



**Colorado
Legislative
Council
Staff**

SB16-149

**FINAL
FISCAL NOTE**

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

Drafting Number: LLS 16-0752	Date: July 14, 2016
Prime Sponsor(s): Sen. Marble; Woods Rep. Humphrey	Bill Status: Lost in Senate
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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.		
Appropriation Required: None.			
Future Year Impacts: Ongoing potential workload increase.			

NOTE: This bill was not enacted; therefore, the impacts identified in this analysis do not take effect.

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 was lost on second reading in the State Senate on March 22, 2016.

State and Local Government Contacts

Judicial