

## CHAPTER 236

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**CHILDREN AND DOMESTIC MATTERS**

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**HOUSE BILL 97-1205**

BY REPRESENTATIVES Adkins and Schwarz;  
also SENATORS Wells and Hernandez.

**AN ACT**

CONCERNING CHILD SUPPORT RESPONSIBILITIES AFFECTED BY THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", AND MAKING AN APPROPRIATION THEREFOR.

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

**SECTION 1. Legislative declaration.** (1) (a) The general assembly recognizes that children need financial and emotional support from both parents, but that approximately half of all marriages end in divorce, leaving one out of every four children in the nation growing up in a single-parent household. The general assembly further finds that, in addition to those children who are the product of divorce, many children are born annually to unwed parents. In Colorado alone in 1995, thirteen thousand two hundred thirty-five children were born out of wedlock.

(b) Historically, a vast majority of these children of divorce and unwed parents have not received the financial support to which they are entitled from the noncustodial parent. As a result, many of these families are forced into welfare dependency.

(2) The general assembly finds that the provisions of the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996" relating to the establishment, modification, and enforcement of child support orders institute more effective measures by which to assist those families with children who are in need of financial support from the noncustodial parent by stimulating increased efforts to establish paternity and by enhancing the means of enforcing existing support orders. The general assembly further finds that the adoption of the provisions of the federal

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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.*

act by states throughout the nation will also assist those families pursuing delinquent parents across state lines by means of an organized and uniform system of interstate cooperation and assistance.

(3) The general assembly finds that increased paternity establishment and enhanced child support collection will alleviate families' dependency on temporary assistance and aid those families toward a goal of self-sufficiency. Therefore, the general assembly hereby declares and determines that it is in the state's best interests to adopt those provisions of the federal act relating to the establishment, modification, and enforcement of child support.

**SECTION 2.** Article 1 of title 8, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**8-1-152. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE DEPARTMENT, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OR AN AUTHORIZED AGENT THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3)(a) THE DEPARTMENT SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY

LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 3.** 8-72-109, Colorado Revised Statutes, 1986 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**8-72-109. State-federal cooperation.** (10) ON A QUARTERLY BASIS, THE DIRECTOR OF THE DIVISION SHALL PROVIDE WAGE AND CLAIM INFORMATION CONTAINED IN DIVISION RECORDS TO THE SECRETARY OF THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR PURPOSES OF THE NATIONAL DIRECTORY OF NEW HIRES PURSUANT TO ALL REQUIREMENTS AND RESTRICTIONS SET FORTH IN SECTION 453 OF THE FEDERAL "SOCIAL SECURITY ACT", AS AMENDED.

**SECTION 4.** 13-25-126 (1) (b) and (2), Colorado Revised Statutes, 1987 Repl. Vol., as amended, are amended to read:

**13-25-126. Genetic tests to determine parentage.** (1) (b) The tests shall be conducted by a ~~duly qualified physician or other duly qualified person, who shall be an expert witness~~ LABORATORY APPROVED BY AN ACCREDITATION BODY DESIGNATED BY THE SECRETARY OF THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES, UTILIZING ANY GENETIC TEST OF A TYPE GENERALLY ACKNOWLEDGED AS RELIABLE BY SUCH ACCREDITATION BODY. Costs of any such expert witness for the first test administered shall be fixed at a reasonable amount and shall be paid as the court orders. If the results of the tests or the expert analysis of inherited characteristics are disputed by any party, the court shall order that an additional test be made by the same or another laboratory at the expense of the party disputing the test results or analysis.

(2) Any objection to genetic testing results shall be made in writing not less than fifteen days before the first scheduled hearing at which the results may be introduced into evidence or fifteen days after motion for summary judgment is served on such person; except that a person shall object to the genetic testing results not less than twenty-four hours prior to the first scheduled hearing if such person did not receive the results fifteen or more days before such hearing. ~~If no objection is made,~~ The test results shall be admissible as evidence of paternity in a paternity action filed pursuant to article 4 of title 19, C.R.S., or article 13.5 of title 26, C.R.S., without the need for foundation testimony or other proof of authenticity or accuracy.

**SECTION 5.** 14-5-501, Colorado Revised Statutes, 1987 Repl. Vol., as amended by Senate Bill 97-115, enacted at the First Regular Session of the Sixty-first General Assembly, is amended to read:

**14-5-501. Employer's receipt of income-withholding order of another state.** An income-withholding order issued in another state may be sent BY FIRST CLASS MAIL to the person or entity 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.

**SECTION 6.** 14-5-502 (b), Colorado Revised Statutes, 1987 Repl. Vol., as

amended by Senate Bill 97-115, enacted at the First Regular Session of the Sixty-first General Assembly, is amended to read:

**14-5-502. Employer's compliance with income-withholding order of another state.** (b) The employer shall treat A CERTIFIED COPY OF 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.

**SECTION 7.** 14-5-1007 (2) (e) (I), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended to read:

**14-5-1007. Enforcement of interstate income withholding.** (2) The following documentation is required for the entry of a support order of any jurisdiction:

(e) A statement which includes:

(I) The name, address, ~~date of birth~~, sex, and social security number of the obligor, if known, and the date of collection;

**SECTION 8.** 14-10-115 (3.5), (7) (b), and (18) (a), Colorado Revised Statutes, 1987 Repl. Vol., as amended, are amended to read:

**14-10-115. Child support - guidelines - schedule of basic child support obligations.** (3.5) All child support orders entered pursuant to this article shall provide the social security numbers and dates of birth of the ~~parties and of the~~ children who are the subject of the order AND THE FOLLOWING INFORMATION ABOUT THE PARTIES:

(a) THE PARTIES' SOCIAL SECURITY NUMBERS;

(b) THE PARTIES' RESIDENTIAL AND MAILING ADDRESSES;

(c) THE PARTIES' TELEPHONE NUMBERS;

(d) THE PARTIES' DRIVER'S LICENSE NUMBERS; AND

(e) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE PARTIES' EMPLOYERS.

(7) **Determination of income.** (b) (I) If a parent is voluntarily unemployed or underemployed, child support shall be calculated based on a determination of potential income; except that a determination of potential income shall not be made for a parent who is physically or mentally incapacitated or is caring for a child under the age of thirty months for whom the parents owe a joint legal responsibility.

(I.5) IF A NONCUSTODIAL PARENT WHO OWES PAST-DUE CHILD SUPPORT IS UNEMPLOYED AND NOT INCAPACITATED AND HAS AN OBLIGATION OF SUPPORT TO A CHILD RECEIVING ASSISTANCE PURSUANT TO PART 7 OF ARTICLE 2 OF TITLE 26, C.R.S., THE COURT OR DELEGATE CHILD SUPPORT ENFORCEMENT UNIT MAY ORDER SUCH PARENT TO PAY SUCH SUPPORT IN ACCORDANCE WITH A PLAN APPROVED BY THE COURT OR TO PARTICIPATE IN WORK ACTIVITIES. WORK ACTIVITIES MAY INCLUDE ONE OR MORE OF THE FOLLOWING:

(A) PRIVATE OR PUBLIC SECTOR EMPLOYMENT;

(B) JOB SEARCH ACTIVITIES;

(C) COMMUNITY SERVICE;

(D) VOCATIONAL TRAINING; OR

(E) ANY OTHER EMPLOYMENT-RELATED ACTIVITIES AVAILABLE TO THAT PARTICULAR INDIVIDUAL.

(II) Repealed.

(III) For the purposes of this section, a parent shall not be deemed "underemployed" if:

(A) The employment is temporary and is reasonably intended to result in higher income within the foreseeable future; or

(B) The employment is a good faith career choice which is not intended to deprive a child of support and does not unreasonably reduce the support available to a child; or

(C) The parent is enrolled in an educational program which is reasonably intended to result in a degree or certification within a reasonable period of time and which will result in a higher income, so long as the educational program is a good faith career choice which is not intended to deprive the child of support and which does not unreasonably reduce the support available to a child.

(18) (a) The child support guidelines and general child support issues shall be reviewed and the results of such review and any recommended changes shall be reported to the governor and to the general assembly on or before December 1, 1991, and at least every four years thereafter by a child support commission, which commission is hereby created. As part of its review, the commission must consider economic data on the cost of raising children and analyze case data on the application of, and deviations from, the guidelines to be used in the commission's review to ensure that deviations from the guidelines are limited. IN ADDITION, THE COMMISSION SHALL REVIEW ISSUES IDENTIFIED IN THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193, INCLUDING OUT-OF-WEDLOCK BIRTHS AND THE PREVENTION OF TEEN PREGNANCY. The child support commission shall consist of no more than ~~seventeen~~ FIFTEEN members. THE GOVERNOR SHALL APPOINT NO FEWER THAN TWO INTERESTED CITIZENS TO THE COMMISSION. ~~Fifteen~~ ELEVEN members of the commission appointed by the governor shall include a male custodial parent, a female custodial parent, a male noncustodial parent, a female noncustodial parent, a joint custodial parent, a parent in an intact family, a judge ~~a~~ OR court magistrate, ~~the state court administrator or his designee~~, the director of the division in the state department of human services which is responsible for child support enforcement or his OR HER designee, ~~a representative of the family law section of the Colorado bar association~~, an attorney who is knowledgeable in child support, AND a director of a county

department of social services. ~~an administrator of a county delegate child support enforcement unit, and one public member.~~ IN MAKING HIS OR HER APPOINTMENTS TO THE COMMISSION, THE GOVERNOR SHALL ATTEMPT TO ASSURE GEOGRAPHICAL DIVERSITY BY APPOINTING AT LEAST ONE MEMBER FROM EACH OF THE CONGRESSIONAL DISTRICTS IN THE STATE. The remaining two members of the commission shall be a member of the house of representatives appointed by the speaker of the house of representatives and a member of the senate appointed by the president of the senate and shall not be members of the same political party. The parent representatives, ~~bar association~~ ATTORNEY representative, public ~~member~~ MEMBERS, and the legislative members shall not be employees of public agencies or courts which deal with child support issues. Members of the child support commission shall not be compensated for their services on the commission; except that members shall be reimbursed for actual and necessary expenses for travel and mileage incurred in connection with their duties. The child support commission is authorized, subject to appropriation, to incur expenses related to its work, including the costs associated with public hearings, printing, travel, and research.

**SECTION 9.** 14-10-122, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**14-10-122. Modification and termination of provisions for maintenance, support, and property disposition - automatic lien.** (1.5) (a) **Lien by operation of law.** (I) COMMENCING JULY 1, 1997, ALL CASES IN WHICH SERVICES ARE PROVIDED IN ACCORDANCE WITH TITLE IV-D OF THE FEDERAL "SOCIAL SECURITY ACT", AS AMENDED, REFERRED TO IN THIS SUBSECTION (1.5) AS "IV-D CASES", SHALL BE SUBJECT TO THE PROVISIONS OF THIS SUBSECTION (1.5), REGARDLESS OF THE DATE THE ORDER FOR CHILD SUPPORT WAS ENTERED. IN ANY IV-D CASE IN WHICH CURRENT CHILD SUPPORT, CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE, OR MAINTENANCE HAS BEEN ORDERED, A PAYMENT BECOMES A SUPPORT JUDGMENT WHEN IT IS DUE AND NOT PAID, AND A LIEN THEREFOR IS CREATED BY OPERATION OF LAW AGAINST THE OBLIGOR'S REAL AND PERSONAL PROPERTY AND ANY INTEREST IN ANY SUCH REAL OR PERSONAL PROPERTY. THE ENTRY OF AN ORDER FOR CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, OR CHILD SUPPORT ARREARAGES OR A VERIFIED ENTRY OF JUDGMENT PURSUANT TO THIS SECTION CREATES A LIEN BY OPERATION OF LAW AGAINST THE OBLIGOR'S REAL AND PERSONAL PROPERTY AND ANY INTEREST IN ANY SUCH REAL AND PERSONAL PROPERTY.

(II) THE AMOUNT OF SUCH LIEN SHALL BE LIMITED TO THE AMOUNT OF THE SUPPORT JUDGMENT FOR OUTSTANDING CHILD SUPPORT, CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE, MAINTENANCE, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, OR CHILD SUPPORT ARREARAGES, ANY INTEREST ACCRUED THEREON, AND THE AMOUNT OF ANY FILING FEES AS SPECIFIED IN THIS SECTION.

(III) A SUPPORT JUDGMENT OR LIEN SHALL BE ENTITLED TO FULL FAITH AND CREDIT AND MAY BE ENFORCED IN ANY COURT OF THIS STATE OR ANY OTHER STATE. FULL FAITH AND CREDIT SHALL BE ACCORDED TO SUCH A LIEN ARISING FROM ANOTHER STATE THAT COMPLIES WITH THE PROVISIONS OF THIS SUBSECTION (1.5). JUDICIAL NOTICE OR HEARING OR THE FILING OF A VERIFIED ENTRY OF JUDGMENT SHALL NOT BE REQUIRED PRIOR TO THE ENFORCEMENT OF SUCH A LIEN.

(IV) THE CREATION OF A LIEN PURSUANT TO THIS SECTION SHALL BE IN ADDITION

TO ANY OTHER REMEDY ALLOWED BY LAW.

**(b) Lien on real property.** (I) TO EVIDENCE A LIEN ON REAL PROPERTY CREATED PURSUANT TO THIS SUBSECTION (1.5), A DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL ISSUE A NOTICE OF LIEN AND RECORD THE SAME IN THE REAL ESTATE RECORDS IN THE OFFICE OF THE CLERK AND RECORDER OF ANY COUNTY IN THE STATE OF COLORADO IN WHICH THE OBLIGOR HOLDS AN INTEREST IN REAL PROPERTY. FROM THE TIME OF RECORDING OF THE NOTICE OF LIEN, SUCH LIEN SHALL BE AN ENCUMBRANCE IN FAVOR OF THE OBLIGEE, OR THE ASSIGNEE OF THE OBLIGEE, AND SHALL ENCUMBER ANY INTEREST OF THE OBLIGOR IN ANY REAL PROPERTY IN SUCH COUNTY.

(II) THE LIEN ON REAL PROPERTY CREATED BY THIS SECTION SHALL REMAIN IN EFFECT TWELVE YEARS OR UNTIL ALL PAST-DUE AMOUNTS ARE PAID, INCLUDING ANY ACCRUED INTEREST AND COSTS, WITHOUT THE NECESSITY OF RENEWAL. WITHIN TWENTY CALENDAR DAYS AFTER SATISFACTION OF THE DEBT OR DEBTS DESCRIBED IN THE NOTICE OF LIEN, THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL RECORD A RELEASE OF LIEN WITH THE CLERK AND RECORDER OF THE COUNTY WHERE THE NOTICE OF LIEN WAS RECORDED. A RELEASE OF LIEN SHALL BE CONCLUSIVE EVIDENCE THAT THE LIEN IS EXTINGUISHED.

(III) THE CHILD SUPPORT ENFORCEMENT UNIT SHALL BE EXEMPT FROM THE PAYMENT OF RECORDING FEES CHARGED BY THE CLERK AND RECORDER FOR THE RECORDING OF NOTICES OF LIEN OR RELEASES OF LIEN.

**(c) Lien on personal property other than wages and moneys held by a financial institution as defined by 42 U.S.C. sec. 669 (d) or motor vehicles.**

(I) TO EVIDENCE A LIEN ON PERSONAL PROPERTY, OTHER THAN WAGES AND MONEYS HELD BY A FINANCIAL INSTITUTION AS DEFINED IN SECTION 42 U.S.C. SEC. 669 (d) OR MOTOR VEHICLES, CREATED PURSUANT TO THIS SUBSECTION (1.5), THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL FILE A NOTICE OF LIEN WITH THE CENTRAL INDEXING SYSTEM BOARD ESTABLISHED PURSUANT TO SECTION 4-9.3-103, C.R.S., BY MEANS OF DIRECT ELECTRONIC DATA TRANSMISSION. FROM THE TIME OF FILING THE NOTICE OF LIEN WITH THE CENTRAL INDEXING SYSTEM, SUCH LIEN SHALL BE AN ENCUMBRANCE IN FAVOR OF THE OBLIGEE, OR THE ASSIGNEE OF THE OBLIGEE, AND SHALL ENCUMBER ALL PERSONAL PROPERTY OR ANY INTEREST OF THE OBLIGOR IN ANY PERSONAL PROPERTY.

