

**Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 16-0754.03 Debbie Haskins x2045

**HOUSE BILL 16-1227**

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**HOUSE SPONSORSHIP**

**Kagan and DelGrosso**, Lawrence, Becker J., Becker K., Brown, Buckner, Coram, Duran, Esgar, Fields, Garnett, Hamner, Kraft-Tharp, Landgraf, Lee, Lontine, Lundeen, McCann, Melton, Moreno, Nordberg, Pettersen, Primavera, Rankin, Rosenthal, Roupe, Sias, Thurlow, Winter, Young, Ryden

**SENATE SPONSORSHIP**

**Hill and Crowder**, Holbert, Martinez Humenik, Neville T., Tate

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**House Committees**

Public Health Care & Human Services  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING EXEMPTIONS FROM CHILD SUPPORT ENFORCEMENT**  
102            **REQUIREMENTS AS A CONDITION OF RECEIPT OF CHILD CARE**  
103            **ASSISTANCE UNDER THE COLORADO CHILD CARE ASSISTANCE**  
104            **PROGRAM.**

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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://www.leg.state.co.us/billsummaries>.)*

Under current law, a county may impose as a condition of receiving low-income child care assistance under the Colorado child care assistance program (CCCAP) that an applicant who is not a Colorado

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.*

works participant apply for and cooperate with child support establishment and enforcement, unless the applicant shows good cause to the county for an exemption from this requirement. Pursuant to this law, the state board of human services (state board) has adopted rules that give counties the option to require child support cooperation as a condition of receiving child care assistance for teen parents.

The bill exempts an applicant who is a teen parent, as defined by rule of the state board, from child support cooperation requirements as a condition of receiving child care assistance. Once a person who receives child care assistance no longer meets the definition of a teen parent, the county may require that person to cooperate with child support establishment and enforcement as a condition of continued receipt of child care assistance.

The bill exempts an applicant who is a victim of domestic violence, a sexual offense, harassment, or stalking from child support cooperation requirements or from establishing good cause for not cooperating as a condition of receiving child care assistance. The bill sets forth the requirements that a victim of domestic violence, a sexual offense, harassment, or stalking must establish to qualify for this exception.

A county may provide information about the importance of establishing child support to a teen parent or a victim of domestic violence, a sexual offense, harassment, or stalking who chooses not to engage in child support establishment and enforcement.

The state board is required to revise its rules on CCCAP to implement the exceptions from child support cooperation for teen parents and victims of domestic violence, sexual offense, harassment, or stalking.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-2-805, **amend** (5)  
3 as follows:

4 **26-2-805. Services - eligibility - assistance provided - waiting**  
5 **lists - rules - exceptions from cooperating with child support**  
6 **establishment.** (5) (a) On and after July 1, 2014, AND EXCEPT AS  
7 OTHERWISE PROVIDED IN PARAGRAPH (a.5) OR (a.7) OF THIS SUBSECTION  
8 (5), a county may require a person who receives child care assistance  
9 pursuant to this section and who is not otherwise a participant to apply,  
10 pursuant to section 26-13-106 (2), for child support establishment,

1 modification, and enforcement services related to any support owed by  
2 obligors to their children and to cooperate with the delegate child support  
3 enforcement unit to receive these services; except that a person ~~shall~~ IS  
4 not ~~be~~ required to submit a written application for child support  
5 establishment, modification, and enforcement services if the person  
6 shows good cause to the county implementing the Colorado child care  
7 assistance program for not receiving these services.

8 (a.5) A COUNTY SHALL NOT REQUIRE AN APPLICANT WHO IS A TEEN  
9 PARENT, AS DEFINED BY RULE OF THE STATE BOARD, AND WHO IS NOT  
10 OTHERWISE A PARTICIPANT TO SUBMIT A WRITTEN APPLICATION FOR CHILD  
11 SUPPORT ESTABLISHMENT, MODIFICATION, AND ENFORCEMENT SERVICES  
12 AS A CONDITION OF RECEIVING CHILD CARE ASSISTANCE UNDER THIS  
13 SECTION UNTIL THE TEEN PARENT HAS GRADUATED FROM HIGH SCHOOL OR  
14 SUCCESSFULLY COMPLETED A HIGH SCHOOL EQUIVALENCY EXAMINATION.  
15 AFTER THE TEEN PARENT HAS BEEN DETERMINED ELIGIBLE FOR CHILD  
16 CARE ASSISTANCE AND HIS OR HER CHOSEN CHILD CARE PROVIDER IS  
17 RECEIVING SUBSIDY PAYMENTS, A COUNTY MAY REQUIRE THE TEEN  
18 PARENT TO REGULARLY ATTEND, AT NO COST AND AT A LOCATION AND  
19 TIME MOST CONVENIENT TO THE TEEN PARENT, INFORMATION SESSIONS  
20 WITH THE COUNTY CHILD SUPPORT STAFF FOCUSED ON UNDERSTANDING  
21 THE BENEFITS OF CHILD SUPPORT TO THE CHILD, THE FAMILY AS A WHOLE,  
22 AND THE BENEFITS OF TWO-PARENT ENGAGEMENT IN A CHILD'S LIFE. ONCE  
23 A PERSON WHO RECEIVES CHILD CARE ASSISTANCE PURSUANT TO THIS  
24 SECTION NO LONGER MEETS THE DEFINITION OF A TEEN PARENT OR HAS  
25 EITHER GRADUATED FROM HIGH SCHOOL OR SUCCESSFULLY COMPLETED  
26 A HIGH SCHOOL EQUIVALENCY EXAMINATION, THE COUNTY MAY REQUIRE  
27 THAT PERSON TO COOPERATE WITH CHILD SUPPORT ESTABLISHMENT AND

