

CHAPTER 141

**CHILDREN AND DOMESTIC MATTERS**

SENATE BILL 97-115

BY SENATOR Mutzebaugh;  
also REPRESENTATIVE George.

**AN ACT**

CONCERNING ENACTMENT OF AMENDMENTS TO THE "UNIFORM INTERSTATE FAMILY SUPPORT ACT" AS  
RECOMMENDED BY THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS.

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

**SECTION 1.** The introductory portion to 14-5-101 and 14-5-101 (6), (7), (16), and (19), Colorado Revised Statutes, 1987 Repl. Vol., as amended, are amended to read:

**14-5-101. Definitions.** ~~As used in this article, unless the context otherwise requires:~~ IN THIS ARTICLE:

(6) "Income-withholding order" means an order or other legal process DIRECTED TO AN OBLIGOR'S EMPLOYER OR OTHER DEBTOR, AS DEFINED BY THE INCOME-WITHHOLDING LAW OF THIS STATE, to withhold support from the income of the obligor. ~~directed to an obligor's employer, employers, or successor employers or other payor of funds as described in section 14-14-111.5 relating to income assignments or relating to immediate deductions for family support obligations.~~

(7) "Initiating state" means a state ~~in~~ FROM which a proceeding IS FORWARDED OR IN WHICH A PROCEEDING IS FILED FOR FORWARDING TO A RESPONDING STATE under this article or a law OR PROCEDURE substantially similar to this article, the "Uniform Reciprocal Enforcement of Support Act", or the "Revised Uniform Reciprocal Enforcement of Support Act". ~~is filed for forwarding to a responding state.~~

(16) "Responding state" means a state ~~to~~ IN which a proceeding is FILED OR TO

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

WHICH A PROCEEDING IS FORWARDED FOR FILING FROM AN INITIATING STATE under this article or a law OR PROCEDURE substantially similar to this article, the "Uniform Reciprocal Enforcement of Support Act", or the "Revised Uniform Reciprocal Enforcement of Support Act".

(19) "State" means a state of the United States, the District of Columbia, ~~the Commonwealth of Puerto Rico,~~ THE UNITED STATES VIRGIN ISLANDS, or any territory or insular possession subject to the jurisdiction of the United States. The term "state" includes:

(i) An Indian tribe; and ~~includes~~

(ii) A foreign jurisdiction that has ENACTED A LAW OR established procedures for issuance and enforcement of support orders which are substantially similar to the procedures under this article, THE "UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT", OR THE "REVISED UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT".

**SECTION 2.** 14-5-202, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended to read:

**14-5-202. Procedure when exercising jurisdiction over nonresident.** A tribunal of this state exercising personal jurisdiction over a nonresident under section 14-5-201 may apply section 14-5-316 (Special rules of evidence and procedure) to receive evidence from another state, and section 14-5-318 (Assistance with discovery) to obtain discovery through a tribunal of another state. In all other respects, parts 3 ~~to~~ THROUGH 7 of this article do not apply and the tribunal shall apply the procedural and substantive law of this state, including the rules on choice of law other than those established by this article.

**SECTION 3.** 14-5-205 (a) (2) and (b), the introductory portion to 14-5-205 (c), and 14-5-205 (d), Colorado Revised Statutes, 1987 Repl. Vol., as amended, are amended to read:

**14-5-205. Continuing, exclusive jurisdiction.** (a) A tribunal of this state issuing a support order consistent with the law of this state has continuing, exclusive jurisdiction over a child support order:

(2) Until ~~each individual party has~~ ALL OF THE PARTIES WHO ARE INDIVIDUALS HAVE filed written ~~consent~~ CONSENTS with the tribunal of this state for a tribunal of another state to modify the order and assume continuing, exclusive jurisdiction.

(b) A tribunal of this state issuing a child support order consistent with the law of this state may not exercise its continuing jurisdiction to modify the order if the order has been modified by a tribunal of another state pursuant to THIS ARTICLE OR a law substantially similar to this article.