(II) THE LIEN ON PERSONAL PROPERTY CREATED BY THIS SECTION SHALL REMAIN IN EFFECT TWELVE YEARS OR UNTIL ALL PAST-DUE AMOUNTS ARE PAID, INCLUDING ANY ACCRUED INTEREST AND COSTS, WITHOUT THE NECESSITY OF RENEWAL. WITHIN TWENTY CALENDAR DAYS AFTER SATISFACTION OF THE DEBT OR DEBTS DESCRIBED IN THE NOTICE OF LIEN, THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL FILE A RELEASE OF LIEN WITH THE CENTRAL INDEXING SYSTEM BOARD. THE FILING OF SUCH A RELEASE OF LIEN SHALL BE CONCLUSIVE EVIDENCE THAT THE LIEN IS EXTINGUISHED.

(III) THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL BE EXEMPT FROM PAYING A FEE FOR THE FILING OF NOTICES OF LIENS OR RELEASES OF LIENS WITH THE CENTRAL INDEXING SYSTEM PURSUANT TO THIS PARAGRAPH (c).

(IV) FOR PURPOSES OF THIS PARAGRAPH (c), "PERSONAL PROPERTY" MEANS PROPERTY THAT THE CHILD SUPPORT ENFORCEMENT AGENCY HAS DETERMINED HAS A NET EQUITY VALUE OF NOT LESS THAN FIVE THOUSAND DOLLARS AT THE TIME OF THE FILING OF THE NOTICE OF LIEN WITH THE CENTRAL INDEXING SYSTEM.

(d) **Lien on motor vehicles.** (I) (A) TO EVIDENCE A LIEN ON A MOTOR VEHICLE CREATED PURSUANT TO THIS SUBSECTION (1.5), A DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL ISSUE A NOTICE OF LIEN TO THE AUTHORIZED AGENT AS DEFINED IN SECTION 42-6-102 (1), C.R.S., BY FIRST CLASS MAIL. FROM THE TIME OF FILING OF THE LIEN FOR PUBLIC RECORD AND THE NOTATION OF SUCH LIEN ON THE OWNER'S CERTIFICATE OF TITLE, SUCH LIEN SHALL BE AN ENCUMBRANCE IN FAVOR OF THE OBLIGEE, OR THE ASSIGNEE OF THE OBLIGEE, AND SHALL ENCUMBER ANY INTEREST OF THE OBLIGOR IN THE MOTOR VEHICLE. IN ORDER FOR ANY SUCH LIEN TO BE EFFECTIVE AS A VALID LIEN AGAINST A MOTOR VEHICLE, THE OBLIGEE, OR ASSIGNEE OF THE OBLIGEE, SHALL HAVE SUCH LIEN FILED FOR PUBLIC RECORD AND NOTED ON THE OWNER'S CERTIFICATE OF TITLE IN THE MANNER PROVIDED IN SECTIONS 42-6-121 AND 42-6-129, C.R.S.

(B) LIENS ON MOTOR VEHICLES CREATED BY THIS SECTION SHALL REMAIN IN EFFECT FOR THE SAME PERIOD OF TIME AS ANY OTHER LIEN ON MOTOR VEHICLES AS SPECIFIED IN SECTION 42-6-127, C.R.S., OR UNTIL THE ENTIRE AMOUNT OF THE LIEN IS PAID, WHICHEVER OCCURS FIRST. A LIEN CREATED PURSUANT TO THIS SECTION MAY BE RENEWED PURSUANT TO SECTION 42-6-127, C.R.S. WITHIN TWENTY CALENDAR DAYS AFTER SATISFACTION OF THE DEBT OR DEBTS DESCRIBED IN THE NOTICE OF LIEN, THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL RELEASE THE LIEN PURSUANT TO THE PROCEDURES SPECIFIED IN SECTION 42-6-125, C.R.S. WHEN A LIEN ON A MOTOR VEHICLE CREATED PURSUANT TO THIS SUBSECTION (1.5) IS RELEASED, THE AUTHORIZED AGENT AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL PROCEED AS PROVIDED IN SECTION 42-6-126, C.R.S.

(C) THE CHILD SUPPORT ENFORCEMENT UNIT SHALL NOT BE EXEMPT FROM THE PAYMENT OF FILING FEES CHARGED BY THE AUTHORIZED AGENT FOR THE FILING OF EITHER THE NOTICE OF LIEN OR THE RELEASE OF LIEN. HOWEVER, THE CHILD SUPPORT ENFORCEMENT UNIT MAY ADD THE AMOUNT OF THE FILING FEE TO THE LIEN AMOUNT AND COLLECT THE AMOUNT OF SUCH FEES FROM THE OBLIGOR.

(II) FOR PURPOSES OF THIS SUBSECTION (1.5), "MOTOR VEHICLE" MEANS ANY SELF-PROPELLED VEHICLE THAT IS DESIGNED PRIMARILY FOR TRAVEL ON THE PUBLIC HIGHWAYS AND THAT IS GENERALLY AND COMMONLY USED TO TRANSPORT PERSONS AND PROPERTY OVER THE PUBLIC HIGHWAYS, TRAILERS, SEMITRAILERS, AND TRAILER COACHES, WITHOUT MOTIVE POWER; THAT HAS A NET EQUITY VALUE BASED UPON THE LOAN VALUE IDENTIFIED FOR SUCH VEHICLE IN THE NATIONAL AUTOMOBILE DEALERS' ASSOCIATION CAR GUIDE OF NOT LESS THAN FIVE THOUSAND DOLLARS AT THE TIME OF THE FILING OF THE NOTICE OF LIEN AND THAT MEETS SUCH ADDITIONAL CONDITIONS AS THE STATE BOARD OF HUMAN SERVICES MAY ESTABLISH BY RULE; AND ON WHICH VEHICLE A LIEN ALREADY EXISTS THAT IS FILED FOR PUBLIC RECORD AND NOTED ACCORDINGLY ON THE OWNER'S CERTIFICATE OF TITLE. "MOTOR VEHICLE" DOES NOT INCLUDE MOTORIZED BICYCLES, AS DEFINED IN SECTION 42-1-102 (59) (b), C.R.S.; VEHICLES THAT OPERATE ONLY UPON RAILS OR TRACKS LAID IN PLACE ON THE GROUND OR THAT TRAVEL THROUGH THE AIR OR THAT DERIVE THEIR MOTIVE POWER FROM OVERHEAD ELECTRIC LINES; FARM TRACTORS, FARM TRAILERS, AND OTHER

MACHINES AND TOOLS USED IN THE PRODUCTION, HARVESTING, AND CARE OF FARM PRODUCTS; AND MOBILE MACHINERY, SELF-PROPELLED CONSTRUCTION EQUIPMENT, OR INDUSTRIAL MACHINERY NOT DESIGNED PRIMARILY FOR HIGHWAY TRANSPORTATION. "MOTOR VEHICLE" DOES NOT INCLUDE A VEHICLE THAT HAS A NET EQUITY VALUE BASED UPON THE LOAN VALUE IDENTIFIED FOR SUCH VEHICLE IN THE NATIONAL AUTOMOBILE DEALERS' ASSOCIATION CAR GUIDE OF LESS THAN FIVE THOUSAND DOLLARS AT THE TIME OF THE FILING OF THE NOTICE OF LIEN AND DOES NOT INCLUDE A VEHICLE THAT IS NOT OTHERWISE ENCUMBERED BY A LIEN OR MORTGAGE THAT IS FILED FOR PUBLIC RECORD AND NOTED ACCORDINGLY ON THE OWNER'S CERTIFICATE OF TITLE.

(e) **Priority of a lien.** (I) A LIEN ON REAL PROPERTY CREATED PURSUANT TO THIS SECTION SHALL BE IN EFFECT FOR TWELVE YEARS OR UNTIL ALL PAST-DUE AMOUNTS ARE PAID AND SHALL HAVE PRIORITY OVER ALL UNRECORDED LIENS AND ALL SUBSEQUENT RECORDED OR UNRECORDED LIENS FROM THE TIME OF RECORDING, EXCEPT SUCH LIENS AS MAY BE EXEMPTED BY REGULATION OF THE STATE BOARD OF HUMAN SERVICES. A LIEN ON REAL PROPERTY ARISING PURSUANT TO THIS SUBSECTION (1.5) SHALL EXPIRE AT THE CONCLUSION OF TWELVE YEARS AND MAY NOT BE EXTENDED OR RENEWED BEYOND THAT PERIOD OF TIME.

(II) A LIEN ON PERSONAL PROPERTY, OTHER THAN MOTOR VEHICLES, CREATED PURSUANT TO THIS SECTION SHALL BE IN EFFECT FOR TWELVE YEARS OR UNTIL ALL PAST-DUE AMOUNTS ARE PAID AND SHALL HAVE PRIORITY FROM THE TIME THE LIEN IS FILED WITH THE CENTRAL INDEXING SYSTEM OVER ALL UNFILED LIENS AND ALL SUBSEQUENT FILED OR UNFILED LIENS, EXCEPT SUCH LIENS AS MAY BE EXEMPTED BY REGULATION OF THE STATE BOARD OF HUMAN SERVICES. A LIEN ON PERSONAL PROPERTY ARISING PURSUANT TO THIS SUBSECTION (1.5) SHALL EXPIRE AT THE CONCLUSION OF TWELVE YEARS AND MAY NOT BE EXTENDED OR RENEWED BEYOND THAT PERIOD OF TIME.

(III) LIENS ON MOTOR VEHICLES CREATED PURSUANT TO THIS SECTION SHALL REMAIN IN EFFECT FOR THE SAME PERIOD OF TIME AS ANY OTHER LIEN ON MOTOR VEHICLES AS SPECIFIED IN SECTION 42-6-127, C.R.S., OR UNTIL ALL PAST-DUE AMOUNTS ARE PAID, WHICHEVER OCCURS FIRST, AND SHALL HAVE PRIORITY FROM THE TIME THE LIEN IS FILED FOR PUBLIC RECORD AND NOTED ON THE OWNER'S CERTIFICATE OF TITLE OVER ALL UNFILED LIENS AND ALL SUBSEQUENT FILED OR UNFILED LIENS, EXCEPT SUCH LIENS AS MAY BE EXEMPTED BY REGULATION OF THE STATE BOARD OF HUMAN SERVICES.

(f) **Notice of lien - contents.** (I) THE NOTICE OF LIEN SHALL CONTAIN THE FOLLOWING INFORMATION:

(A) THE NAME AND ADDRESS OF THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT AND THE NAME OF THE OBLIGEE OR THE ASSIGNEE OF THE OBLIGEE AS GRANTEE OF THE LIEN;

(B) THE NAME, SOCIAL SECURITY NUMBER, AND LAST-KNOWN ADDRESS OF THE OBLIGOR AS GRANTOR OF THE LIEN;

(C) THE YEAR, MAKE, AND VEHICLE IDENTIFICATION NUMBER OF ANY MOTOR VEHICLE FOR LIENS ARISING PURSUANT TO PARAGRAPH (d) OF THIS SUBSECTION (1.5);

(D) A GENERAL DESCRIPTION OF THE PERSONAL PROPERTY FOR LIENS ARISING PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (1.5);

(E) THE COUNTY AND COURT CASE NUMBER OF THE COURT OF RECORD THAT ISSUED THE ORDER OF CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE, OR MAINTENANCE OR OF THE COURT OF RECORD WHERE THE VERIFIED ENTRY OF JUDGMENT WAS FILED;

(F) THE DATE THE ORDER WAS ENTERED;

(G) THE DATE THE OBLIGATION COMMENCED;

(H) THE AMOUNT OF THE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE, OR MAINTENANCE;

(I) THE TOTAL AMOUNT OF PAST-DUE SUPPORT AS OF A DATE CERTAIN; AND

(J) A STATEMENT THAT INTEREST MAY ACCRUE ON ALL AMOUNTS ORDERED TO BE PAID, PURSUANT TO SECTIONS 14-14-106 AND 5-12-101, C.R.S., AND MAY BE COLLECTED FROM THE OBLIGOR IN ADDITION TO COSTS OF SALE, ATTORNEY FEES, AND ANY OTHER COSTS OR FEES INCIDENT TO SUCH SALE FOR LIENS ARISING PURSUANT TO PARAGRAPHS (b) AND (c) OF THIS SUBSECTION (1.5).

(II) FOR PURPOSES OF LIENS AGAINST MOTOR VEHICLES, THE NOTICE OF LIEN SHALL INCLUDE THE INFORMATION SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) IN ADDITION TO THE INFORMATION SPECIFIED IN SECTION 42-6-120, C.R.S.

(g) **Rules.** THE STATE BOARD OF HUMAN SERVICES SHALL PROMULGATE RULES AND REGULATIONS CONCERNING THE PROCEDURES AND MECHANISM BY WHICH TO IMPLEMENT THIS SUBSECTION (1.5).

(h) **Bona fide purchasers - bona fide lenders.** (I) THE PROVISIONS OF THIS SUBSECTION (1.5) SHALL NOT APPLY TO ANY BONA FIDE PURCHASER WHO ACQUIRES AN INTEREST IN ANY PERSONAL PROPERTY OR ANY MOTOR VEHICLE WITHOUT NOTICE OF THE LIEN OR TO ANY BONA FIDE LENDER WHO LENT MONEY TO THE OBLIGOR WITHOUT NOTICE OF THE LIEN THE SECURITY OR PARTIAL SECURITY FOR WHICH IS ANY PERSONAL PROPERTY OR MOTOR VEHICLE OF SUCH OBLIGOR.

(II) FOR PURPOSES OF THIS PARAGRAPH (h):

(A) "BONA FIDE PURCHASER" MEANS A PURCHASER FOR VALUE IN GOOD FAITH AND WITHOUT NOTICE OF AN ADVERSE CLAIM, INCLUDING BUT NOT LIMITED TO AN AUTOMATIC LIEN ARISING PURSUANT TO THIS SUBSECTION (1.5).

(B) "BONA FIDE LENDER" MEANS A LENDER FOR VALUE IN GOOD FAITH AND WITHOUT NOTICE OF AN ADVERSE CLAIM, INCLUDING BUT NOT LIMITED TO AN AUTOMATIC LIEN ARISING PURSUANT TO THIS SUBSECTION (1.5).

(i) **No liability.** NO CLERK AND RECORDER, AUTHORIZED AGENT AS DEFINED IN

SECTION 42-6-102 (1), C.R.S., FINANCIAL INSTITUTION, LIENHOLDER, OR CENTRAL INDEXING SYSTEM PERSONNEL SHALL BE LIABLE FOR DAMAGES FOR ACTIONS TAKEN IN GOOD FAITH COMPLIANCE WITH THIS SUBSECTION (1.5).

(j) **Definition.** FOR PURPOSES OF THIS SUBSECTION (1.5), "CHILD SUPPORT DEBT" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION 26-13.5-102 (3), C.R.S.

