THAT THE STATE INTENDS TO OFFSET THE PARENT'S  
26 CHILD SUPPORT DEBT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT  
27 COSTS AGAINST THE PARENT'S WINNINGS FROM LIMITED GAMING OR FROM

1 PARI-MUTUEL WAGERING ON HORSE OR GREYHOUND RACING. THE NOTICE  
2 SHALL INCLUDE INFORMATION ON THE PARENT'S RIGHT TO OBJECT TO THE  
3 OFFSET AND TO REQUEST AN ADMINISTRATIVE REVIEW PURSUANT TO THE  
4 RULES OF THE STATE BOARD.

5 (3) THE STATE DEPARTMENT SHALL DEPOSIT A PAYMENT RECEIVED  
6 FROM THE REGISTRY OPERATOR PURSUANT TO SECTION 24-35-605 (2) (b),  
7 C.R.S., WITH THE STATE TREASURER. AFTER THE FINAL DISPOSITION OF  
8 ANY ADMINISTRATIVE REVIEW REQUESTED PURSUANT TO SUBSECTION (2)  
9 OF THIS SECTION, THE STATE DEPARTMENT SHALL DISBURSE THE PAYMENT  
10 TO THE FAMILY SUPPORT REGISTRY CREATED IN SECTION 26-13-114 FOR  
11 PROCESSING OR FOR DISTRIBUTION TO THE INDIVIDUAL RECEIVING  
12 SUPPORT ENFORCEMENT SERVICES PURSUANT TO SECTION 26-13-106, AS  
13 APPROPRIATE.

14 (4) THE STATE DEPARTMENT SHALL PROMULGATE RULES  
15 PURSUANT TO ARTICLE 4 OF TITLE 24, C.R.S., ESTABLISHING PROCEDURES  
16 TO IMPLEMENT THIS SECTION.

17 (5) THE STATE DEPARTMENT SHALL SEND THE NAME, ADDRESS,  
18 AND SOCIAL SECURITY NUMBER OF ANY PERSON SUBJECT TO THE  
19 INTERCEPTION OF GAMBLING WINNINGS PROVIDED BY THE REGISTRY  
20 OPERATOR TO THE RESPECTIVE DELEGATE CHILD SUPPORT ENFORCEMENT  
21 UNIT AS DEFINED IN SECTION 14-14-102 (2), C.R.S.

22 (6) THIS SECTION SHALL BE REPEALED IF PART 6 OF ARTICLE 35 OF  
23 TITLE 24, C.R.S., IS REPEALED PURSUANT TO SECTION 24-35-608, C.R.S.

24

25 SECTION 27. 26-13-114 (4) (e), Colorado Revised Statutes, is  
26 amended to read:

27 26-13-114. Family support registry - collection and

1 disbursement of child support and maintenance - rules - legislative  
2 declaration. (4) In operating the family support registry, the child  
3 support enforcement agency is authorized to:

4 (e) Collect a fee for the processing of insufficient funds checks.  
5 and THE CHILD SUPPORT ENFORCEMENT AGENCY SHALL issue a notice to  
6 the originator of any THE SECOND insufficient funds check RECEIVED  
7 WITHIN ANY SIX-MONTH PERIOD that no further checks will be accepted  
8 from such THE person and that future payments FOR A PERIOD OF SIX  
9 MONTHS FOLLOWING THE ISSUANCE OF THE NOTICE shall be required to be  
10 paid by cash or certified funds. In the event that a disbursement to the  
11 obligee becomes unfunded due to insufficient funds, stop payment, or  
12 other reason, the unfunded disbursement may be recovered from the next  
13 payment. The department of human services shall ensure that provisions  
14 are available for obligors to make cash payments through their county  
15 child support enforcement units.

16 **SECTION 28. Appropriation.** (1) In addition to any other  
17 appropriation, there is hereby appropriated, out of any moneys in the  
18 general fund not otherwise appropriated, to the department of human  
19 services, office of self sufficiency, child support enforcement, automated  
20 child support enforcement system, for the fiscal year beginning July 1,  
21 2007, the sum of forty thousand four hundred forty dollars (\$40,440), or  
22 so much thereof as may be necessary, for the implementation of this act.  
23 Said amount is exempt from the statutory limit on state general fund  
24 appropriations pursuant to section 24-75-201.1 (1) (a) (III) (A), Colorado  
25 Revised Statutes. The general assembly anticipates that, for the fiscal  
26 year beginning July 1, 2007, the department of human services will  
27 receive the sum of seventy-eight thousand five hundred three dollars

1 (\$78,503) in federal funds for the implementation of this act. Although  
2 these funds are not appropriated in this act, they are noted for the purpose  
3 of indicating the assumptions used relative to these funds.

4 (2) In addition to any other appropriation, there is hereby  
5 appropriated, out of any moneys in the general fund not otherwise  
6 appropriated, to the department of revenue, for allocation to the taxpayer  
7 service division, for the fiscal year beginning July 1, 2007, the sum of two  
8 thousand five hundred seventy-five dollars (\$2,575), or so much thereof  
9 as may be necessary, for the implementation of this act.

10 (3) For the implementation of this act, the appropriation made in  
11 section 21 of the annual general appropriation act for the fiscal year  
12 beginning July 1, 2007, shall be adjusted as follows: The general fund  
13 appropriation to the controlled maintenance trust fund is decreased by two  
14 thousand five hundred seventy-five dollars (\$2,575).

15 **SECTION 29. Effective date.** (1) Except as otherwise  
16 provided in subsection (5) of this section, sections 1, 2, 4, 8, 9, 10, 11, 16,  
17 17, 27, 28, and 30 of this act and this section shall take effect upon  
18 passage.

19 (2) Sections 12, 13, and 14 of this act shall take effect October 1,  
20 2007.

21 (3) Except as otherwise provided in subsection (5) of this section,  
22 section 6 of this act shall take effect January 1, 2008.

23 (4) Sections 15 and 18 of this act shall take effect July 1, 2008.

24 (5) If Senate Bill 07-015 is enacted at the first regular session of  
25 the sixty-sixth general assembly and becomes law, sections 2, 4, and 6 of  
26 this act shall not take effect and:

27 (a) Sections 3 and 5 of this act shall take effect upon passage; and

1 (b) Section 7 of this act shall take effect January 1, 2008.

2 ==

3 (6) Sections 19 through 26 of this act shall take effect January 1,

4 2008.

5 **SECTION 30. Safety clause.** The general assembly hereby finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, and safety.