(c) If a child support order of this state is modified by a tribunal of another state pursuant to THIS ARTICLE OR a law substantially similar to this article, a tribunal of this state loses its continuing, exclusive jurisdiction with regard to prospective enforcement of the order issued in this state, and may only:

(d) A tribunal of this state shall recognize the continuing, exclusive jurisdiction of a tribunal of another state which has issued a child support order pursuant to THIS ARTICLE OR a law substantially similar to this article.

**SECTION 4.** 14-5-207, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended to read:

**14-5-207. Recognition of controlling child support order.** ~~(a) If a proceeding is brought under this article, and one or more child support orders have been issued in this or another state with regard to an obligor and a child, a tribunal of this state shall apply the following rules in determining which order to recognize for purposes of continuing, exclusive jurisdiction:~~

~~(1) If only one tribunal has issued a child support order, the order of that tribunal must be recognized.~~

~~(2) If two or more tribunals have issued child support orders for the same obligor and child, and only one of the tribunals would have continuing, exclusive jurisdiction under this article, the order of that tribunal must be recognized.~~

~~(3) If two or more tribunals have issued child support orders for the same obligor and child, and more than one of the tribunals would have continuing, exclusive jurisdiction under this article, an order issued by a tribunal in the current home state of the child must be recognized, but if an order has not been issued in the current home state of the child, the order most recently issued must be recognized.~~

~~(4) If two or more tribunals have issued child support orders for the same obligor and child, and none of the tribunals would have continuing, exclusive jurisdiction under this article, the tribunal of this state may issue a child support order, which must be recognized.~~

~~(b) The tribunal that has issued an order recognized under subsection (a) of this section is the tribunal having continuing, exclusive jurisdiction.~~

(a) IF A PROCEEDING IS BROUGHT UNDER THIS ARTICLE AND ONLY ONE TRIBUNAL HAS ISSUED A CHILD SUPPORT ORDER, THE ORDER OF THAT TRIBUNAL CONTROLS AND MUST BE SO RECOGNIZED.

(b) IF A PROCEEDING IS BROUGHT UNDER THIS ARTICLE, AND TWO OR MORE CHILD SUPPORT ORDERS HAVE BEEN ISSUED BY TRIBUNALS OF THIS STATE OR ANOTHER STATE WITH REGARD TO THE SAME OBLIGOR AND CHILD, A TRIBUNAL OF THIS STATE SHALL APPLY THE FOLLOWING RULES IN DETERMINING WHICH ORDER TO RECOGNIZE FOR PURPOSES OF CONTINUING, EXCLUSIVE JURISDICTION:

(1) IF ONLY ONE OF THE TRIBUNALS WOULD HAVE CONTINUING, EXCLUSIVE JURISDICTION UNDER THIS ARTICLE, THE ORDER OF THAT TRIBUNAL CONTROLS AND MUST BE SO RECOGNIZED.

(2) IF MORE THAN ONE OF THE TRIBUNALS WOULD HAVE CONTINUING, EXCLUSIVE JURISDICTION UNDER THIS ARTICLE, AN ORDER ISSUED BY A TRIBUNAL IN THE CURRENT HOME STATE OF THE CHILD CONTROLS AND MUST BE SO RECOGNIZED, BUT IF AN

ORDER HAS NOT BEEN ISSUED IN THE CURRENT HOME STATE OF THE CHILD, THE ORDER MOST RECENTLY ISSUED CONTROLS AND MUST BE SO RECOGNIZED.

(3) IF NONE OF THE TRIBUNALS WOULD HAVE CONTINUING, EXCLUSIVE JURISDICTION UNDER THIS ARTICLE, THE TRIBUNAL OF THIS STATE HAVING JURISDICTION OVER THE PARTIES SHALL ISSUE A CHILD SUPPORT ORDER, WHICH CONTROLS AND MUST BE SO RECOGNIZED.