**SECTION 10.** 14-14-111.5 (2) (f), the introductory portion to 14-14-111.5 (4), and 14-14-111.5 (4) (d) (I), (4) (i), and (8) (c), Colorado Revised Statutes, 1987 Repl. Vol., as amended, are amended, and the said 14-14-111.5 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

**14-14-111.5. Income assignments for child support or maintenance.**

(2) **Notice requirements for income assignments.** Notice of income assignments shall be given in accordance with the following provisions based upon the date on which the order sought to be enforced was entered:

(f) **Orders entered on or after July 1, 1996.** (I) Whenever an obligation for child support, maintenance, child support when combined with maintenance, retroactive support, medical support, child support arrears, or child support debt is initially determined, whether temporary or permanent or whether modified, the amount of child support, maintenance, child support when combined with maintenance, retroactive support, medical support, child support arrears, or child support debt shall be ordered by the court OR DELEGATE CHILD SUPPORT ENFORCEMENT UNIT to be activated immediately as an income assignment subject to section 13-54-104 (3), C.R.S., from the income, as defined in section 14-10-115 (7), that is due or is to become due in the future from the obligor's employer, employers, or successor employers or other payor of funds, regardless of the source, of the person obligated to pay the child support, maintenance, child support when combined with maintenance, retroactive support, medical support, child support arrears, or child support debt.

(II) Any order for support shall include the following, if available:

(A) The name, date of birth, and sex of each child for whom the support is ordered;

(B) The obligee's name, social security number, mailing address, ~~date of birth, and sex~~, RESIDENTIAL ADDRESS, TELEPHONE NUMBER, AND DRIVER'S LICENSE NUMBER AND THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE OBLIGEE'S EMPLOYER;

(C) The total amount of current support to be paid monthly in each category of support;

(D) The date of commencement of the order and the date or dates of the month that the payments are due;

(E) The total amount of arrears that is due, if any, in each category of support as of the date of the order;

(F) The obligor's name, social security number, mailing address, ~~date of birth, and sex~~, RESIDENTIAL ADDRESS, TELEPHONE NUMBER, AND DRIVER'S LICENSE NUMBER;

and

(G) The name, TELEPHONE NUMBER, and address of the obligor's employer or employers.

(4) **Notice of income assignment.** Ten days after the date the advance notice of activation is mailed to the obligor for income assignments on orders entered during the time periods described in paragraphs (a), (b), and (d) of subsection (2) of this section or immediately for income assignments on orders entered during the time periods described in paragraphs (c), (e), and (f) of subsection (2) of this section, an income assignment may be activated by the obligee by causing a notice of income assignment to be served upon the employer, trustee, or other payor of funds, by ~~certified mail, return receipt requested~~ FIRST CLASS MAIL, or, in a case where the department of human services is the trustee for purposes of an unemployment benefit intercept pursuant to section 8-73-102 (5), C.R.S., by electronic service. Receipt of notice by the employer, trustee, or other payor of funds confers jurisdiction of the court over the employer, trustee, or other payor of funds. In circumstances in which the source of income to the obligor is unemployment compensation benefits and the custodian of the child is receiving support enforcement services pursuant to section 26-13-106, C.R.S., no notice of income assignment shall be required. In such cases, the state child support enforcement agency shall electronically intercept the unemployment compensation benefits through an automated interface with the department of labor and employment. In all other cases, the notice of income assignment shall contain:

(d) Instructions about disbursing the withheld amounts, including the requirements that each disbursement:

(I) Shall be forwarded within ~~ten~~ SEVEN BUSINESS days after the date of each deduction and withholding ~~WOULD HAVE BEEN PAID OR CREDITED TO THE EMPLOYEE;~~

(i) A statement that no employer shall discharge or refuse to hire or take disciplinary action against an employee because of the entry or service of a notice of income assignment issued and executed pursuant to this section and that a violation of the same may result in a finding of contempt of court ~~OR SUBJECT THE EMPLOYER TO A FINE;~~

(4.5) WHEN A COLORADO EMPLOYER RECEIVES AN INCOME ASSIGNMENT, OR ITS EQUIVALENT, ISSUED BY ANOTHER STATE, THE EMPLOYER SHALL APPLY THE INCOME ASSIGNMENT LAW OF THE OBLIGOR'S PRINCIPAL STATE OF EMPLOYMENT. THE OBLIGOR'S PRINCIPAL STATE OF EMPLOYMENT SHALL BE PRESUMED TO BE COLORADO UNLESS THERE IS A SPECIFIC EMPLOYMENT CONTRACT TO THE CONTRARY.

(8) An employer, trustee, or other payor of funds subject to this section who:

(c) Discharges, refuses to hire, or takes disciplinary action against an employee because of the entry or service of an income assignment pursuant to this section may be held in contempt of court ~~OR BE SUBJECT TO A FINE.~~

(18) FOR THOSE CASES IN WHICH SERVICES ARE BEING RENDERED PURSUANT TO ARTICLE 13 OF TITLE 26, C.R.S., THE STATE DEPARTMENT OF HUMAN SERVICES SHALL

PROMULGATE RULES REQUIRING THAT A NOTICE BE SENT TO ALL OBLIGORS, ONCE THE ASSIGNMENT HAS BEEN EXECUTED, STATING THAT THE INCOME ASSIGNMENT HAS COMMENCED.

**SECTION 11.** The introductory portion to 14-14-112 (2), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended, and the said 14-14-112 (2) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**14-14-112. Deductions for health insurance.** (2) Notice of the deduction for health insurance shall be mailed by ~~certified mail, return receipt requested~~, FIRST CLASS MAIL by the obligee, the obligee's representative, or the delegate child support enforcement unit to the obligor's employer UPON THE DISCOVERY OF CURRENT OR CHANGED EMPLOYMENT. The notice of the deduction for health insurance shall contain:

(1) A STATEMENT THAT THE OBLIGOR MAY FILE AN OBJECTION TO THE NOTICE OF THE DEDUCTION FOR HEALTH INSURANCE WITH THE COURT OR DELEGATE CHILD SUPPORT ENFORCEMENT UNIT IF THE PREMIUM AMOUNT DOES NOT MEET THE DEFINITION OF REASONABLE COST AS PROVIDED IN SECTION 14-10-115 (13.5) (g). A PREMIUM AMOUNT THAT RESULTS IN A CHILD SUPPORT ORDER OF FIFTY DOLLARS OR LESS OR THAT IS TWENTY PERCENT OR MORE OF THE OBLIGOR'S GROSS INCOME SHALL NOT BE CONSIDERED REASONABLE.

**SECTION 12.** Article 14 of title 14, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**14-14-113. Recordation of social security numbers in certain family matters.**

(1) (a) EFFECTIVE JULY 1, 1997, EVERY APPLICATION FOR, OR APPLICATION FOR THE RENEWAL OF, A PROFESSIONAL OR OCCUPATIONAL LICENSE OR CERTIFICATE, A COMMERCIAL DRIVER'S LICENSE PURSUANT TO SECTION 42-2-403, C.R.S., OR A MARRIAGE LICENSE PURSUANT TO SECTION 14-2-105 SOUGHT BY AN INDIVIDUAL PERSON SHALL REQUIRE THE APPLICANT'S SOCIAL SECURITY NUMBER. SUCH SOCIAL SECURITY NUMBER SHALL BE RECORDED ON THE APPLICATION REGARDLESS OF THE LICENSING AGENCY'S USE OF ANOTHER NUMBER ON THE SOCIAL SECURITY FIELD ON THE LICENSE. NOTHING IN THIS PARAGRAPH (a) SHALL BE CONSTRUED TO REQUIRE THAT A PERSON'S SOCIAL SECURITY NUMBER APPEAR ON THE PROFESSIONAL OR OCCUPATIONAL LICENSE, COMMERCIAL DRIVER'S LICENSE, OR MARRIAGE LICENSE.

(b) RECORDS OF ALL DECREES OF DISSOLUTION OF MARRIAGE ENTERED PURSUANT TO SECTION 14-10-120, SUPPORT ORDERS ISSUED PURSUANT TO SECTIONS 14-10-115, 14-14-104, AND 26-13.5-103, C.R.S., AND ARTICLES 4 AND 6 OF TITLE 19, C.R.S., AND PATERNITY DETERMINATIONS MADE PURSUANT TO SECTION 19-4-116, C.R.S., SHALL CONTAIN THE PARTIES' SOCIAL SECURITY NUMBERS.

(c) ALL DEATH CERTIFICATES ISSUED PURSUANT TO SECTION 25-2-110, C.R.S., SHALL IDENTIFY THE DECEDENT'S SOCIAL SECURITY NUMBER, IF AVAILABLE.

(2) (a) ACCESS TO RECORDS VIA THE SOCIAL SECURITY NUMBER PROVIDED IN SUBSECTION (1) OF THIS SECTION AND THE SECURITY OF THOSE RECORDS SHALL BE IN ACCORDANCE WITH SECTION 26-13-107, C.R.S. ACCESS SHALL BE LIMITED TO THE DEPARTMENT OF HUMAN SERVICES ONLY FOR THE PURPOSES OF ESTABLISHING,

## MODIFYING, OR ENFORCING CHILD SUPPORT.

(b) ACCESS TO RECORDS VIA THE SOCIAL SECURITY NUMBER PROVIDED IN SUBSECTION (1) OF THIS SECTION MAY BE MADE BY DEPARTMENTS WITHIN THEIR AREA OF REGULATORY AUTHORITY.

(3) IN ADDITION TO THE PROVISIONS OF SUBSECTION (2) OF THIS SECTION, THE CHILD SUPPORT ENFORCEMENT AGENCY AND THE DELEGATE CHILD SUPPORT ENFORCEMENT UNITS, WHEN EXERCISING AUTHORITY PURSUANT TO THIS SECTION, SHALL BE SUBJECT TO THE PRIVACY PROVISIONS OF SECTION 26-2-102.7, C.R.S.

**SECTION 13.** 19-4-105 (1) (c) (I), (1) (e), and (2), Colorado Revised Statutes, 1986 Repl. Vol., as amended, are amended to read:

**19-4-105. Presumption of paternity.** (1) A man is presumed to be the natural father of a child if:

(c) After the child's birth, he and the child's natural mother have married, or attempted to marry, each other by a marriage solemnized in apparent compliance with law, although the attempted marriage is or could be declared invalid, and:

(I) He has acknowledged his paternity of the child in a writing filed with the court or registrar of vital statistics, IF SUCH ACKNOWLEDGMENT HAS NOT PREVIOUSLY BECOME A LEGAL FINDING PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION;

(e) He acknowledges his paternity of the child in a writing filed with the court or registrar of vital statistics, which shall promptly inform the mother of the filing of the acknowledgment, and she does not dispute the acknowledgment within a reasonable time after being informed thereof, in a writing filed with the court or registrar of vital statistics, IF SUCH ACKNOWLEDGMENT HAS NOT PREVIOUSLY BECOME A LEGAL FINDING PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION. If another man is presumed under this section to be the child's father, acknowledgment may be effected only with the written consent of the presumed father or after the presumption has been rebutted.

(2) (a) A presumption under this section may be rebutted in an appropriate action only by clear and convincing evidence. If two or more presumptions arise which conflict with each other, the presumption which on the facts is founded on the weightier considerations of policy and logic controls. The presumption is rebutted by a court decree establishing paternity of the child by another man.

(b) A DULY EXECUTED VOLUNTARY ACKNOWLEDGMENT OF PATERNITY SHALL BE CONSIDERED A LEGAL FINDING OF PATERNITY ON THE EARLIER OF:

(I) SIXTY DAYS AFTER EXECUTION OF SUCH ACKNOWLEDGMENT; OR

(II) ON THE DATE OF ANY ADMINISTRATIVE OR JUDICIAL PROCEEDING PURSUANT TO THIS ARTICLE OR ANY ADMINISTRATIVE OR JUDICIAL PROCEEDING CONCERNING THE SUPPORT OF A CHILD TO WHICH THE SIGNATORY IS A PARTY.

(c) A LEGAL FINDING OF PATERNITY MAY BE CHALLENGED IN COURT ONLY ON THE BASIS OF FRAUD, DURESS, OR MISTAKE OF MATERIAL FACT, WITH THE BURDEN OF PROOF UPON THE CHALLENGER. ANY LEGAL RESPONSIBILITIES RESULTING FROM SIGNING AN ACKNOWLEDGMENT OF PATERNITY, INCLUDING CHILD SUPPORT OBLIGATIONS, SHALL CONTINUE DURING ANY CHALLENGE TO THE FINDING OF PATERNITY, EXCEPT FOR GOOD CAUSE SHOWN.

**SECTION 14.** 19-4-114 (3), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

**19-4-114. Pretrial recommendations - temporary orders.** (3) If a party refuses to accept a recommendation made under subsection (1) of this section and blood tests have not been taken, the court shall require the parties to submit to blood tests, if practicable. Thereafter, the judge or magistrate shall make an appropriate final recommendation. If a party refuses to accept the final recommendation, the action shall be set for trial. IF THE EVIDENCE RELATING TO PATERNITY MEETS THE REQUIREMENTS SET FORTH IN SECTION 13-25-126 (1) (e) (III), C.R.S., THE COURT SHALL ISSUE TEMPORARY ORDERS ESTABLISHING CURRENT CHILD SUPPORT, FOSTER CARE MAINTENANCE, AND MEDICAL SUPPORT, TO REMAIN IN EFFECT PENDING A FINAL DISPOSITION OF THE PROCEEDING.

**SECTION 15.** 19-4-116 (3) (a), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended, and the said 19-4-116 (3) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**19-4-116. Judgment or order - birth-related costs - evidence - repeal.** (3) (a) The judgment or order may contain any other provision directed against the appropriate party to the proceeding concerning the duty of support, the recovery of child support debt pursuant to section 14-14-104, C.R.S., the custody and guardianship of the child, parenting time privileges with the child, the furnishing of bond or other security for the payment of the judgment, or any other matter in the best interest of the child. The judgment or order may direct the father TO PAY FOR GENETIC TESTING AND to pay the reasonable expenses of the mother's pregnancy and confinement.

(c) BILLS FOR PREGNANCY, CHILDBIRTH EXPENSES, AND GENETIC TESTING ARE ADMISSIBLE AS EVIDENCE WITHOUT THE NECESSITY OF THIRD-PARTY FOUNDATION TESTIMONY AND SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE AMOUNTS INCURRED FOR SUCH SERVICES OR FOR EXPENSES INCURRED ON BEHALF OF THE CHILD.

**SECTION 16.** 19-4-116, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**19-4-116. Judgment or order - birth-related costs - evidence - repeal.** (9) ALL CHILD SUPPORT ORDERS ENTERED PURSUANT TO THIS ARTICLE SHALL INCLUDE THE SOCIAL SECURITY NUMBERS AND DATES OF BIRTH OF THE CHILDREN WHO ARE THE SUBJECT OF THE ORDER AND THE FOLLOWING INFORMATION ABOUT THE PARTIES:

(a) THE PARTIES' SOCIAL SECURITY NUMBERS;

- (b) THE PARTIES' RESIDENTIAL AND MAILING ADDRESSES;
- (c) THE PARTIES' TELEPHONE NUMBERS;
- (d) THE PARTIES' DRIVER'S LICENSE NUMBERS; AND
- (e) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE PARTIES' EMPLOYERS.

**SECTION 17.** 19-4-128, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

**19-4-128. Right to trial to court.** Any party may demand a trial by jury of six persons TO THE COURT to determine the existence or nonexistence of the parent and child relationship. ~~However, if genetic tests or other tests of inherited characteristics have been administered as provided in section 13-25-126, C.R.S., and the results show that the probability of the alleged father's paternity is ninety-nine percent or higher;~~ No party may demand a jury trial, and notwithstanding any demand which may have been made, trial shall be to the court and not to a jury.

**SECTION 18.** 19-6-104 (5.5), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

**19-6-104. Hearing - orders.** (5.5) All child support orders entered pursuant to this article shall include the social security account numbers and dates of birth of the ~~parties and of the~~ children who are the subjects of the order AND THE FOLLOWING INFORMATION ABOUT THE PARTIES:

- (a) THE PARTIES' SOCIAL SECURITY NUMBERS;
- (b) THE PARTIES' RESIDENTIAL AND MAILING ADDRESSES;
- (c) THE PARTIES' TELEPHONE NUMBERS;
- (d) THE PARTIES' DRIVER'S LICENSE NUMBERS; AND
- (e) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE PARTIES' EMPLOYERS.

