



**Colorado  
Legislative  
Council  
Staff**

**SB16-149**

**FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

<b>Drafting Number:</b> LLS 16-0752	<b>Date:</b> March 7, 2016
<b>Prime Sponsor(s):</b> Sen. Marble; Woods Rep. Humphrey	<b>Bill Status:</b> Senate SVMA <b>Fiscal Analyst:</b> Amanda Hayden (303-866-4918)

**BILL TOPIC:** REVIEW OF ARBITRATOR'S DISSOLUTION OF MARRIAGE AWARD

Fiscal Impact Summary	FY 2015-16 <i>(current year)</i>	FY 2016-2017	FY 2017-2018
State Revenue			
State Expenditures	Potential workload increase.		
<b>Appropriation Required:</b> None.			
<b>Future Year Impacts:</b> Ongoing potential workload increase.			

**Summary of Legislation**

This bill lists the factors a court must consider when individuals involved in divorce proceedings file a motion to review the decision of an arbitrator. If either party in a divorce proceeding files a motion to vacate, modify, or correct the award entered by an arbitrator and moves to modify the award in a subsequent hearing, the court must consider whether the arbitrator:

- failed to consider the best interests of the children;
- failed to account for domestic violence;
- applied a law, rule, or legal code of a jurisdiction outside of the United States that is contrary to the public policy of this state;
- failed to grant the parties the same fundamental constitutional rights; or
- failed to consider whether the decisions related to divorce and parenting might place the child or children at risk of harm.

**Background**

Under current law, if all parties consent, the court may appoint an arbitrator in divorce proceedings to resolve disputes related to the parties' children, parenting time, child support, and parental decisions. If either party moves to modify an award entered by an arbitrator, they must do so no later than 35 days after the award. If the court grants a subsequent hearing on the matter and substantially upholds the decision of the arbitrator, the party that requested the hearing must pay all costs and fees incurred by the other party and the arbitrator in responding to the motion.

**State Expenditures**

This bill may increase workload by a minimal amount in the Judicial Department. Because these kinds of hearings happen infrequently, and because these factors are typically included already in the considerations of judicial officers, any impact on trial courts is expected to be minimal.

**Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

**State and Local Government Contacts**

Judicial