(c) IF TWO OR MORE CHILD SUPPORT ORDERS HAVE BEEN ISSUED FOR THE SAME OBLIGOR AND CHILD AND IF THE OBLIGOR OR THE INDIVIDUAL OBLIGEE RESIDES IN THIS STATE, A PARTY MAY REQUEST A TRIBUNAL OF THIS STATE TO DETERMINE WHICH ORDER CONTROLS AND MUST BE SO RECOGNIZED UNDER SUBSECTION (b) OF THIS SECTION. THE REQUEST MUST BE ACCOMPANIED BY A CERTIFIED COPY OF EVERY SUPPORT ORDER IN EFFECT. THE REQUESTING PARTY SHALL GIVE NOTICE OF THE REQUEST TO EACH PARTY WHOSE RIGHTS MAY BE AFFECTED BY THE DETERMINATION.

(d) THE TRIBUNAL THAT ISSUED THE CONTROLLING ORDER UNDER SUBSECTION (a), (b), OR (c) OF THIS SECTION IS THE TRIBUNAL THAT HAS CONTINUING, EXCLUSIVE JURISDICTION UNDER SECTION 14-5-205.

(e) A TRIBUNAL OF THIS STATE WHICH DETERMINES BY ORDER THE IDENTITY OF THE CONTROLLING ORDER UNDER SUBSECTION (b) (1) OR (2) OF THIS SECTION OR WHICH ISSUES A NEW CONTROLLING ORDER UNDER SUBSECTION (b) (3) OF THIS SECTION SHALL STATE IN THAT ORDER THE BASIS UPON WHICH THE TRIBUNAL MADE ITS DETERMINATION.

(f) WITHIN THIRTY DAYS AFTER ISSUANCE OF AN ORDER DETERMINING THE IDENTITY OF THE CONTROLLING ORDER, THE PARTY OBTAINING THE ORDER SHALL FILE A CERTIFIED COPY OF IT WITH EACH TRIBUNAL THAT ISSUED OR REGISTERED AN EARLIER ORDER OF CHILD SUPPORT. A PARTY WHO OBTAINS THE ORDER AND FAILS TO FILE A CERTIFIED COPY IS SUBJECT TO APPROPRIATE SANCTIONS BY A TRIBUNAL IN WHICH THE ISSUE OF FAILURE TO FILE ARISES. THE FAILURE TO FILE DOES NOT AFFECT THE VALIDITY OR ENFORCEABILITY OF THE CONTROLLING ORDER.

**SECTION 5.** 14-5-301 (b) (1), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended to read:

**14-5-301. Proceedings under this article.** (b) This article provides for the following proceedings:

(1) Establishment of an order for spousal support or child support pursuant to part 4 of this article; ~~except that the support enforcement agency shall not be authorized to establish or modify a spousal support order;~~

**SECTION 6.** 14-5-304, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended to read:

**14-5-304. Duties of initiating tribunal.** (a) Upon the filing of a petition authorized by this article, an initiating tribunal of this state shall forward three copies of the petition and its accompanying documents:

(1) To the responding tribunal or appropriate support enforcement agency in the responding state; or

(2) If the identity of the responding tribunal is unknown, to the state information agency of the responding state with a request that they be forwarded to the appropriate tribunal and that receipt be acknowledged.

(b) IF A RESPONDING STATE HAS NOT ENACTED THIS ARTICLE OR A LAW OR PROCEDURE SUBSTANTIALLY SIMILAR TO THIS ARTICLE, A TRIBUNAL OF THIS STATE MAY ISSUE A CERTIFICATE OR OTHER DOCUMENT AND MAKE FINDINGS REQUIRED BY THE LAW OF THE RESPONDING STATE. IF THE RESPONDING STATE IS A FOREIGN JURISDICTION, THE TRIBUNAL MAY SPECIFY THE AMOUNT OF SUPPORT SOUGHT AND PROVIDE OTHER DOCUMENTS NECESSARY TO SATISFY THE REQUIREMENTS OF THE RESPONDING STATE.

**SECTION 7.** 14-5-305 (a) and (e), Colorado Revised Statutes, 1987 Repl. Vol., as amended, are amended to read:

**14-5-305. Duties and powers of responding tribunal.** (a) When a responding tribunal of this state receives a petition or comparable pleading from an initiating tribunal or directly pursuant to section 14-5-301 (c) (Proceedings under this article), it shall cause the petition or pleading to be filed and notify the petitioner ~~by first class mail~~ where and when it was filed.