**SECTION 19.** Part 1 of article 60.5 of title 22, Colorado Revised Statutes, 1995 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**22-60.5-119. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OF EDUCATION OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OF EDUCATION OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT

AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE DEPARTMENT OF EDUCATION, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OF EDUCATION OR AN AUTHORIZED AGENT THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3) (a) THE DEPARTMENT OF EDUCATION SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT OF EDUCATION AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT OF EDUCATION IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OF EDUCATION OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 20.** Article 21 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-21-110. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OF STATE OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OF STATE OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS

FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE DEPARTMENT OF STATE, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OF STATE OR AN AUTHORIZED AGENT THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3) (a) THE DEPARTMENT OF STATE SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT OF STATE AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT OF STATE IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OF STATE OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 21.** Part 1 of article 31 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-31-107. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OF LAW OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OF LAW OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE

OF THE DEPARTMENT OF LAW, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OF LAW OR AN AUTHORIZED AGENT THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3) (a) THE DEPARTMENT OF LAW SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT OF LAW AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT OF LAW IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OF LAW OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 22.** Article 33 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-33-110. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OF NATURAL RESOURCES OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE DEPARTMENT OF NATURAL RESOURCES, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OF NATURAL RESOURCES OR AN AUTHORIZED AGENT

THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3) (a) THE DEPARTMENT OF NATURAL RESOURCES SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT OF NATURAL RESOURCES AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT OF NATURAL RESOURCES IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OF NATURAL RESOURCES OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 23.** Part 1 of article 33.5 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-33.5-107. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE DEPARTMENT, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OR AN AUTHORIZED AGENT THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3) (a) THE DEPARTMENT SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING

WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 24.** Part 1 of article 34 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-34-107. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED PURSUANT TO THE AUTHORITY SET FORTH IN TITLES 10, 11, AND 12, C.R.S., BY ANY DIVISION, BOARD, OR AGENCY OF THE DEPARTMENT OF REGULATORY AGENCIES SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DIVISIONS, BOARDS, OR AGENCIES OF THE DEPARTMENT OF REGULATORY AGENCIES SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF SUCH DIVISION, BOARD, OR AGENCY RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF ANY SUCH DIVISION, BOARD, OR AGENCY OF THE DEPARTMENT OF REGULATORY AGENCIES, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN ANY DIVISION, BOARD, OR AGENCY OF THE DEPARTMENT OF REGULATORY AGENCIES AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3) (a) THE DIVISIONS, BOARDS, AND AGENCIES OF THE DEPARTMENT OF REGULATORY AGENCIES MAY ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY TO FACILITATE IMPLEMENTATION

OF THIS SECTION AND SECTION 26-13-126, C.R.S., THROUGH THE RULES PROMULGATED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(b) THE DIVISIONS, BOARDS AND AGENCIES OF THE DEPARTMENT OF REGULATORY AGENCIES ARE AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY REGISTRATION, CERTIFICATE, CHARTER, OR MEMBERSHIP ISSUED BY ANY DIVISION, BOARD, OR AGENCY OF THE DEPARTMENT OF REGULATORY AGENCIES FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 25.** Part 1 of article 35 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-35-116. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OF REVENUE OR ANY DIVISION OR AUTHORIZED AGENT OF SUCH DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OF REVENUE OR ANY DIVISION OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE DEPARTMENT OF REVENUE, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OF REVENUE OR AN AUTHORIZED AGENT THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3) (a) THE DEPARTMENT OF REVENUE SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT OF REVENUE AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT OF REVENUE IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OF REVENUE OR ANY DIVISION OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 26.** Article 36 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-36-118. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OF THE TREASURY OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OF THE TREASURY OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE DEPARTMENT OF THE TREASURY, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OF THE TREASURY OR AN AUTHORIZED AGENT THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3) (a) THE DEPARTMENT OF THE TREASURY SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT OF THE TREASURY AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT OF THE TREASURY IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OF THE TREASURY OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO

PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 27.** 24-101-105, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-101-105. Application of this code.** (4) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES MAY PROCURE THE NECESSARY SERVICES AND SUPPORT REQUIRED TO DEVELOP, IMPLEMENT, AND OPERATE STATE AND FEDERAL CHILD SUPPORT ENFORCEMENT WELFARE REFORM MANDATES WHICH SHALL NOT BE SUBJECT TO THIS CODE. THIS PROCUREMENT SHALL BE LIMITED TO FUNDS SPECIFICALLY APPROPRIATED FOR CHILD SUPPORT ENFORCEMENT IN FISCAL YEAR 1997-98 SUBJECT TO AVAILABLE APPROPRIATIONS FOR INFORMATION TECHNOLOGY HARDWARE, SOFTWARE, AND RELATED SERVICES.

**SECTION 28.** Part 1 of article 1 of title 25, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**25-1-125. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE DEPARTMENT, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OR AN AUTHORIZED AGENT THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3)(a) THE DEPARTMENT SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 29.** 25-2-110 (1), Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

**25-2-110. Certificates of death.** (1) A certificate of death for each death which occurs in Colorado shall be filed with the state registrar or as otherwise directed by the state registrar, within five days after such death occurs and prior to final disposition, and shall be registered if it has been completed in accordance with this section. EVERY CERTIFICATE OF DEATH SHALL IDENTIFY THE DECEDENT'S SOCIAL SECURITY NUMBER, IF AVAILABLE. If the place of death is unknown but the dead body is found in Colorado, the certificate of death shall be completed and filed in accordance with this section. The place where the body is found shall be shown as the place of death. If the date of death is unknown, it shall be determined by approximation.

**SECTION 30.** 25-2-112 (3), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**25-2-112. Certificates of birth - filing - establishment of paternity - repeal.** (3) (c) FOR PURPOSES OF ACKNOWLEDGING PATERNITY, THE FORM PRESCRIBED AND FURNISHED BY THE STATE REGISTRAR SHALL CONTAIN THE MINIMUM REQUIREMENTS SPECIFIED BY THE SECRETARY OF THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES.

**SECTION 31.** Part 1 of article 1 of title 26, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**26-1-130. Applications for licenses - authority to suspend licenses - rules.** (1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE STATE DEPARTMENT OR ANY AUTHORIZED AGENT OF SAID DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE STATE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE STATE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE STATE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR

ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE STATE DEPARTMENT AND RULES PROMULGATED BY THE STATE BOARD FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126.

(3) (a) THE STATE DEPARTMENT SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE STATE DEPARTMENT AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE STATE DEPARTMENT IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE STATE DEPARTMENT OR ANY AUTHORIZED AGENT OF SAID DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 32.** 26-2-111 (3) (a), Colorado Revised Statutes, 1989 Repl. Vol., as amended by Senate Bill 97-120, enacted at the First Regular Session of the Sixty-first General Assembly, is amended to read:

**26-2-111. Eligibility for public assistance. (3) Colorado works program.**

(a) A person by signing an application for the works program assigns, by operation of law, to the state department, all rights the applicant may have to support from any other person on his or her own behalf or on behalf of any other family member for whom application is made. For the purposes of this subsection (3), the assignment:

(I) Is effective for both current and accrued support;

(II) Takes effect upon a determination that the applicant is eligible for the works program; ~~and~~

(III) Shall remain in effect with respect to the amounts of any unpaid support obligation accrued under the assignment that was owed prior to the termination of works program assistance to a recipient; AND

(IV) SHALL REMAIN IN EFFECT, WHETHER THE ASSIGNMENT OCCURRED PRIOR TO, ON, OR AFTER JULY 1, 1997.

**SECTION 33.** Article 13 of title 26, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**26-13-102.7. Privacy - legislative declaration.** (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT WHILE IT IS BENEFICIAL TO THE CHILDREN OF THE STATE OF COLORADO TO HAVE PROCEDURES BY WHICH TO ENHANCE THE ESTABLISHMENT AND ENFORCEMENT OF CHILD SUPPORT, SOME OF WHICH MAY INCLUDE THE COLLECTION AND TRANSMISSION OF CERTAIN INFORMATIONAL DATA BY ELECTRONIC AND OTHER MEANS, THE GENERAL ASSEMBLY ALSO DETERMINES THAT IT IS EQUALLY IMPORTANT TO PREVENT ABUSES OF PERSONAL INFORMATION AND TO SAFEGUARD THE FUNDAMENTAL RIGHT OF INDIVIDUALS TO PRIVACY. TO ENSURE THE PRIVACY OF INDIVIDUALS AGAINST WHOM CHILD SUPPORT IS TO BE ESTABLISHED OR ENFORCED OR ON WHOSE BEHALF IT IS TO BE COLLECTED, THE GENERAL ASSEMBLY HEREBY DETERMINES THAT IT IS APPROPRIATE THAT CERTAIN SAFEGUARDS BE ESTABLISHED.

(2) IN ADDITION TO ANY OTHER CONFIDENTIALITY PROVISIONS SET FORTH IN THIS ARTICLE AND SECTION 14-14-113, C.R.S., THE CHILD SUPPORT ENFORCEMENT AGENCY AND THE DELEGATE CHILD SUPPORT ENFORCEMENT UNITS, WHEN EXERCISING AUTHORITY PURSUANT TO THIS ARTICLE AND SECTION 14-14-113, C.R.S., TO ESTABLISH, MODIFY, OR ENFORCE SUPPORT OBLIGATIONS, SHALL MAKE EVERY EFFORT TO PRESERVE THE INTEGRITY AND CONFIDENTIALITY OF THE INFORMATIONAL DATA OBTAINED FROM OTHER SOURCES ABOUT THE SUPPORT OBLIGOR AND OBLIGEE AND THE INFORMATIONAL DATA PROVIDED TO ANY OTHER SOURCE ABOUT SUCH INDIVIDUALS. THE CHILD SUPPORT ENFORCEMENT AGENCY AND THE DELEGATE CHILD SUPPORT ENFORCEMENT UNITS SHALL SHARE ONLY THE MINIMUM AMOUNT OF INFORMATION REQUIRED BY LAW AND BY MEANS THAT ARE MOST CAPABLE OF PRESERVING THE INTEGRITY AND CONFIDENTIALITY OF THE INFORMATION OR DATA ABOUT THE INDIVIDUAL. SPECIFICALLY, THE INFORMATIONAL DATA MAINTAINED OR TRANSMITTED PURSUANT TO THIS ARTICLE SHALL BE:

- (a) PROCESSED FAIRLY AND LAWFULLY;
- (b) COLLECTED FOR SPECIFIED, EXPLICIT, AND LEGITIMATE PURPOSES AS PROVIDED BY STATUTE OR RULE AND NOT FURTHER PROCESSED IN A WAY INCOMPATIBLE WITH THOSE PURPOSES;
- (c) ADEQUATE, RELEVANT, AND NOT EXCESSIVE IN RELATION TO THE PURPOSES FOR WHICH SUCH INFORMATION IS COLLECTED OR PROCESSED;
- (d) ACCURATE AND, WHERE NECESSARY, KEPT UP TO DATE TO THE MAXIMUM EXTENT FEASIBLE; AND
- (e) KEPT IN A FORM THAT PERMITS IDENTIFICATION OF THE SUBJECT OF SUCH INFORMATION FOR NO LONGER THAN IS NECESSARY FOR THE PURPOSES FOR WHICH THE INFORMATION WAS COLLECTED OR FOR WHICH IT WAS PROCESSED.

(3) IN ADDITION, AN INDIVIDUAL ABOUT WHOM INFORMATION IS GATHERED OR TRANSMITTED PURSUANT TO THIS ARTICLE OR SECTION 14-14-113, C.R.S., SHALL HAVE THE RIGHT TO ACCESS SUCH INFORMATION RELATING TO HIM OR HER IN ORDER TO VERIFY THE ACCURACY OF THE INFORMATION AND THE LAWFULNESS OF THE PROCESSING OF SUCH INFORMATION.

(4) ANY INDIVIDUAL ABOUT WHOM INFORMATION IS GATHERED OR TRANSMITTED PURSUANT TO THIS ARTICLE OR SECTION 14-14-113, C.R.S., SHALL BE ENTITLED TO CIVIL DAMAGES IN A COURT OF LAW AGAINST ANY PERSON OR ENTITY WHO KNOWINGLY VIOLATES THE PROVISIONS OF THIS SECTION.

**SECTION 34.** 26-13-105 (1), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**26-13-105. Child support enforcement services - report.** (1) Subject to the provisions of section 26-13-104, the child support enforcement program shall include the following, as required by federal law:

(f) (I) ANNUAL REVIEWS OF THE CHILD SUPPORT ENFORCEMENT PROGRAM, TO BE CONDUCTED BY THE STATE DEPARTMENT, INCLUDING ALL INFORMATION AS MAY BE NECESSARY TO MEASURE THE STATE'S COMPLIANCE WITH FEDERAL REQUIREMENTS.

(II) THE STATE DEPARTMENT SHALL REVIEW THE COST ASSOCIATED WITH CONDUCTING THE ANNUAL REVIEWS REQUIRED IN THIS PARAGRAPH (f) AND THE NUMBER OF FULL-TIME EQUIVALENT EMPLOYEES (FTE) OF THE STATE DEPARTMENT REQUIRED TO COMPLETE THE REVIEWS. THE STATE DEPARTMENT SHALL EXAMINE AND EVALUATE THE FEASIBILITY AND COST-EFFECTIVENESS OF PRIVATIZING THIS FUNCTION. THE STATE DEPARTMENT SHALL REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY ON OR BEFORE JANUARY 1, 1999, CONCERNING THE COSTS ASSOCIATED WITH THE ANNUAL REVIEWS AND THE ANTICIPATED COSTS ASSOCIATED WITH PRIVATIZING THE AUDITING FUNCTION REQUIRED BY THIS PARAGRAPH (f).

**SECTION 35.** 26-13-105, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**26-13-105. Child support enforcement services - report.** (2) (a) IN ADDITION TO THE ANNUAL REVIEW REQUIRED BY PARAGRAPH (f) OF SUBSECTION (1) OF THIS SECTION, OR AS A PART OF SUCH REVIEW, THE STATE DEPARTMENT SHALL EVALUATE THE COST AND EFFECTIVENESS OF EACH OF THE PROVISIONS IMPLEMENTED BY HOUSE BILL 97-1205. SUCH EVALUATION SHALL INCLUDE A REVIEW OF THE FOLLOWING:

(I) THE AMOUNT OF INCREASE IN SUPPORT COLLECTION, IF ANY, ASSOCIATED WITH THE IMPLEMENTATION OF EACH NEW PROVISION CONTAINED IN HOUSE BILL 97-1205;

(II) THE COST, IN FEDERAL, STATE, AND COUNTY DOLLARS, ASSOCIATED WITH THE IMPLEMENTATION OF EACH NEW PROVISION SET FORTH IN HOUSE BILL 97-1205;

(III) THE NUMBER OF FULL-TIME EQUIVALENT EMPLOYEES (FTE) NECESSITATED BY THE IMPLEMENTATION OF EACH NEW PROVISION CONTAINED IN HOUSE BILL 97-1205 AT BOTH THE STATE AND COUNTY LEVELS; AND

(IV) SUCH ADDITIONAL DATA AS MAY BE NECESSARY TO REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY AS REQUIRED IN PARAGRAPH (b) OF THIS SUBSECTION (2).