1 ENFORCEMENT AS A CONDITION OF CONTINUED RECEIPT OF CHILD CARE  
2 ASSISTANCE. NOTHING IN THIS SECTION PREVENTS A TEEN PARENT FROM  
3 ESTABLISHING CHILD SUPPORT.

4 (a.7) (I) A COUNTY SHALL NOT REQUIRE AN APPLICANT TO SUBMIT  
5 A WRITTEN APPLICATION FOR CHILD SUPPORT ESTABLISHMENT,  
6 MODIFICATION, AND ENFORCEMENT SERVICES AS A CONDITION OF  
7 RECEIVING CHILD CARE ASSISTANCE OR TO ESTABLISH GOOD CAUSE FOR  
8 NOT COOPERATING WITH CHILD SUPPORT ESTABLISHMENT AS A CONDITION  
9 OF RECEIVING CHILD CARE ASSISTANCE IF THE APPLICANT:

10 (A) SUBMITS A STATEMENT THAT HE OR SHE IS A VICTIM OF  
11 DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1), C.R.S., AND  
12 IN PART 8 OF ARTICLE 6 OF TITLE 18, C.R.S.; OR A VICTIM OF A SEXUAL  
13 OFFENSE, AS DESCRIBED IN PART 4 OF ARTICLE 3 OF TITLE 18, C.R.S.,  
14 SECTION 18-6-301, C.R.S., OR SECTION 18-6-302, C.R.S.; OR A VICTIM OF  
15 HARASSMENT, AS DESCRIBED IN SECTION 18-9-111, C.R.S.; OR A VICTIM  
16 OF STALKING, AS DESCRIBED IN SECTION 18-3-602, C.R.S.;

17 (B) INDICATES IN THAT STATEMENT THAT HE OR SHE FEARS FOR HIS  
18 OR HER SAFETY OR THE SAFETY OF HIS OR HER CHILDREN IF THE APPLICANT  
19 WERE TO PURSUE CHILD SUPPORT ENFORCEMENT PURSUANT TO SECTION  
20 26-13-106 (2); AND

21 (C) SUBMITS EVIDENCE THAT HE OR SHE IS A VICTIM OF DOMESTIC  
22 VIOLENCE, A SEXUAL OFFENSE, HARASSMENT, OR STALKING AS DESCRIBED  
23 IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I).

24 (II) FOR PURPOSES OF SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH  
25 (I) OF THIS PARAGRAPH (a.7), SUFFICIENT EVIDENCE INCLUDES, BUT IS NOT  
26 LIMITED TO, EVIDENCE IDENTIFIED FOR PARTICIPATION IN THE ADDRESS  
27 CONFIDENTIALITY PROGRAM INCLUDED IN SECTION 24-30-2105 (3) (c) (I)

1 TO (3) (c) (IV), C.R.S., OR FROM A "VICTIM'S ADVOCATE", AS DEFINED IN  
2 SECTION 13-90-107 (1) (k) (II), C.R.S, FROM WHOM THE APPLICANT HAS  
3 SOUGHT ASSISTANCE.

4 (III) A COUNTY MAY PROVIDE INFORMATION ABOUT THE  
5 IMPORTANCE OF ESTABLISHING CHILD SUPPORT TO A VICTIM OF DOMESTIC  
6 VIOLENCE, A SEXUAL OFFENSE, HARASSMENT, OR STALKING WHO CHOOSES  
7 NOT TO ENGAGE IN CHILD SUPPORT ESTABLISHMENT OR TO PURSUE A GOOD  
8 CAUSE WAIVER FROM COOPERATION.