(e) If a responding tribunal of this state issues an order under this article, the tribunal shall send a copy of the order ~~by first class mail~~ to the petitioner and the respondent and to the initiating tribunal, if any.

**SECTION 8.** 14-5-306, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended to read:

**14-5-306. Inappropriate tribunal.** If a petition or comparable pleading is received by an inappropriate tribunal of this state, it shall forward the pleading and accompanying documents to an appropriate tribunal in this state or another state and notify the petitioner ~~by first class mail~~ where and when the pleading was sent.

**SECTION 9.** 14-5-307 (b) (4) and (b) (5), Colorado Revised Statutes, 1987 Repl. Vol., as amended, are amended to read:

**14-5-307. Duties of support enforcement agency.** (b) A support enforcement agency that is providing services to the petitioner as appropriate shall:

(4) Within two days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of a written notice from an initiating, responding, or registering tribunal, send a copy of the notice ~~by first class mail~~ to the petitioner;

(5) Within two days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of a written communication from the respondent or the respondent's attorney, send a copy of the communication ~~by first class mail~~ to the petitioner; and

**SECTION 10.** 14-5-311 (a), Colorado Revised Statutes, 1987 Repl. Vol., as

amended, is amended to read:

**14-5-311. Pleadings and accompanying documents.** (a) A petitioner seeking to establish or modify a support order or to determine parentage in a proceeding under this article must verify the petition. Unless otherwise ordered under section 14-5-312 (Nondisclosure of information in exceptional circumstances), the petition or accompanying documents must provide, so far as known, the ~~names~~, NAME, residential ~~addresses~~, ADDRESS, and social security numbers of the obligor and the obligee, and the name, sex, residential address, social security number, and date of birth of each child for whom support is sought. The petition must be accompanied by a certified copy of any support order in effect. The petition may include any other information that may assist in locating or identifying the respondent.

**SECTION 11.** Part 5 of article 5 of title 14, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended, WITH THE RELOCATION OF PROVISIONS, to read:

PART 5  
ENFORCEMENT OF ORDER OF ANOTHER STATE  
WITHOUT REGISTRATION

**14-5-501. Employer's receipt of income-withholding order of another state.** ~~(a) An income-withholding order issued in another state may be sent by first class mail to the person or entity which is DEFINED AS the obligor's employer under the income-withholding law of this state without first filing a petition or comparable pleading or registering the order with a tribunal of this state. Upon receipt of the order, the employer shall:~~

~~(1) Treat an income-withholding order issued in another state which appears regular on its face as if it had been issued by a tribunal of this state;~~

~~(2) Immediately provide a copy of the order to the obligor; and~~

~~(3) Distribute the funds as directed in the withholding order.~~

~~(b) An obligor may contest the validity or enforcement of an income-withholding order issued in another state in the same manner as if the order had been issued by a tribunal of this state. Section 14-5-604 (Choice of law) applies to the contest. The obligor shall give notice of the contest to any support enforcement agency providing services to the obligee and to:~~

~~(1) The person or agency designated to receive payments in the income-withholding order; or~~

~~(2) If no person or agency is designated, the obligee.~~

**14-5-502. Employer's compliance with income-withholding order of another state. [Formerly 14-5-501 (a) (2), (a) (1), and (a) (3)]** (a) UPON RECEIPT OF AN INCOME-WITHHOLDING ORDER, THE OBLIGOR'S EMPLOYER SHALL IMMEDIATELY PROVIDE A COPY OF THE ORDER TO THE OBLIGOR.

(b) THE EMPLOYER SHALL TREAT AN INCOME-WITHHOLDING ORDER ISSUED IN ANOTHER STATE WHICH APPEARS REGULAR ON ITS FACE AS IF IT HAD BEEN ISSUED BY A TRIBUNAL OF THIS STATE.