(b) THE STATE DEPARTMENT SHALL REPORT TO THE MEMBERS OF THE JOINT

BUDGET COMMITTEE OF THE GENERAL ASSEMBLY ON OR BEFORE JANUARY 1, 1999,  
CONCERNING THE FOLLOWING:

(I) THE AMOUNT OF INCREASE, IF ANY, IN SUPPORT COLLECTION ATTRIBUTABLE TO THE IMPLEMENTATION OF EACH NEW MEASURE SET FORTH IN HOUSE BILL 97-1205;

(II) THE COST, IN FEDERAL, STATE, AND COUNTY DOLLARS, ASSOCIATED WITH THE IMPLEMENTATION OF EACH NEW MEASURE OF HOUSE BILL 97-1205; AND

(III) THE NUMBER OF FULL-TIME EQUIVALENT EMPLOYEES (FTE) NECESSITATED BY THE IMPLEMENTATION OF EACH NEW MEASURE CONTAINED IN HOUSE BILL 97-1205 AT THE STATE LEVEL AND AT THE COUNTY LEVEL.

**SECTION 36.** 26-13-107 (1), the introductory portion to 26-13-107 (2), and 26-13-107 (2) (c), (3) (a), (3) (a.5), (3) (c), and (3) (e), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are amended, and the said 26-13-107 (3) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

**26-13-107. State parent locator service.** (1) There shall be established in the state department a state parent locator service to assist ~~county departments~~ DELEGATE CHILD SUPPORT ENFORCEMENT UNITS or their authorized agents, ~~and other states,~~ AND AGENCIES OF THE FEDERAL GOVERNMENT in the location of parents who have or appear to have abandoned children who qualify under section 26-13-106.

(2) To effectuate the purposes of subsection (1) of this section, the executive director may request and shall receive from departments, boards, bureaus, or other agencies of the state, INCLUDING BUT NOT LIMITED TO LAW ENFORCEMENT AGENCIES, or any of its political subdivisions, and the same are authorized to provide, such assistance and data as will enable the state department and ~~county departments~~ DELEGATE CHILD SUPPORT ENFORCEMENT UNITS or their authorized agents properly to carry out their powers and duties to locate such parents ~~and to enforce their liability for the support of their children.~~ FOR THE PURPOSE OF ESTABLISHING PARENTAGE OR ESTABLISHING, MODIFYING, OR ENFORCING CHILD SUPPORT OBLIGATIONS. IN ADDITION, ANY FEDERAL AGENCY OR SUCH AGENCY'S AUTHORIZED AGENTS PROPERLY CARRYING OUT THEIR POWERS AND DUTIES TO LOCATE A PARENT FOR THE PURPOSE OF ESTABLISHING PARENTAGE OR ESTABLISHING, MODIFYING, OR ENFORCING CHILD SUPPORT OBLIGATIONS MAY REQUEST AND SHALL HAVE ACCESS TO ANY MOTOR VEHICLE OR LAW ENFORCEMENT SYSTEM USED BY THE STATE TO LOCATE AN INDIVIDUAL. Any records established pursuant to the provisions of this section shall be available only to the following:

(c) Courts having jurisdiction in support and abandonment proceedings or actions to establish child support ~~or to establish parentage;~~ AGAINST A NONCUSTODIAL PARENT OR TO ISSUE AN ORDER AGAINST A CUSTODIAL PARENT FOR CHILD CUSTODY OR PARENTING TIME RIGHTS OR ANY AGENT OF SUCH COURT;

(3) (a) (I) All departments and agencies of the state and local governments, INCLUDING BUT NOT LIMITED TO LAW ENFORCEMENT AGENCIES, shall cooperate in the location of parents who have abandoned or deserted children, irrespective of whether such children are or are not receiving aid to families with dependent children; and, on

request of a ~~county department~~ DELEGATE CHILD SUPPORT ENFORCEMENT UNIT or its authorized agent, the state department, or the district attorney of any judicial district in this state, they shall supply any information on hand, notwithstanding any other provisions of law making such information confidential, concerning:

(A) ~~the location, employment, income, and property of such absent parents and any other information on hand relative to the enforcement of support.~~ THE LOCATION OF ANY INDIVIDUAL, OR FACILITATING THE DISCOVERY OF SUCH INDIVIDUAL'S LOCATION, WHO IS UNDER AN OBLIGATION TO PAY CHILD SUPPORT, AGAINST WHOM SUCH AN OBLIGATION IS SOUGHT, OR TO WHOM SUCH AN OBLIGATION IS OWED;

(B) THE INDIVIDUAL'S WAGES OR OTHER INCOME FROM EMPLOYMENT AND ANY BENEFITS OF EMPLOYMENT, INCLUDING ANY RIGHT TO OR ENROLLMENT IN GROUP HEALTH CARE COVERAGE; AND

(C) THE TYPE, STATUS, LOCATION, AND AMOUNT OF ANY ASSETS OF, OR DEBTS OWED BY OR TO, ANY SUCH INDIVIDUAL.

(II) The department of revenue shall furnish, at no cost to inquiring departments and agencies, such information as may be necessary to effectuate the purposes of this article. Any information so provided may be transmitted to those persons or entities specified in paragraph (a.5) of this subsection (3). The procedures whereby this information will be requested and provided shall be established pursuant to rules and regulations of the state department. ~~The state department or county departments~~ AND DELEGATE CHILD SUPPORT ENFORCEMENT UNITS shall use such information only for the purposes of administering child support enforcement under this title, and the district attorney shall use it only for the purpose of establishing ~~and enforcing the support liability of such absent parents and shall not use the information, or disclose it, for any other purpose.~~ PARENTAGE OR ESTABLISHING, MODIFYING, OR ENFORCING CHILD SUPPORT OBLIGATIONS. THE STATE DEPARTMENT AND DELEGATE CHILD SUPPORT ENFORCEMENT UNITS SHALL NOT USE THE INFORMATION, OR DISCLOSE IT, FOR ANY OTHER PURPOSE. ANY VIOLATION OR MISUSE OF THIS INFORMATION WILL BE SUBJECT TO ANY CIVIL OR CRIMINAL PENALTIES PROVIDED BY LAW.

(a.5) The state parent locator service shall only accept applications from and transmit Colorado and federal parent locator information to:

(I) Any state or local agency or official seeking to collect child support under the state plan or the agency's or official's authorized agents;

(II) The attorney general, district attorneys, and county attorneys;

(III) Courts having jurisdiction in support and abandonment proceedings or actions to establish child support ~~or to establish parentage~~ AGAINST A NONCUSTODIAL PARENT OR TO ISSUE AN ORDER AGAINST A CUSTODIAL PARENT FOR CHILD CUSTODY OR PARENTING TIME RIGHTS OR ANY AGENT OF SUCH COURT;

(IV) The custodial parent, legal guardian, attorney, or agent of a child who is not receiving aid under Title IV-A of the federal "Social Security Act", as amended, when a court order is provided; ~~and~~

(V) United States agents or attorneys for use with the federal parent locator service in connection with a parental kidnapping or child custody case, as authorized by federal law; AND

(VI) THE COURT WHEN A COURT ORDER IS PROVIDED FROM A NONCUSTODIAL PARENT SEEKING TO ENFORCE A CHILD CUSTODY OR PARENTING TIME ORDER.

(c) The state parent locator service or a ~~local~~ DELEGATE child support enforcement unit may initiate a request requiring any employer, TRUSTEE, OR PAYOR OF FUNDS located within this state or doing business in this state to provide any employment-related information held by such employer, TRUSTEE, OR PAYOR OF FUNDS concerning the location, benefits, income, and assets of parents with a child support obligation. Compliance with such a request shall not subject the employer, TRUSTEE, OR PAYOR OF FUNDS to liability to the obligor for disclosing such information without a subpoena pursuant to this paragraph (c).

(e) The state parent locator service or a ~~local~~ DELEGATE child support enforcement unit may initiate a request requiring ~~any financial institution or~~ any person located within this state or doing business in this state who is in possession or control of personal property or information concerning the location, benefits, income, and assets of parents with a child support obligation to provide such information to the requesting agency. Compliance with such request shall not subject the holder to liability to the obligor for disclosing such information without a subpoena pursuant to this paragraph (e). ~~A financial institution shall not be required to provide information without a subpoena if compliance with such a request violates state or federal law or could result in liability under state or federal law.~~

(e.5) THE STATE PARENT LOCATOR SERVICE MAY INITIATE AN ADMINISTRATIVE SUBPOENA REQUIRING ANY PUBLIC EMPLOYEE RETIREMENT BENEFIT PLAN OR FINANCIAL INSTITUTION LOCATED WITHIN THIS STATE OR DOING BUSINESS IN THIS STATE THAT IS IN POSSESSION OR CONTROL OF PERSONAL PROPERTY OR INFORMATION CONCERNING THE LOCATION, BENEFITS, INCOME, AND ASSETS OF A PERSON WHO OWES OR IS OWED AN OBLIGATION FOR CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, OR CHILD SUPPORT ARREARAGES OR AGAINST WHOM AN OBLIGATION IS SOUGHT TO PROVIDE SUCH INFORMATION TO THE REQUESTING AGENCY. COMPLIANCE WITH SUCH SUBPOENA SHALL NOT SUBJECT THE PUBLIC EMPLOYEE RETIREMENT BENEFIT PLAN OR THE FINANCIAL INSTITUTION TO LIABILITY TO THE PARENT FOR DISCLOSING SUCH INFORMATION.

(f) (I) (A) THE STATE PARENT LOCATOR SERVICE MAY INITIATE AN ADMINISTRATIVE SUBPOENA REQUIRING ANY PUBLIC UTILITY TO VERIFY WHETHER AN INDIVIDUAL WHO OWES OR IS OWED AN OBLIGATION FOR CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, OR CHILD SUPPORT ARREARAGES OR AGAINST WHOM A SUPPORT OBLIGATION IS SOUGHT IS A CUSTOMER OR WAS A RECIPIENT OF SERVICES OF THE PUBLIC UTILITY AND TO PROVIDE THE NAME AND ADDRESS OF SUCH INDIVIDUAL AND THE NAMES AND ADDRESSES OF THE EMPLOYERS OF SUCH INDIVIDUAL AS APPEARING IN THE CUSTOMER RECORDS OF THE PUBLIC UTILITY. COMPLIANCE WITH SUCH AN ADMINISTRATIVE SUBPOENA SHALL NOT SUBJECT THE PUBLIC UTILITY TO LIABILITY TO THE INDIVIDUAL FOR DISCLOSING SUCH INFORMATION. A PUBLIC UTILITY RESPONDING TO AN ADMINISTRATIVE SUBPOENA REQUEST SHALL BE ENTITLED TO COLLECT A REASONABLE FEE FOR THE PROCESSING

OF EACH SUCH SUBPOENA.

(B) IN SEEKING INFORMATION FROM A PUBLIC UTILITY, AS DEFINED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH (f), THE STATE PARENT LOCATOR SERVICE SHALL BE SUBJECT TO THE CONFIDENTIALITY REQUIREMENTS AND RESTRICTIONS SET FORTH IN SECTION 631 OF THE FEDERAL "CABLE COMMUNICATIONS POLICY ACT OF 1984", 47 U.S.C. SEC. 551.

(II) THE PROVISIONS OF THIS SECTION SHALL IN NO WAY ALTER THE METHOD OF REGULATION OR DEREGULATION OF TELECOMMUNICATIONS SERVICE AS SET FORTH IN ARTICLE 15 OF TITLE 40, C.R.S.

(III) FOR PURPOSES OF THIS SECTION, "PUBLIC UTILITY" MEANS ANY GAS CORPORATION, ELECTRICAL CORPORATION, TELEGRAPH CORPORATION, WATER CORPORATION, RURAL ELECTRIC ASSOCIATION, MUNICIPAL ELECTRIC SYSTEMS, PERSON, OR MUNICIPALITY THAT OPERATES FOR THE PURPOSE OF SUPPLYING GAS, ELECTRICITY, TELEGRAPH SERVICES, OR WATER TO THE PUBLIC FOR DOMESTIC, MECHANICAL, OR PUBLIC USES AND THAT IS SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION UNDER ARTICLES 1 TO 7 OF TITLE 40, C.R.S., AND ANY TELEPHONE CORPORATION, MUNICIPAL TELEPHONE ENTITY, OR OTHER CORPORATION THAT OFFERS TELECOMMUNICATIONS SERVICES TO THE PUBLIC THAT IS SUBJECT TO THE PROVISIONS OF ARTICLE 15 OF TITLE 40, C.R.S., AND ANY CORPORATION THAT PROVIDES CABLE TELEVISION SERVICES TO THE PUBLIC.

(g) THE CHILD SUPPORT ENFORCEMENT AGENCY SHALL MAKE EVERY REASONABLE EFFORT TO ACCOMMODATE THOSE ENTITIES TO WHICH THE CHILD SUPPORT ENFORCEMENT AGENCY DIRECTS AN ADMINISTRATIVE SUBPOENA, IF THE REQUIREMENTS OF THIS SECTION WOULD POSE A HARDSHIP ON THOSE ENTITIES.

**SECTION 37.** 26-13-108, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

**26-13-108. Recovery of public assistance paid for child support and maintenance.** (1) Whenever the state department, a county department or its authorized agent, or a district attorney recovers any amounts of support for public assistance recipients, such amounts shall be deposited in the county social services fund, and, if such support is used to reimburse public assistance paid in accordance with federal law, the federal government shall be entitled to a share proportionate to the amount of federal funds paid, the state shall be entitled to a share proportionate to one-half the amount of state funds paid, and the county shall be entitled to a share proportionate to the amount of county funds paid. IN ACCORDANCE WITH APPLICABLE FEDERAL LAW, THE COUNTY SHALL BE ENTITLED TO A SHARE IN ACCORDANCE WITH STATE LAW, AND THE STATE SHALL BE ENTITLED TO THE REMAINING SHARE. In addition, the county shall be entitled to a share proportionate to one-half the amount of state funds paid. ~~except that such share shall be subject to subsection (2) of this section.~~ Costs and expenses reasonably and necessarily incurred by the office of district or county attorney, as contractual agent for a county department, in carrying out the provisions of this article shall be billed to county departments of social services or a county department of social services within the judicial district for the actual cost of services provided. Each county shall make an annual accounting to the state department on all amounts recovered.

(2) (a) ~~For fiscal year 1990-91 out of the total one-half proportionate state share of the moneys to which counties are entitled under subsection (1) of this section, the first forty thousand seven hundred seventy-one dollars shall be transmitted to the state treasurer, who shall credit the same to the family support registry fund created in section 26-13-115.5 for the purpose of implementing and operating the family support registry created in section 26-13-114. The remaining balance of such proportionate share shall be paid to counties in accordance with section 26-13-112.~~

(b) ~~For fiscal year 1991-92 out of the total one-half proportionate state share of the moneys to which counties are entitled under subsection (1) of this section, up to four hundred twenty-five thousand eight hundred forty-three dollars, as appropriated by the general assembly, shall be transmitted to the state treasurer, or so much thereof as may be necessary, who shall credit the same to the family support registry fund created in section 26-13-115.5 for the purpose of implementing and operating the family support registry created in section 26-13-114. The remaining balance of such proportionate share shall be paid to counties in accordance with section 26-13-112.~~

(c) ~~For fiscal year 1992-93, out of the funds authorized by paragraph (b) of this subsection (2) to be appropriated for fiscal year 1991-92 but not yet appropriated, an amount equal to two hundred seventy-two thousand one hundred sixty-eight dollars shall be appropriated by the general assembly to the family support registry fund created in section 26-13-115.5 for the purpose of implementing and operating the family support registry created in section 26-13-114.~~

**SECTION 38.** 26-13-116 (2), (2.5), (3), and (5), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are amended to read:

**26-13-116. Debt information made available to consumer reporting agencies - notice to noncustodial parent - fees - rules and regulations - repeal.** (2) ~~On and after October 1, 1985, the child support enforcement agency shall provide information to consumer reporting agencies, upon request, for cases in which the amount of child support debt or child support arrearages owed by the obligor parent is an amount greater than one thousand dollars.~~

(2.5) (a) The child support enforcement agency may provide information to consumer reporting agencies regarding child support obligations ~~in cases in which child support debt or child support arrearages are owed~~ PURSUANT TO FEDERAL LAW.