9 (b) The state board shall promulgate rules for the implementation  
10 of this subsection (5), including but not limited to rules establishing good  
11 cause for not receiving these services, and rules for the imposition of  
12 sanctions upon a person who fails, without good cause as determined by  
13 the county implementing the Colorado child care assistance program, to  
14 apply for child support enforcement services or to cooperate with the  
15 delegate child support enforcement unit as required by this subsection (5).  
16 THE STATE BOARD SHALL REVISE ITS RULES REGARDING THE OPTION OF  
17 COUNTIES TO MAKE COOPERATION WITH CHILD SUPPORT ESTABLISHMENT  
18 AND ENFORCEMENT A CONDITION OF RECEIVING CHILD CARE ASSISTANCE  
19 FOR TEEN PARENTS AND FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL  
20 OFFENSE, HARASSMENT, OR STALKING.

21 (c) (I) ON JULY 1, 2017, AND EVERY JULY 1 THEREAFTER THROUGH  
22 JULY 1, 2025, EACH COUNTY DEPARTMENT SHALL REPORT TO THE STATE  
23 DEPARTMENT INFORMATION RELATED TO TEEN PARENTS IN THE  
24 COLORADO CHILD CARE ASSISTANCE PROGRAM. THE STATE BOARD SHALL  
25 ESTABLISH, BY RULE, CRITERIA TO BE REPORTED ANNUALLY BY EACH  
26 COUNTY, INCLUDING BUT NOT LIMITED TO:

27 (A) THE TOTAL NUMBER OF CASES IN EACH COUNTY THAT ARE

1 RECEIVING SERVICES FROM A COUNTY CHILD SUPPORT SERVICES OFFICE  
2 THAT INVOLVE CUSTODIAL PARTIES WHO ARE NINETEEN YEARS OF AGE OR  
3 YOUNGER AND THE NUMBER OF CHILDREN BEING SERVED;

4 (B) THE TOTAL NUMBER OF TEEN PARENTS IN EACH COUNTY THAT  
5 ARE RECEIVING COLORADO CHILD CARE ASSISTANCE;

6 (C) FOR EACH TEEN PARENT RECEIVING CHILD CARE ASSISTANCE  
7 IN THE COUNTY, LONGITUDINAL DATA INDICATING WHETHER PATERNITY  
8 HAS BEEN ESTABLISHED AND WHETHER CHILD SUPPORT HAS BEEN  
9 ESTABLISHED FOR THE CHILD AND REPORTED FOR THE CHILD FROM BIRTH  
10 TO AGE FOUR;

11 (D) FOR EACH TEEN PARENT RECEIVING CHILD CARE ASSISTANCE  
12 IN THE COUNTY, LONGITUDINAL DATA INDICATING WHETHER THE TEEN  
13 PARENT ACHIEVED ECONOMIC SELF-SUFFICIENCY AND AVOIDED BECOMING  
14 A COLORADO WORKS PARTICIPANT WHILE IN SCHOOL AND REPORTED FOR  
15 THE CHILD FROM THE CHILD'S BIRTH TO AGE FOUR;

16 (E) FOR EACH TEEN PARENT RECEIVING CHILD CARE ASSISTANCE  
17 IN THE COUNTY, LONGITUDINAL DATA INDICATING THE TOTAL AMOUNT  
18 AND THE PERCENTAGE OF CHILD SUPPORT COLLECTED FOR THE BENEFIT OF  
19 THE CHILD AND REPORTED FOR THE CHILD FROM BIRTH TO AGE FOUR.

20 (II) THE REPORTS FILED WITH THE STATE DEPARTMENT AS A  
21 RESULT OF THIS PARAGRAPH (c) ARE PUBLIC RECORDS AVAILABLE FOR  
22 PUBLIC INSPECTION.

23 (d) UPON NOTIFICATION THAT THE RELEVANT HUMAN SERVICES  
24 CASE MANAGEMENT SYSTEMS ARE CAPABLE OF ACCOMMODATING THE  
25 PROVISIONS IN PARAGRAPHS (a.5) AND (a.7) OF THIS SUBSECTION (5), THE  
26 STATE DEPARTMENT IS REQUIRED TO START TRACKING COUNTIES'  
27 COMPLIANCE WITH PARAGRAPHS (a.5) AND (a.7) OF THIS SUBSECTION (5).

1 THE STATE DEPARTMENT SHALL NOTIFY COUNTIES WHEN THE HUMAN  
2 SERVICES CASE MANAGEMENT SYSTEMS ARE FUNCTIONAL AND WHEN THE  
3 TRACKING OF COMPLIANCE WILL BEGIN.

4 **SECTION 2. Safety clause.** The general assembly hereby finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, and safety.