(c) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (d) OF THIS SECTION AND SECTION 14-5-503 THE EMPLOYER SHALL WITHHOLD AND DISTRIBUTE THE FUNDS AS DIRECTED IN THE WITHHOLDING ORDER BY COMPLYING WITH TERMS OF THE ORDER WHICH SPECIFY:

(1) THE DURATION AND AMOUNT OF PERIODIC PAYMENTS OF CURRENT CHILD SUPPORT, STATED AS A SUM CERTAIN;

(2) THE PERSON OR AGENCY DESIGNATED TO RECEIVE PAYMENTS AND THE ADDRESS TO WHICH THE PAYMENTS ARE TO BE FORWARDED;

(3) MEDICAL SUPPORT, WHETHER IN THE FORM OF PERIODIC CASH PAYMENT, STATED AS A SUM CERTAIN, OR ORDERING THE OBLIGOR TO PROVIDE HEALTH INSURANCE COVERAGE FOR THE CHILD UNDER A POLICY AVAILABLE THROUGH THE OBLIGOR'S EMPLOYMENT;

(4) THE AMOUNT OF PERIODIC PAYMENTS OF FEES AND COSTS FOR A SUPPORT ENFORCEMENT AGENCY, THE ISSUING TRIBUNAL, AND THE OBLIGEE'S ATTORNEY, STATED AS SUMS CERTAIN; AND

(5) THE AMOUNT OF PERIODIC PAYMENTS OF ARREARAGES AND INTEREST ON ARREARAGES, STATED AS SUMS CERTAIN.

(d) AN EMPLOYER SHALL COMPLY WITH THE LAW OF THE STATE OF THE OBLIGOR'S PRINCIPAL PLACE OF EMPLOYMENT FOR WITHHOLDING FROM INCOME WITH RESPECT TO:

(1) THE EMPLOYER'S FEE FOR PROCESSING AN INCOME-WITHHOLDING ORDER;

(2) THE MAXIMUM AMOUNT PERMITTED TO BE WITHHELD FROM THE OBLIGOR'S INCOME; AND

(3) THE TIMES WITHIN WHICH THE EMPLOYER MUST IMPLEMENT THE WITHHOLDING ORDER AND FORWARD THE CHILD SUPPORT PAYMENT.

**14-5-503. Compliance with multiple income-withholding orders.** IF AN OBLIGOR'S EMPLOYER RECEIVES MULTIPLE INCOME-WITHHOLDING ORDERS WITH RESPECT TO THE EARNINGS OF THE SAME OBLIGOR, THE EMPLOYER SATISFIES THE TERMS OF THE MULTIPLE ORDERS IF THE EMPLOYER COMPLIES WITH THE LAW OF THE STATE OF THE OBLIGOR'S PRINCIPAL PLACE OF EMPLOYMENT TO ESTABLISH THE PRIORITIES FOR WITHHOLDING AND ALLOCATING INCOME WITHHELD FOR MULTIPLE CHILD SUPPORT OBLIGEEES.

**14-5-504. Immunity from civil liability.** AN EMPLOYER WHO COMPLIES WITH AN INCOME-WITHHOLDING ORDER ISSUED IN ANOTHER STATE IN ACCORDANCE WITH THIS ARTICLE IS NOT SUBJECT TO CIVIL LIABILITY TO AN INDIVIDUAL OR AGENCY WITH REGARD TO THE EMPLOYER'S WITHHOLDING OF CHILD SUPPORT FROM THE OBLIGOR'S

INCOME.

**14-5-505. Penalties for noncompliance.** AN EMPLOYER WHO WILLFULLY FAILS TO COMPLY WITH AN INCOME-WITHHOLDING ORDER ISSUED BY ANOTHER STATE AND RECEIVED FOR ENFORCEMENT IS SUBJECT TO THE SAME PENALTIES THAT MAY BE IMPOSED FOR NONCOMPLIANCE WITH AN ORDER ISSUED BY A TRIBUNAL OF THIS STATE.