(b) ~~This subsection (2.5) is repealed, effective July 1, 1998.~~

(3) Prior to furnishing any information pursuant to ~~subsections (2) and (2.5)~~ SUBSECTION (2.5) of this section, the child support enforcement agency shall provide advance notice to the obligor parent regarding the proposed release of the information to the consumer reporting agency. Such notice shall contain an explanation of the obligor parent's right to contest the accuracy of the information to be released.

(5) The state board shall promulgate rules and regulations, pursuant to section 24-4-103, C.R.S., to implement this section, including but not limited to ~~the following:~~ PROCEDURES FOR CONTESTING THE ACCURACY OF THE INFORMATION LISTED ON THE NOTICE. SUCH RULES SHALL BE IN ADDITION TO ANY RIGHTS THAT A PERSON MAY HAVE TO CONTEST A CONSUMER REPORTING AGENCY REPORT UNDER

SECTIONS 12-14.3-106 TO 12-14.3-108, C.R.S.

- ~~(a) Application procedures;~~
- ~~(b) Notification of the obligor parent; and~~
- ~~(c) Procedures for contesting the accuracy of the information.~~

**SECTION 39. Repeal.** 26-13-120, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed.

**SECTION 40.** 26-13-121, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

**26-13-121. Review and modification of child support orders.** (1) (a) THE GENERAL ASSEMBLY FINDS THAT REVIEW OF CHILD SUPPORT ORDERS IS REQUIRED IN ORDER FOR THIS STATE TO COMPLY WITH THE FEDERAL "FAMILY SUPPORT ACT OF 1988" AND THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996".

(b) THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL PROVIDE THE OBLIGOR AND OBLIGEE NOT LESS THAN ONCE EVERY THIRTY-SIX MONTHS NOTICE OF THEIR RIGHT TO REQUEST A REVIEW OF A CHILD SUPPORT ORDER. THE NOTICE MAY BE INCLUDED IN THE SUPPORT ORDER. EITHER PARTY TO THE ACTION MAY SUBMIT A WRITTEN REQUEST FOR REVIEW OF A CHILD SUPPORT ORDER.

(2) THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL ISSUE A NOTICE OF REVIEW UPON RECEIPT OF A WRITTEN REQUEST FOR REVIEW OR UPON ITS OWN REQUEST TO AN OBLIGOR AND OBLIGEE WHO HAVE AN EXISTING ORDER FOR THE SUPPORT OF A CHILD. ADJUSTMENTS MADE PURSUANT TO A TRIENNIAL REVIEW NEED NOT REQUIRE A SHOWING OF CHANGED CIRCUMSTANCES.

(3) (a) THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL SEND A NOTICE OF REVIEW TO THE OBLIGOR AND THE OBLIGEE AT LEAST FORTY DAYS BEFORE THE COMMENCEMENT OF THE REVIEW. AN INCOME AND EXPENSE AFFIDAVIT SHALL BE ATTACHED TO THE NOTICE. EACH PARTY SHALL COMPLETE AND RETURN THE AFFIDAVIT TO THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT PRIOR TO THE REVIEW.

(b) THE DETERMINATION OF THE MONTHLY SUPPORT OBLIGATION SHALL BE BASED ON THE CHILD SUPPORT GUIDELINES SET FORTH IN SECTION 14-10-115, C.R.S. THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT IS AUTHORIZED TO SERVE, BY FIRST-CLASS MAIL, AN ADMINISTRATIVE SUBPOENA TO ANY PERSON, CORPORATION, PARTNERSHIP, OR OTHER ENTITY, PUBLIC EMPLOYEE RETIREMENT BENEFIT PLAN, FINANCIAL INSTITUTION, OR LABOR UNION FOR AN APPEARANCE OR FOR THE PRODUCTION OF RECORDS AND FINANCIAL DOCUMENTS.

(c) IF THE WRITTEN REQUEST IS SUBMITTED LESS THAN THIRTY-SIX MONTHS AFTER THE LAST REVIEW, A REVIEW SHALL BE CONDUCTED. HOWEVER, AN ADJUSTMENT TO THE ORDER SHALL BE APPROPRIATE ONLY IF THE STANDARD SET FORTH IN SECTION 14-10-122 (1) (b), C.R.S., IS MET.

(d) IF THE WRITTEN REQUEST IS SUBMITTED THIRTY-SIX MONTHS OR MORE AFTER THE LAST REVIEW, A REVIEW SHALL BE CONDUCTED AND AN ADJUSTMENT TO THE ORDER SHALL BE APPROPRIATE IF THE GUIDELINE AMOUNT DIFFERS FROM THE AMOUNT OF THE EXISTING ORDER.

(4) (a) THE CHILD SUPPORT ENFORCEMENT UNIT SHALL SEND A POST-REVIEW NOTICE ADVISING THE OBLIGOR AND OBLIGEE OF THE REVIEW RESULTS.

(b) THE OBLIGOR AND OBLIGEE SHALL BE GIVEN FORTY DAYS TO CHALLENGE THE REVIEW RESULTS.

(c) IF THE OBLIGOR AND THE OBLIGEE AGREE WITH THE REVIEW RESULTS, A STIPULATION OR ADMINISTRATIVE PROCESS ORDER SHALL BE FILED WITH THE COURT. IF EITHER PARTY DISAGREES, A MOTION TO MODIFY MAY BE FILED WITH THE COURT.

(5) (a) IF A MOTION TO MODIFY IS FILED WITH THE COURT AND A RESPONSE IS NOT FILED WITHIN FIFTEEN DAYS THEREAFTER, THE COURT MAY ENTER AN ORDER GRANTING THE MOTION. IF NO INCOME INFORMATION IS AVAILABLE, THE COURT MAY ENTER AN ORDER INCREASING THE CHILD SUPPORT OBLIGATION BY AN INCREMENT NOT TO EXCEED TEN PERCENT PER YEAR FOR EACH YEAR SINCE THE SUPPORT ORDER WAS ENTERED OR LAST MODIFIED.

(b) IF A HEARING IS NECESSARY, THE COURT SHALL HOLD A HEARING WITHIN FORTY-FIVE DAYS AFTER SERVICE OF THE MOTION TO MODIFY, AND THE COURT SHALL DECIDE ONLY THE ISSUES OF CHILD SUPPORT AND MEDICAL SUPPORT. ANY DOCUMENTARY EVIDENCE PROVIDED BY THE OBLIGEE OR THE OBLIGOR OR BY THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT MAY BE ADMITTED INTO EVIDENCE BY THE COURT WITHOUT THE NECESSITY OF LAYING A FOUNDATION FOR ITS ADMISSIBILITY, AND THE COURT MAY DETERMINE THE RELATIVE WEIGHT OR CREDIBILITY TO GIVE ANY SUCH DOCUMENTATION.

(6) THE STATE BOARD SHALL ADOPT RULES AND REGULATIONS ESTABLISHING STANDARDIZED FORMS AND PROCEDURES AS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE.

(7) THIS ARTICLE SHALL APPLY TO ALL ORDERS FOR SUPPORT OF A CHILD FOR WHOM CHILD SUPPORT ENFORCEMENT SERVICES ARE BEING PROVIDED.

(8) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT ANY PARTY'S RIGHT TO SEEK MODIFICATION OF A CHILD SUPPORT ORDER PURSUANT TO ARTICLE 5 OF TITLE 14, SECTION 14-10-122, SECTION 19-4-119, OR SECTION 19-6-104 (4), C.R.S.

**SECTION 41.** 26-13-122 (2) and (3), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are amended to read:

**26-13-122. Administrative lien and attachment.** (2) An administrative lien and attachment for the collection from workers' compensation benefits for CURRENT child support, ~~obligations, child support arrearages, and child support debt~~, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE shall be continuing and shall have priority over any garnishment, lien, or wage assignment other than a notice previously served pursuant to this

subsection (2) or a wage assignment activated pursuant to section 14-14-107 or 14-14-111, C.R.S., as those sections existed prior to July 1, 1996, or section 14-14-111.5, C.R.S. Such administrative lien and attachment shall require the person, insurance company, or agency providing workers' compensation insurance benefits to withhold, pursuant to section 13-54-104 (3), C.R.S., the portion of earnings subject to attachment at each succeeding disbursement interval until such amount is satisfied or the attachment is released in writing by the state child support enforcement agency.

(3) In order to attach and collect workers' compensation income for current child support, child support debt, retroactive CHILD support, ~~due~~, medical support, ~~and~~ child support arrearages, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE, the state child support enforcement agency is authorized to serve, by first-class mail, a notice of administrative lien and attachment on any person, insurance company, or agency holding workers' compensation benefits that are owed to an obligor. A copy of the administrative lien and attachment shall be provided to the obligor and shall include information on the obligor's right to object to the administrative lien and attachment and to request an administrative review pursuant to the rules and regulations of the state board.

**SECTION 42.** 26-13-123 (1) (b), (3) (a), and (7), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are amended to read:

**26-13-123. Drivers' licenses - suspension for nonpayment of child support.**

(1) As used in this section, unless the context otherwise requires:

(b) "Driver's license" means a license issued by the department of revenue pursuant to article 2 of title 42, C.R.S. ~~except those licenses issued pursuant to section 42-2-403, C.R.S.~~

(3) (a) At least on an annual basis, the state child support enforcement agency shall issue a written notice of noncompliance to any obligor identified in subsection (2) of this section. The notice of noncompliance shall include the name, ~~date of birth~~, last-known address, and social security number of the obligor and shall be sent to the obligor's last-known address.

(7) ~~This section is repealed, effective July 1, 1998.~~

**SECTION 43.** Article 13 of title 26, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

**26-13-125. State directory of new hires.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "EMPLOYEE" MEANS A NATURAL PERSON WHO IS EMPLOYED BY AN EMPLOYER IN THIS STATE FOR COMPENSATION, WHICH EMPLOYER WITHHOLDS FEDERAL OR STATE TAX LIABILITIES FROM THE EMPLOYEE'S COMPENSATION. "EMPLOYEE" DOES NOT INCLUDE AN EMPLOYEE HIRED TO PERFORM INTELLIGENCE OR COUNTERINTELLIGENCE FUNCTIONS FOR AN AGENCY OF THE UNITED STATES GOVERNMENT, AS THOSE TERMS ARE DEFINED IN THE FEDERAL "INTELLIGENCE ORGANIZATION ACT OF 1992", 50

U.S.C.A. SEC. 401a, WHEN THE HEAD OF SUCH AGENCY HAS DETERMINED THAT REPORTING THE EMPLOYEE COULD ENDANGER THE SAFETY OF THE EMPLOYEE OR COMPROMISE AN ONGOING INVESTIGATION OR INTELLIGENCE MISSION.

(b) "EMPLOYER" MEANS A PERSON OR ENTITY DOING BUSINESS IN THE STATE THAT ENGAGES AN EMPLOYEE FOR COMPENSATION AND FOR WHOM THE EMPLOYER WITHHOLDS FEDERAL OR STATE TAX LIABILITIES FROM THE EMPLOYEE'S COMPENSATION. "EMPLOYER" ALSO INCLUDES ANY GOVERNMENTAL ENTITY AND ANY LABOR ORGANIZATION.

(c) "LABOR ORGANIZATION" MEANS ANY ORGANIZATION THAT EXISTS FOR THE PURPOSE, IN WHOLE OR IN PART, OF COLLECTIVE BARGAINING OR OF DEALING WITH EMPLOYERS CONCERNING GRIEVANCES, TERMS, OR CONDITIONS OF EMPLOYMENT OR OF PROVIDING OTHER MUTUAL AID OR PROTECTION IN CONNECTION WITH EMPLOYMENT.

(2) THE STATE DEPARTMENT, OR ITS AGENT, SHALL ESTABLISH AND MAINTAIN A STATE DIRECTORY OF NEW HIRES ON AND AFTER OCTOBER 1, 1997, FOR THE PURPOSE OF LOCATING NEWLY HIRED INDIVIDUALS FOR THE PURPOSES OF ESTABLISHING, ENFORCING, OR MODIFYING CHILD SUPPORT OBLIGATIONS.

(3) EFFECTIVE OCTOBER 1, 1997, EACH EMPLOYER SHALL SUBMIT TO THE STATE DIRECTORY OF NEW HIRES A COPY OF THE W-4 FORM OR, AT THE OPTION OF THE EMPLOYER, AN EQUIVALENT FORM FOR EACH NEW EMPLOYEE HIRED TO WORK IN COLORADO ON OR AFTER SAID DATE. THE REPORT MAY BE TRANSMITTED TO THE STATE DEPARTMENT BY FIRST CLASS MAIL, MAGNETICALLY, OR ELECTRONICALLY. THE REPORT SHALL CONTAIN THE EMPLOYEE'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER. THE REPORT SHALL CONTAIN THE NAME AND ADDRESS OF THE EMPLOYER AND THE IDENTIFYING NUMBER ASSIGNED TO THE EMPLOYER UNDER SECTION 6109 OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED. NO LIABILITY SHALL ATTACH TO ANY EMPLOYER FOR FURNISHING INFORMATION PURSUANT TO THIS SECTION. NO EMPLOYER SHALL BE REQUIRED TO SUBMIT TO THE STATE DIRECTORY OF NEW HIRES A REPORT CONCERNING ANY EMPLOYEE HIRED FOR LESS THAN THIRTY DAYS.

(4) BEGINNING NOT LATER THAN MAY 1, 1998, THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL CONDUCT AUTOMATED COMPARISONS OF THE SOCIAL SECURITY NUMBERS REPORTED BY EMPLOYERS PURSUANT TO THIS SECTION AND THE SOCIAL SECURITY NUMBERS APPEARING IN THE RECORDS OF THE FAMILY SUPPORT REGISTRY FOR CASES BEING ENFORCED UNDER THE STATE PLAN. THE STATE DEPARTMENT MAY CONTRACT FOR THE PERFORMANCE OF THE COMPARISONS REQUIRED BY THIS SUBSECTION (4) WITH ANOTHER GOVERNMENTAL AGENCY OR A PRIVATE ENTITY.

(5) AN EMPLOYER THAT HAS EMPLOYEES WHO ARE EMPLOYED IN TWO OR MORE STATES AND THAT TRANSMITS REPORTS MAGNETICALLY OR ELECTRONICALLY MAY DESIGNATE ONE STATE TO WHICH THE EMPLOYER SHALL SUBMIT REPORTS. ANY MULTISTATE EMPLOYER THAT ELECTS TO TRANSMIT ALL REPORTS TO ONE STATE SHALL NOTIFY THE SECRETARY OF THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES, IN WRITING, WHICH STATE THE EMPLOYER HAS DESIGNATED FOR PURPOSES OF REPORTING.

(6) ALL EMPLOYERS SHALL REPORT A NEWLY HIRED EMPLOYEE WITHIN TWENTY CALENDAR DAYS AFTER THE DATE THE EMPLOYER HIRES THE EMPLOYEE OR, AT THE ELECTION OF THE EMPLOYER, AT THE TIME OF THE FIRST REGULARLY SCHEDULED PAYROLL FOLLOWING THE DATE OF HIRE IF SUCH PAYROLL IS SUBSEQUENT TO THE EXPIRATION OF THE TWENTY-DAY PERIOD. REPORTS SUBMITTED MAGNETICALLY OR ELECTRONICALLY SHALL BE SUBMITTED BY TWO MONTHLY TRANSMISSIONS, WHEN NECESSARY, AND IN ALL INSTANCES, THE REPORT SHALL BE TRANSMITTED NO MORE THAN TWENTY CALENDAR DAYS AFTER THE DATE OF HIRE OR, AT THE ELECTION OF THE EMPLOYER, AT THE TIME OF THE FIRST REGULARLY SCHEDULED PAYROLL FOLLOWING THE DATE OF HIRE IF SUCH PAYROLL IS SUBSEQUENT TO THE EXPIRATION OF THE TWENTY-DAY PERIOD.

