CHAPTER 113

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 26-1217

BY REPRESENTATIVE(S) Espenoza and Bradley, Carter, Luck, DeGraaf, Garcia Sander, Hamrick, Phillips;
also SENATOR(S) Rich and Ball, Exum, Coleman.

AN ACT

CONCERNING CORRECTING CROSS REFERENCES IN THE CHILD SUPPORT GUIDELINES.

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

SECTION 1. In Colorado Revised Statutes, 14-10-115, **amend as they will become effective March 1, 2026,** (7)(a)(V)(B), (7)(a)(V)(C), (7)(a)(VI), (8)(a), and (8)(b) as follows:

14-10-115. Child support guidelines - purpose - determination of income - schedule of basic child support obligations - adjustments to basic child support - additional guidelines - child support commission - definitions.

(7) **Schedule of basic child support obligations.**

(a) (V) (B) If the resulting difference calculated pursuant to subsection (7)(a)(V)(A) of this section is less than the reduced low-income adjustment calculated pursuant to ~~subsection (7)(a)(III)(A)~~ SUBSECTION (7)(a)(III)(B) of this section, the obligor's basic child support obligation is equal to the reduced low-income adjustment.

(C) If the resulting difference calculated pursuant to subsection (7)(a)(V)(A) of this section is more than the reduced low-income adjustment calculated pursuant to ~~subsection (7)(a)(III)(A)~~ SUBSECTION (7)(a)(III)(B) of this section but less than the schedule of basic child support obligation, the obligor's basic child support obligation is equal to the amount calculated pursuant to subsection (7)(a)(V)(A) of this section.

(VI) In addition to the adjustments described in this subsection (7)(a), the obligor's child support amount must be further adjusted for work-related and

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education-related child care costs, health insurance, extraordinary medical expenses, and other extraordinary adjustments as described in subsections (9), (10), (11)(a), (11)(b), and ~~(11)(c)(II)~~ ***(11)(c)(III)*** of this section.

(8) **Computation of basic child support - shared overnight parenting time - split physical care - stipulations - deviations - basis for periodic updates.**

(a) A total child support obligation is determined by adding each parent's respective basic child support obligation, as determined through the child support guidelines and schedule of basic child support obligations specified in subsection (7) of this section, education and work-related net child care costs, extraordinary medical expenses, and extraordinary adjustments to the schedule of basic child support obligations, as described in subsections (9), (10), (11)(a), (11)(b), and ~~(11)(c)(II)~~ ***(11)(c)(III)*** of this section. The parent receiving a child support payment is presumed to spend the total child support obligation directly on the children. The parent paying child support to the other parent owes the total child support obligation as child support to the other parent minus any ordered payments included in the calculations made directly on behalf of the children for education and work-related net child care costs, extraordinary medical expenses, or extraordinary adjustments to the schedule of basic child support obligations, as described in subsections (9), (10), (11)(a), (11)(b), and ~~(11)(c)(II)~~ ***(11)(c)(III)*** of this section.

(b) Shared overnight parenting time presumes that certain basic expenses for the children will be paid directly by the overnight parent; therefore, expenses may be duplicated and an adjustment for shared parenting time is necessary. The shared parenting time adjustment is calculated by identifying the parenting time credit percentage listed in the parenting time table in subsection (8)(h) of this section based upon the number of overnights for each parent. The parenting time credit is the total basic child support obligation multiplied by that parent's parenting time credit percentage. The shared parenting adjustment is deducted from each parent's share of the basic child support obligation, which is in addition to each parent's proportionate share of education and work-related net child care costs, extraordinary medical expenses, and extraordinary adjustments to the schedule of basic child support obligations, as described in subsections (9), (10), (11)(a), (11)(b), and ~~(11)(c)(II)~~ ***(11)(c)(III)*** of this section. The parent owing the greater amount of child support owes the difference between the two amounts as a child support order minus any ordered direct payments made on behalf of the children for education and work-related net child care costs, extraordinary medical expenses, or extraordinary adjustments to the schedule of basic child support obligations, as described in subsections (9), (10), (11)(a), (11)(b), and ~~(11)(c)(II)~~ ***(11)(c)(III)*** of this section. The amount of child support ordered to be paid must not exceed the amount owed by that same parent if the parent had no overnights. For purposes of calculating overnights when two or more children are included in the child support worksheet calculation and the parties have a different number of overnights with each of the two or more children, the number of overnights is determined by adding the number of overnights for each child and dividing the resulting number by the number of children included in the child support worksheet calculation.

SECTION 2. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: May 5, 2026