**14-5-506. Contest by obligor.** (a) AN OBLIGOR MAY CONTEST THE VALIDITY OR ENFORCEMENT OF AN INCOME-WITHHOLDING ORDER ISSUED IN ANOTHER STATE AND RECEIVED DIRECTLY BY AN EMPLOYER IN THIS STATE IN THE SAME MANNER AS IF THE ORDER HAD BEEN ISSUED BY A TRIBUNAL OF THIS STATE. SECTION 14-5-604 (CHOICE OF LAW) APPLIES TO THE CONTEST.

(b) THE OBLIGOR SHALL GIVE NOTICE OF THE CONTEST TO:

(1) A SUPPORT ENFORCEMENT AGENCY PROVIDING SERVICES TO THE OBLIGEE;

(2) EACH EMPLOYER THAT HAS DIRECTLY RECEIVED AN INCOME-WITHHOLDING ORDER; AND

(3) THE PERSON OR AGENCY DESIGNATED TO RECEIVE PAYMENTS IN THE INCOME-WITHHOLDING ORDER OR IF NO PERSON OR AGENCY IS DESIGNATED, TO THE OBLIGEE.

**14-5-507. Administrative enforcement of orders. [Formerly 14-5-502]** (a) A party seeking to enforce a support order or an income-withholding order, or both, issued by a tribunal of another state may send the documents required for registering the order to a support enforcement agency of this state.

(b) Upon receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure authorized by the law of this state to enforce a support order or an income-withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to this article.

**SECTION 12.** 14-5-605 (a) and (b) (2), Colorado Revised Statutes, 1987 Repl. Vol., as amended, are amended to read:

**14-5-605. Notice of registration of order.** (a) When a support order or income-withholding order issued in another state is registered, the registering tribunal shall notify the nonregistering party. ~~Notice must be given by first class, certified, or registered mail or by any means of personal service authorized by the law of this state.~~ The notice must be accompanied by a copy of the registered order and the documents and relevant information accompanying the order.

(b) The notice must inform the nonregistering party:

(2) That a hearing to contest the validity or enforcement of the registered order must be requested within twenty days after ~~the date of mailing or personal service of~~



the notice;

**SECTION 13.** 14-5-606 (a) and (c), Colorado Revised Statutes, 1987 Repl. Vol., as amended, are amended to read:

**14-5-606. Procedure to contest validity or enforcement of registered order.**

(a) A nonregistering party seeking to contest the validity or enforcement of a registered order in this state shall request a hearing within twenty days after ~~the date of mailing or personal service of~~ notice of the registration. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 14-5-607 (Contest of registration or enforcement).

(c) If a nonregistering party requests a hearing to contest the validity or enforcement of the registered order, the registering tribunal shall schedule the matter for hearing and give notice to the parties ~~by first class mail~~ of the date, time, and place of the hearing.

**SECTION 14.** 14-5-611, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended to read:

**14-5-611. Modification of child support order of another state.** (a) After a child support order issued in another state has been registered in this state, the responding tribunal of this state may modify that order only if SECTION 14-5-613 DOES NOT APPLY AND after notice and hearing it finds that:

(1) The following requirements are met:

(i) The child, the individual obligee, and the obligor do not reside in the issuing state;

(ii) A petitioner who is a nonresident of this state seeks modification; and

(iii) The respondent is subject to the personal jurisdiction of the tribunal of this state; or

(2) ~~An individual party or~~ The child, OR A PARTY WHO IS AN INDIVIDUAL, is subject to the personal jurisdiction of the tribunal OF THIS STATE and all of the ~~individual~~ parties WHO ARE INDIVIDUALS have filed a written ~~consent~~ CONSENTS in the issuing tribunal ~~providing that~~ FOR a tribunal of this state ~~may~~ TO modify the support order and assume continuing, exclusive jurisdiction over the order. HOWEVER, IF THE ISSUING STATE IS A FOREIGN JURISDICTION THAT HAS NOT ENACTED A LAW OR ESTABLISHED PROCEDURES SUBSTANTIALLY SIMILAR TO THE PROCEDURES UNDER THIS ARTICLE, THE CONSENT OTHERWISE REQUIRED OF AN INDIVIDUAL RESIDING IN THIS STATE IS NOT REQUIRED FOR THE TRIBUNAL TO ASSUME JURISDICTION TO MODIFY THE CHILD SUPPORT ORDER.