(7) (a) WITHIN FIVE BUSINESS DAYS AFTER RECEIPT OF A REPORT FROM AN EMPLOYER CONCERNING A NEWLY HIRED EMPLOYEE, THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL ENTER THE INFORMATION INTO THE STATE DIRECTORY OF NEW HIRES.

(b) WITHIN TWO BUSINESS DAYS AFTER THE DATE THE INFORMATION REGARDING A NEWLY HIRED EMPLOYEE IS ENTERED INTO THE STATE DIRECTORY OF NEW HIRES, THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL TRANSMIT AN INCOME ASSIGNMENT TO THE EMPLOYER OF THE EMPLOYEE DIRECTING THE EMPLOYER TO WITHHOLD AN AMOUNT EQUAL TO THE MONTHLY CHILD SUPPORT OBLIGATION, INCLUDING ANY PAST-DUE SUPPORT OBLIGATION OF THE EMPLOYEE.

(c) WITHIN THREE BUSINESS DAYS AFTER THE DATE THE INFORMATION REGARDING A NEWLY HIRED EMPLOYEE IS ENTERED INTO THE STATE DIRECTORY OF NEW HIRES, THE STATE DIRECTORY OF NEW HIRES SHALL FURNISH THE INFORMATION TO THE NATIONAL DIRECTORY OF NEW HIRES.

(d) NO LATER THAN TWO YEARS AFTER THE DATE THE INFORMATION REGARDING A NEWLY HIRED EMPLOYEE IS ENTERED INTO THE STATE DIRECTORY OF NEW HIRES, THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL REMOVE SUCH NAME AND INFORMATION FROM THE DIRECTORY.

(8) (a) INFORMATION CONTAINED WITHIN THE REPORTS SHALL BE MADE AVAILABLE TO DELEGATE CHILD SUPPORT ENFORCEMENT UNITS AND THEIR AGENTS IN ORDER TO LOCATE INDIVIDUALS FOR PURPOSES OF ESTABLISHING PATERNITY OR FOR PURPOSES OF ESTABLISHING, MODIFYING, OR ENFORCING CHILD SUPPORT OBLIGATIONS.

(b) INFORMATION CONTAINED WITHIN THE REPORTS SHALL BE MADE AVAILABLE TO THE ADMINISTRATORS OF THE FOLLOWING PROGRAMS FOR PURPOSES OF ESTABLISHING OR VERIFYING ELIGIBILITY OR BENEFIT AMOUNTS: PUBLIC ASSISTANCE PURSUANT TO THE SUCCESSOR PROGRAM TO AID TO FAMILIES WITH DEPENDENT CHILDREN FUNDED BY THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT MONEYS PURSUANT TO THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193; MEDICAID; FOOD STAMPS; SUPPLEMENTAL SECURITY INCOME BENEFITS; CASH ASSISTANCE PROGRAMS UNDER THIS TITLE; AND UNEMPLOYMENT COMPENSATION.

(c) INFORMATION CONTAINED WITHIN THE REPORTS SHALL BE AVAILABLE TO THE DEPARTMENT OF LABOR AND EMPLOYMENT AND THE STATE AGENCY OPERATING THE

## WORKERS' COMPENSATION PROGRAM.

**26-13-126. Authority to deny, suspend, or revoke professional, occupational, and recreational licenses.** (1) THE STATE BOARD OF HUMAN SERVICES IS AUTHORIZED, IN COORDINATION WITH ANY STATE AGENCY, BOARD, OR COMMISSION THAT IS AUTHORIZED BY LAW TO ISSUE, REVOKE, DENY, TERMINATE, OR SUSPEND A PROFESSIONAL, OCCUPATIONAL, OR RECREATIONAL LICENSE, TO PROMULGATE RULES FOR THE SUSPENSION, REVOCATION, OR DENIAL OF PROFESSIONAL, OCCUPATIONAL, AND RECREATIONAL LICENSES OF INDIVIDUALS WHO OWE MORE THAN SIX MONTHS' GROSS DOLLAR AMOUNT OF CHILD SUPPORT AND WHO ARE PAYING LESS THAN FIFTY PERCENT OF THEIR CURRENT MONTHLY CHILD SUPPORT OBLIGATION EACH MONTH, OR THOSE INDIVIDUALS WHO FAIL, AFTER RECEIVING PROPER NOTICE, TO COMPLY WITH SUBPOENAS OR WARRANTS RELATING TO PATERNITY OR CHILD SUPPORT PROCEEDINGS.

(2) (a) TO EFFECTUATE THE PURPOSES OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT MAY REQUEST THE DENIAL, SUSPENSION, OR REVOCATION OF ANY PROFESSIONAL, OCCUPATIONAL, OR RECREATIONAL LICENSE ISSUED BY A STATE AGENCY, BOARD, OR COMMISSION, REFERRED TO IN THIS SECTION AS THE "LICENSING AGENCY". UPON SUCH REQUEST, THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL SEND A NOTICE TO THE OBLIGOR BY FIRST CLASS MAIL STATING THAT THE OBLIGOR HAS THIRTY DAYS AFTER THE DATE OF THE NOTICE WITHIN WHICH TO PAY THE PAST-DUE OBLIGATION, TO NEGOTIATE A PAYMENT PLAN WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, TO REQUEST AN ADMINISTRATIVE HEARING WITH THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT, OR TO COMPLY WITH THE WARRANT OR SUBPOENA. IF THE OBLIGOR FAILS TO PAY THE PAST-DUE OBLIGATION, NEGOTIATE A PAYMENT PLAN, REQUEST AN ADMINISTRATIVE HEARING, OR COMPLY WITH THE WARRANT OR SUBPOENA WITHIN THIRTY DAYS AFTER THE DATE OF THE NOTICE, THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL SEND A NOTICE TO THE LICENSING AGENCY TO DENY, REVOKE, OR SUSPEND THE PROFESSIONAL, OCCUPATIONAL, OR RECREATIONAL LICENSE OF THE INDIVIDUAL IDENTIFIED AS NOT IN COMPLIANCE WITH THE COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR OF THE INDIVIDUAL WHO FAILED, AFTER RECEIVING APPROPRIATE NOTICE, TO COMPLY WITH SUBPOENAS OR WARRANTS RELATING TO PATERNITY OR CHILD SUPPORT PROCEEDINGS.

(b) THE RULES PROMULGATED TO IMPLEMENT THIS SECTION SHALL PROVIDE THAT, IF IT IS THE FIRST TIME THE PROCEDURES AUTHORIZED BY THIS SECTION HAVE BEEN EMPLOYED TO ENFORCE SUPPORT AGAINST THE OBLIGOR, THE STATE CHILD SUPPORT ENFORCEMENT AGENCY MAY ONLY ISSUE A NOTICE TO THE LICENSING AGENCY TO SUSPEND OR TO DENY SUCH OBLIGOR'S LICENSE. HOWEVER, THE RULES SHALL ALSO PROVIDE THAT, IN SECOND AND SUBSEQUENT CIRCUMSTANCES IN WHICH THE PROVISIONS OF THIS SECTION ARE UTILIZED TO ENFORCE SUPPORT AGAINST THE OBLIGOR, THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL BE AUTHORIZED TO ISSUE A NOTICE TO THE LICENSING AGENCY TO REVOKE AN OBLIGOR'S LICENSE, SUBJECT TO FULL REAPPLICATION PROCEDURES UPON COMPLIANCE AS SPECIFIED BY THE LICENSING AGENCY.

(c) NO LATER THAN THIRTY DAYS AFTER THE DATE OF THE NOTICE TO THE OBLIGOR, THE OBLIGOR MAY REQUEST IN WRITING THAT THE DELEGATE CHILD

SUPPORT ENFORCEMENT UNIT CONDUCT AN ADMINISTRATIVE REVIEW PURSUANT TO THE RULES AND REGULATIONS DEVELOPED BY THE STATE BOARD TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE.

(d) NO LATER THAN THIRTY DAYS AFTER THE DATE OF THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT'S DECISION, THE OBLIGOR MAY REQUEST IN WRITING AN ADMINISTRATIVE REVIEW FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY.

(e) THE SOLE ISSUES TO BE DETERMINED AT THE ADMINISTRATIVE REVIEW BY BOTH THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL BE WHETHER THERE IS: A MISTAKE IN THE IDENTITY OF THE OBLIGOR; A DISAGREEMENT CONCERNING THE AMOUNT OF THE CHILD SUPPORT DEBT, AN ARREARAGE BALANCE, RETROACTIVE SUPPORT DUE, OR THE AMOUNT OF THE PAST-DUE CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE; A SHOWING THAT ALL CHILD SUPPORT PAYMENTS WERE MADE WHEN DUE; A SHOWING THAT THE INDIVIDUAL HAS COMPLIED WITH THE SUBPOENA OR WARRANT; A SHOWING THAT THE INDIVIDUAL WAS NOT PROPERLY SERVED WITH THE SUBPOENA OR WARRANT; OR A SHOWING THAT THERE WAS A TECHNICAL DEFECT WITH RESPECT TO THE SUBPOENA OR WARRANT.

(f) THE DECISION OF THE STATE CHILD SUPPORT ENFORCEMENT AGENCY SHALL BE FINAL AGENCY ACTION AND MAY BE REVIEWED PURSUANT TO SECTION 24-4-106, C.R.S.

(g) A NOTICE TO THE LICENSING AGENCY PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) SHALL NOT BE SENT TO THE LICENSING AGENCY UNLESS THE OBLIGOR HAS FAILED TO REQUEST A REVIEW WITHIN THE TIME SPECIFIED OR UNTIL A HEARING HAS BEEN CONCLUDED AND ALL RIGHTS OF REVIEW HAVE BEEN EXHAUSTED.

(h) EACH LICENSING AGENCY AFFECTED MAY PROMULGATE RULES, AS NECESSARY, AND PROCEDURES TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION. SUCH LICENSING AGENCIES SHALL ENTER INTO MEMORANDA OF UNDERSTANDING, AS NECESSARY, WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION. ALL DUE PROCESS HEARINGS SHALL BE CONDUCTED BY THE STATE DEPARTMENT RATHER THAN THE LICENSING AGENCY.

(i) NOTHING IN THIS SECTION SHALL LIMIT THE ABILITY OF EACH LICENSING AGENCY TO DENY, SUSPEND, OR REVOKE A LICENSE ON ANY OTHER GROUNDS PROVIDED BY LAW.

(j) A LICENSING AGENCY, OR ANY PERSON ACTING ON ITS BEHALF, SHALL NOT BE LIABLE FOR ANY ACTIONS TAKEN TO DENY, SUSPEND, OR REVOKE THE OBLIGOR'S LICENSE PURSUANT TO THIS SECTION.

(3) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE SAME OR SIMILAR CONDITIONS PLACED UPON THE ISSUANCE AND RENEWAL OF A STATE LICENSE TO PRACTICE A PROFESSION OR OCCUPATION, AS SET FORTH IN THIS SECTION, SHOULD ALSO BE PLACED UPON PERSONS APPLYING TO OR LICENSED TO PRACTICE LAW. THE GENERAL ASSEMBLY, HOWEVER, RECOGNIZES THE PRACTICE OF THE COLORADO SUPREME COURT IN THE LICENSURE, REGISTRATION, AND DISCIPLINE OF PERSONS PRACTICING LAW IN THIS STATE. SPECIFICALLY, THE GENERAL ASSEMBLY

ACKNOWLEDGES THAT IN ORDER TO OBTAIN A LICENSE TO PRACTICE LAW IN COLORADO, A PERSON MUST VERIFY THAT HE OR SHE IS NOT DELINQUENT WITH RESPECT TO A COURT-ORDERED OBLIGATION TO PAY CHILD SUPPORT. IN ADDITION, THE GENERAL ASSEMBLY RECOGNIZES THAT PURSUANT TO THE "COLORADO RULES OF PROFESSIONAL CONDUCT" A LAWYER MAY BE DISCIPLINED, INCLUDING BY DISBARMENT, FOR FAILING TO PAY CHILD SUPPORT.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE STATE OR ANY PRINCIPAL DEPARTMENT OF THE STATE OR AN AGENT OF SUCH DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**26-13-127. State case registry.** (1) THE STATE DEPARTMENT, OR ITS AGENT, SHALL ESTABLISH, MAINTAIN, UPDATE, AND MONITOR AN AUTOMATED STATE CASE REGISTRY WHICH SHALL INCLUDE ALL CASES IN WHICH CHILD SUPPORT ORDERS HAVE BEEN ESTABLISHED OR MODIFIED ON OR AFTER OCTOBER 1, 1998.

(2) THE JUDICIAL DEPARTMENT SHALL COLLECT AND ELECTRONICALLY TRANSFER ON A WEEKLY BASIS, OR MORE FREQUENTLY AS MUTUALLY AGREEABLE, TO THE STATE DEPARTMENT, OR ITS AGENT, THE FOLLOWING BASIC ELEMENTS OF ALL CHILD SUPPORT ORDERS ESTABLISHED OR MODIFIED ON OR AFTER OCTOBER 1, 1998, WHICH SHALL BE STORED IN THE STATE CASE REGISTRY:

- (a) THE NAME OF THE COURT, THE COUNTY, AND THE CASE NUMBER;
- (b) THE NAMES OF THE OBLIGOR AND THE OBLIGEE;
- (c) THE SOCIAL SECURITY NUMBER OF EACH PARENT;
- (d) THE DATE THE CHILD SUPPORT ORDER WAS ESTABLISHED OR MODIFIED.

(3) FOR EACH CASE IN WHICH SERVICES ARE BEING PROVIDED UNDER TITLE IV-D OF THE FEDERAL "SOCIAL SECURITY ACT", AS AMENDED, AND FOR WHICH A SUPPORT ORDER HAS BEEN ESTABLISHED OR MODIFIED, THE STATE CASE REGISTRY SHALL INCLUDE THE BASIC INFORMATION LISTED IN SUBSECTION (2) OF THIS SECTION AND THE FOLLOWING ADDITIONAL INFORMATION:

- (a) THE AMOUNT OF MONTHLY SUPPORT OWED UNDER THE ORDER AND OTHER AMOUNTS OWED, INCLUDING ARREARS, INTEREST, OR LATE PAYMENT PENALTIES AND FEES, DUE OR PAST-DUE, UNDER THE ORDER;
- (b) THE DISTRIBUTION OF COLLECTED AMOUNTS;
- (c) THE DATE OF BIRTH OF ANY CHILD FOR WHOM THE ORDER REQUIRES THE PAYMENT OF SUPPORT;

(d) THE AMOUNT OF ANY LIEN IMPOSED WITH RESPECT TO THE ORDER PURSUANT TO SECTION 14-10-122 (1.5), C.R.S.

(4) INFORMATION IN THE STATE CASE REGISTRY SHALL BE ACCESSIBLE ONLY BY THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, THE DELEGATE CHILD SUPPORT ENFORCEMENT UNITS, THE FEDERAL OFFICE OF CHILD SUPPORT ENFORCEMENT, THE COURTS, OR THE AGENTS OF SUCH AGENCY, UNITS, OFFICE, OR COURTS.

**26-13-128. Agreements with financial institutions - data match system - limited liability.** (1) THE GENERAL ASSEMBLY AUTHORIZES THE STATE DEPARTMENT TO DESIGN AND IMPLEMENT A PROGRAM PURSUANT TO WHICH THE STATE DEPARTMENT SHALL ENTER INTO AGREEMENTS WITH FINANCIAL INSTITUTIONS DOING BUSINESS IN THE STATE. TO EFFECTUATE THE PURPOSE OF THIS SECTION, THE EXECUTIVE DIRECTOR MAY REQUEST AND SHALL RECEIVE FROM SUCH FINANCIAL INSTITUTIONS OR ANY STATE ENTITY, SUCH AS A DEPARTMENT, BOARD, OR AGENCY OF THE STATE OR ANY OF ITS POLITICAL SUBDIVISIONS, THE INFORMATION AND ACTION DESCRIBED IN THIS SECTION.

