

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0706.01 Shelby Ross x4510

HOUSE BILL 20-1100

HOUSE SPONSORSHIP

Froelich,

SENATE SPONSORSHIP

Crowder,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING PASS-THROUGH CHILD SUPPORT PAYMENTS TO FAMILIES
102 THAT ARE ELIGIBLE FOR TEMPORARY ASSISTANCE FOR NEEDY
103 FAMILIES.

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://leg.colorado.gov>.)

The bill allows the department of human services to promulgate rules to make any necessary changes to the relevant human services automated systems to ensure child support payments are not passed through to temporary assistance for needy families recipients if the general assembly appropriates funds insufficient to maintain the program.

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

The bill creates the child support collection fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-2-108, **amend**
3 (1)(b)(II)(B); and **add** (3) as follows:

4 **26-2-108. Granting of assistance payments and social services**
5 **- child support collection fund - created - rules.** (1) (b) (II) (B) The
6 general assembly may annually appropriate ~~moneys~~ MONEY to the state
7 department in a separate line item to reimburse the counties for fifty
8 percent of child support collections and the federal government for its
9 share of child support collections that are passed through to temporary
10 assistance for needy families (TANF) recipients pursuant to this
11 ~~subparagraph (H)~~ SUBSECTION (1)(b)(II). The state department shall
12 allocate and distribute the ~~moneys~~ MONEY to the counties.
13 ~~Notwithstanding the provisions of this subparagraph (H) to the contrary,~~
14 ~~in any state fiscal year in which the general assembly does not appropriate~~
15 ~~an amount of moneys equal to a full fiscal year reimbursement to counties~~
16 ~~pursuant to the provisions of this sub-subparagraph (B), the state~~
17 ~~department shall make all necessary changes to the relevant human~~
18 ~~services automated systems so that child support payments are not passed~~
19 ~~through to temporary assistance for needy families (TANF) recipients and~~
20 ~~a county is not required to, but may, implement the child support~~
21 ~~pass-through to TANF recipients. Should~~ THE STATE DEPARTMENT MAY
22 PROMULGATE RULES TO MAKE ANY NECESSARY CHANGES TO THE
23 RELEVANT HUMAN SERVICES AUTOMATED SYSTEMS SO THAT CHILD
24 SUPPORT PAYMENTS ARE NOT PASSED THROUGH TO TEMPORARY
25 ASSISTANCE FOR NEEDY FAMILIES (TANF) RECIPIENTS IF THE GENERAL

1 ASSEMBLY APPROPRIATES FUNDS THAT ARE INSUFFICIENT TO MAINTAIN
2 THE PROGRAM. IF a county ~~elect~~ ELECTS to implement a child support
3 pass-through in a fiscal year in which ~~the full amount of moneys~~ NO
4 MONEY is ~~not~~ appropriated, ~~it~~ THE COUNTY must utilize its own resources
5 and the state automated systems are not required to support ~~their~~ THE
6 COUNTY'S implementation.

7 (3) THE CHILD SUPPORT COLLECTION FUND, REFERRED TO IN THIS
8 SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY.
9 THE STATE TREASURER SHALL TRANSFER ANY UNEXPENDED AND
10 UNENCUMBERED MONEY APPROPRIATED TO THE STATE DEPARTMENT FOR
11 THE IMPLEMENTATION OF THIS SECTION AT THE END OF EACH FISCAL YEAR
12 TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
13 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
14 FUND TO THE FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE
15 GENERAL ASSEMBLY, THE STATE DEPARTMENT MAY EXPEND MONEY FROM
16 THE FUND FOR THE IMPLEMENTATION OF THIS SECTION.

17 **SECTION 2. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2020 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.