(b) Modification of a registered child support order is subject to the same requirements, procedures, and defenses that apply to the modification of an order issued by a tribunal of this state and the order may be enforced and satisfied in the

same manner.

(c) A tribunal of this state may not modify any aspect of a child support order that may not be modified under the law of the issuing state. IF TWO OR MORE TRIBUNALS HAVE ISSUED CHILD SUPPORT ORDERS FOR THE SAME OBLIGOR AND CHILD, THE ORDER THAT CONTROLS AND MUST BE SO RECOGNIZED UNDER SECTION 14-5-207 ESTABLISHES THE ASPECTS OF THE SUPPORT ORDER WHICH ARE NONMODIFIABLE.

(d) On issuance of an order modifying a child support order issued in another state, a tribunal of this state becomes the tribunal of HAVING continuing, exclusive jurisdiction.

~~(e) Within thirty days after issuance of a modified child support order, the party obtaining the modification shall file a certified copy of the order with the issuing tribunal which had continuing, exclusive jurisdiction over the earlier order, and in each tribunal in which the party knows that earlier order has been registered.~~

**SECTION 15.** Part 6 of article 5 of title 14, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

**14-5-613. Jurisdiction to modify child support order of another state when individual parties reside in this state.** (a) IF ALL OF THE PARTIES WHO ARE INDIVIDUALS RESIDE IN THIS STATE AND THE CHILD DOES NOT RESIDE IN THE ISSUING STATE, A TRIBUNAL OF THIS STATE HAS JURISDICTION TO ENFORCE AND TO MODIFY THE ISSUING STATE'S CHILD SUPPORT ORDER IN A PROCEEDING TO REGISTER THAT ORDER.

(b) A TRIBUNAL OF THIS STATE EXERCISING JURISDICTION UNDER THIS SECTION SHALL APPLY THE PROVISIONS OF PARTS 1 AND 2 OF THIS ARTICLE, THIS PART 6, AND THE PROCEDURAL AND SUBSTANTIVE LAW OF THIS STATE TO THE PROCEEDING FOR ENFORCEMENT OR MODIFICATION. PARTS 3, 4, 5, 7, AND 8 OF THIS ARTICLE DO NOT APPLY.

**14-5-614. Notice to issuing tribunal of modification.** WITHIN THIRTY DAYS AFTER ISSUANCE OF A MODIFIED CHILD SUPPORT ORDER, THE PARTY OBTAINING THE MODIFICATION SHALL FILE A CERTIFIED COPY OF THE ORDER WITH THE ISSUING TRIBUNAL THAT HAD CONTINUING, EXCLUSIVE JURISDICTION OVER THE EARLIER ORDER, AND IN EACH TRIBUNAL IN WHICH THE PARTY KNOWS THE EARLIER ORDER HAS BEEN REGISTERED. A PARTY WHO OBTAINS THE ORDER AND FAILS TO FILE A CERTIFIED COPY IS SUBJECT TO APPROPRIATE SANCTIONS BY A TRIBUNAL IN WHICH THE ISSUE OF FAILURE TO FILE ARISES. THE FAILURE TO FILE DOES NOT AFFECT THE VALIDITY OR ENFORCEABILITY OF THE MODIFIED ORDER OF THE NEW TRIBUNAL HAVING CONTINUING, EXCLUSIVE JURISDICTION.

**SECTION 16.** 14-5-701 (a), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended to read:

**14-5-701. Proceeding to determine parentage.** (a) A tribunal of this state may serve as an initiating or responding tribunal in a proceeding brought under this article or a law OR PROCEDURE substantially similar to this article, the "Uniform Reciprocal Enforcement of Support Act", or the "Revised Uniform Reciprocal Enforcement of

Support Act" to determine that the petitioner is a parent of a particular child or to determine that a respondent is a parent of that child.

**SECTION 17. Effective date - applicability.** This act shall take effect July 1, 1997, and shall apply to orders entered on or after said date.

**SECTION 18. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 24, 1997