(2) THE PURPOSE OF THE PROGRAM AUTHORIZED BY THIS SECTION SHALL BE TO DEVELOP AND OPERATE, IN COORDINATION WITH SUCH FINANCIAL INSTITUTIONS AND STATE ENTITIES, A DATA MATCH SYSTEM, USING AUTOMATED DATA EXCHANGES, TO THE MAXIMUM EXTENT FEASIBLE, IN WHICH EACH SUCH FINANCIAL INSTITUTION OR STATE ENTITY IS REQUIRED TO PROVIDE SEMIANNUALLY THE NAME, RECORD ADDRESS, AND SOCIAL SECURITY NUMBER, OR OTHER TAXPAYER IDENTIFICATION NUMBER, OF ANY ACCOUNT HOLDER OR CUSTOMER THAT MAINTAINS AN ACCOUNT AT SUCH INSTITUTION OR ENTITY AND WHO OWES PAST-DUE CHILD SUPPORT, AS IDENTIFIED BY THE STATE BY NAME AND SOCIAL SECURITY NUMBER, OR OTHER TAXPAYER IDENTIFICATION NUMBER. THE STATE DEPARTMENT SHALL ENTER INTO AN AGREEMENT WITH EACH FINANCIAL INSTITUTION AND STATE ENTITY, WHICH AGREEMENT SHALL SPECIFY A SCHEDULE OF DATA MATCHES. THE AGREEMENT SHALL PROVIDE THAT THE FINANCIAL INSTITUTION OR STATE ENTITY SHALL HAVE FORTY-FIVE DAYS AFTER THE RECEIPT OF THE INFORMATIONAL ELECTRONIC OR MAGNETIC DATA FROM THE CHILD SUPPORT ENFORCEMENT AGENCY TO CONDUCT THE DATA MATCH REQUIRED BY THIS SUBSECTION (2). THE AGREEMENT SHALL ALSO PROVIDE THAT THE FINANCIAL INSTITUTION OR STATE ENTITY SHALL RETURN THE DATA IN ELECTRONIC OR MAGNETIC FORM TO THE CHILD SUPPORT ENFORCEMENT AGENCY WITHIN THREE BUSINESS DAYS AFTER CONDUCTING THE DATA MATCH. THE FINANCIAL INSTITUTION OR STATE ENTITY SHALL INCLUDE INFORMATION CONCERNING ALL ACCOUNTS WHERE A DATA MATCH OCCURS, INCLUDING, BUT NOT LIMITED TO, INFORMATION REGARDING JOINT ACCOUNTS, PARTNERSHIP ACCOUNTS, SOLE PROPRIETORSHIP ACCOUNTS, CUSTODIAL ACCOUNTS, AND COMMERCIAL ACCOUNTS. THE CHILD SUPPORT ENFORCEMENT AGENCY SHALL MAKE A REASONABLE EFFORT TO ACCOMMODATE THOSE FINANCIAL INSTITUTIONS UPON WHICH THE REQUIREMENTS OF THIS SECTION WOULD POSE A HARDSHIP. THE FINANCIAL INSTITUTION OR ENTITY, IN RESPONSE TO A NOTICE OF LIEN OR LEVY FROM THE STATE DEPARTMENT, SHALL ENCUMBER OR SURRENDER ASSETS, EXCEPT FOR CUSTODIAL ACCOUNTS CREATED PURSUANT TO THE "COLORADO UNIFORM TRANSFERS TO MINORS ACT", ARTICLE 50 OF TITLE 11, C.R.S., AND EXCEPT FOR TRUST ACCOUNTS OF MONEYS HELD IN TRUST FOR A THIRD PARTY, HELD BY SUCH INSTITUTION OR ENTITY ON BEHALF OF ANY NONCUSTODIAL PARENT WHO IS SUBJECT TO A CHILD SUPPORT LIEN, SUBJECT TO ANY RIGHT OF SETOFF THE FINANCIAL INSTITUTION MAY HAVE AGAINST SUCH ASSETS. IN ADDITION TO ANY

RIGHT OF SETOFF THE FINANCIAL INSTITUTION MAY HAVE, BEFORE THE FINANCIAL INSTITUTION SURRENDERS ANY ASSETS OF THE NONCUSTODIAL PARENT TO THE STATE DEPARTMENT, THE FINANCIAL INSTITUTION SHALL APPLY ANY ASSETS HELD BY THE FINANCIAL INSTITUTION ON BEHALF OF THE NONCUSTODIAL PARENT AGAINST THE BALANCE OF ANY AMOUNTS OWED BY THE NONCUSTODIAL PARENT TO THE FINANCIAL INSTITUTION, REGARDLESS OF WHETHER THE NONCUSTODIAL PARENT IS IN DEFAULT UNDER ANY AGREEMENT WITH THE FINANCIAL INSTITUTION OR WHETHER ANY PAYMENTS ARE CURRENTLY DUE TO THE FINANCIAL INSTITUTION, SUBJECT TO PRIOR AGREEMENT OF THE NONCUSTODIAL PARENT.

(3) NOTWITHSTANDING ANY OTHER PROVISION OF FEDERAL OR STATE LAW, A FINANCIAL INSTITUTION OR STATE ENTITY SHALL NOT BE LIABLE UNDER ANY FEDERAL, STATE, OR LOCAL LAW TO ANY PERSON FOR ANY DISCLOSURE OF INFORMATION TO THE STATE DEPARTMENT FOR THE PURPOSE OF ESTABLISHING, MODIFYING, OR ENFORCING A CHILD SUPPORT OBLIGATION OF AN INDIVIDUAL, OR FOR ENCUMBERING, HOLDING, REFUSING TO RELEASE TO THE OBLIGOR, SURRENDERING, OR TRANSFERRING ANY ASSETS HELD BY SUCH FINANCIAL INSTITUTION OR STATE ENTITY IN RESPONSE TO A NOTICE OF LIEN OR LEVY ISSUED BY THE STATE DEPARTMENT OR FOR ANY OTHER ACTION TAKEN IN GOOD FAITH TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION REGARDLESS OF WHETHER SUCH ACTION WAS SPECIFICALLY AUTHORIZED OR DESCRIBED BY THIS SECTION. A FINANCIAL INSTITUTION SHALL NOT BE REQUIRED TO GIVE NOTICE TO AN ACCOUNT HOLDER OR CUSTOMER OF THE FINANCIAL INSTITUTION CONCERNING WHOM THE FINANCIAL INSTITUTION HAS PROVIDED INFORMATION OR TAKEN ANY ACTION PURSUANT TO THIS SECTION. THE FINANCIAL INSTITUTION SHALL NOT BE LIABLE FOR THE FAILURE TO PROVIDE SUCH NOTICE.

(4) THE STATE BOARD SHALL PROMULGATE RULES ADDRESSING APPROPRIATE PROCEDURES TO BE FOLLOWED BY THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT WITH RESPECT TO CERTAIN SPECIAL TYPES OF FINANCIAL INSTITUTION ACCOUNTS, INCLUDING BUT NOT LIMITED TO JOINT, PARTNERSHIP, SOLE PROPRIETORSHIP, CUSTODIAL, AND COMMERCIAL ACCOUNTS, WHICH RULES SHALL IDENTIFY FACTORS THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL CONSIDER IN DETERMINING WHETHER TO ATTACH THE ACCOUNT OR ANY PORTION OF SUCH ACCOUNT. SUCH RULES SHALL SPECIFICALLY PROVIDE THAT CUSTODIAL ACCOUNTS CREATED PURSUANT TO THE "COLORADO UNIFORM TRANSFERS TO MINORS ACT", ARTICLE 50 OF TITLE 11, C.R.S., AND TRUST ACCOUNTS OF MONEYS HELD IN TRUST FOR A THIRD PARTY SHALL NOT BE ATTACHED, ENCUMBERED, OR SURRENDERED FOR PURPOSES OF ENFORCING SUPPORT.

(5) THE STATE DEPARTMENT, AFTER OBTAINING A FINANCIAL RECORD OF AN INDIVIDUAL FROM A FINANCIAL INSTITUTION PURSUANT TO THIS SECTION, MAY DISCLOSE SUCH FINANCIAL RECORD ONLY FOR THE PURPOSE OF AND TO THE EXTENT NECESSARY TO ESTABLISH, MODIFY, OR ENFORCE A CHILD SUPPORT OBLIGATION OF SUCH INDIVIDUAL. IF A STATE OFFICER, EMPLOYEE, OR AUTHORIZED AGENT OF THE STATE KNOWINGLY, OR BY REASON OF NEGLIGENCE, DISCLOSES A FINANCIAL RECORD OF AN INDIVIDUAL IN VIOLATION OF THIS SUBSECTION (5), SUCH INDIVIDUAL MAY BRING A CIVIL ACTION FOR DAMAGES AGAINST THE OFFICER, EMPLOYEE, OR AUTHORIZED AGENT OF THE STATE PURSUANT TO 42 U.S.C. SEC. 669A (c).

(6) A FINANCIAL INSTITUTION SHALL BE ENTITLED TO REIMBURSEMENT IN THE AMOUNT OF FIVE CENTS PER NAME PER QUARTER FOR THE COSTS ASSOCIATED WITH

DESIGNING AND IMPLEMENTING A SYSTEM FOR COMPLIANCE WITH THE REQUIREMENTS OF THIS ARTICLE, NOT TO EXCEED THE ACTUAL COSTS ASSOCIATED WITH DESIGNING AND IMPLEMENTING SUCH A SYSTEM.

(7) FOR PURPOSES OF THIS SECTION:

(a) (I) "ACCOUNT" INCLUDES:

(A) A DEPOSIT ACCOUNT;

(B) A DEMAND DEPOSIT ACCOUNT;

(C) A CHECKING ACCOUNT;

(D) A NEGOTIABLE WITHDRAWAL ORDER ACCOUNT;

(E) A SAVINGS ACCOUNT;

(F) A CERTIFICATE OF DEPOSIT;

(G) A PASSBOOK ACCOUNT;

(H) A TIME AND TERM DEPOSIT ACCOUNT;

(I) A SHARE ACCOUNT;

(J) A SHARE DRAFT ACCOUNT;

(K) A SHARE CERTIFICATE OF DEPOSIT;

(L) A MONEY MARKET SHARE ACCOUNT;

(M) A MONEY MARKET MUTUAL FUND ACCOUNT;

(N) A "N.O.W." ACCOUNT; OR

(O) A SIMILAR ACCOUNT.

(II) "ACCOUNT" SHALL ALSO INCLUDE:

(A) AN INTEREST IN A MUTUAL FUND, A BROKERAGE ACCOUNT, A FIXED-RATE ANNUITY, A VARIABLE-RATE ANNUITY, A WHOLE LIFE INSURANCE PRODUCT, A UNIVERSAL LIFE INSURANCE PRODUCT, A VARIABLE UNIVERSAL LIFE INSURANCE PRODUCT, A FIDUCIARY ACCOUNT, A TRUST ACCOUNT, OR SIMILAR ACCOUNT;

(B) THE SECURITIES OF OR ISSUED BY AN INVESTMENT COMPANY REGISTERED UNDER THE FEDERAL "INVESTMENT COMPANY ACT OF 1940", A UNIT INVESTMENT TRUST, A REAL ESTATE INVESTMENT TRUST, A COMMODITY POOL OPERATOR, A FUTURE COMMISSION MERCHANT, OR AN INTRODUCING BROKER REGISTERED UNDER THE FEDERAL "COMMODITY EXCHANGE ACT", A GENERAL OR LIMITED PARTNERSHIP, OR A SIMILAR ENTITY; AND

(C) PROPERTY, INCLUDING FUNDS HELD IN OR PAYABLE FROM ANY PENSION OR RETIREMENT PLAN OR DEFERRED COMPENSATION PLAN, INCLUDING A PLAN IN WHICH THE DEBTOR HAS RECEIVED BENEFITS OR PAYMENTS, HAS THE PRESENT RIGHT TO RECEIVE BENEFITS OR PAYMENTS, OR HAS THE RIGHT TO RECEIVE BENEFITS OR PAYMENTS IN THE FUTURE AND INCLUDING A PENSION OR PLAN THAT QUALIFIES UNDER THE FEDERAL "EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974" AS AN EMPLOYEE PENSION BENEFIT PLAN AS DEFINED IN 29 U.S.C. SEC. 1002, ANY INDIVIDUAL RETIREMENT ACCOUNT, AS DEFINED IN 26 U.S.C. SEC. 408, AND ANY PLAN AS DEFINED IN 26 U.S.C. SEC. 410 AND AS THESE PLANS MAY BE AMENDED FROM TIME TO TIME, OR ANY SIMILAR PLAN UNDER STATE OR LOCAL LAW.

(b) "FINANCIAL INSTITUTION" INCLUDES:

(I) A STATE OR NATIONALLY CHARTERED BANK, AN INDUSTRIAL BANK, A BANK AND TRUST COMPANY, A TRUST COMPANY, A SAVINGS AND LOAN ASSOCIATION, A SAVINGS BANK, A CREDIT UNION;

(II) AN INVESTMENT COMPANY REGISTERED UNDER THE FEDERAL "INVESTMENT COMPANY ACT OF 1940", A SECURITIES DEALER, A COMMODITY POOL OPERATOR, A FUTURE COMMISSION MERCHANT, OR AN INTRODUCING BROKER REGISTERED UNDER THE FEDERAL "COMMODITY EXCHANGE ACT", OR OTHER LEGAL ENTITY ENGAGED IN THE BUSINESS OF BUYING OR SELLING SECURITIES;

(III) A BENEFIT ASSOCIATION, A LIFE INSURANCE COMPANY, A SAFE DEPOSIT COMPANY, OR A STATE REPOSITORY OF MONEYS HELD FOR INDIVIDUALS; AND

(IV) ANY SIMILAR ENTITY DOING BUSINESS IN THIS STATE.

(c) "FINANCIAL RECORD" HAS THE MEANING GIVEN SUCH TERM IN SECTION 1101 OF THE FEDERAL "RIGHT TO FINANCIAL PRIVACY ACT OF 1978", 12 U.S.C. SEC. 3401.

**26-13-129. Exemption from federal law.** UPON A DETERMINATION, FINDING, OR WARNING OF NONCOMPLIANCE OR UPON SUCH OTHER NOTIFICATION FROM THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES THAT THE STATE MAY NOT BE, OR IS NOT, IN COMPLIANCE WITH A PROVISION OF THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193, RELATING TO THE ESTABLISHMENT OF PATERNITY OR THE ESTABLISHMENT, MODIFICATION, OR ENFORCEMENT OF SUPPORT, THE STATE DEPARTMENT SHALL SEEK A FEDERAL WAIVER OR EXEMPTION PURSUANT TO 42 U.S.C. SEC. 666 (d) FROM THE SPECIFIC REQUIREMENT OF THE "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996" WITH WHICH THE STATE IS ALLEGED TO BE OUT OF COMPLIANCE.

**SECTION 44.** 26-13.5-105 (1) (d) and (3), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are amended, and the said 26-13.5-105 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**26-13.5-105. Negotiation conference - issuance of order of financial responsibility - filing of order with district court.** (1) Every obligor who has been served with a notice of financial responsibility pursuant to section 26-13.5-104 shall appear at the time and location stated in the notice for a negotiation conference or

shall reschedule a negotiation conference prior to the date and time stated in the notice. The negotiation conference shall be scheduled not more than thirty days after the date of the issuance of the notice of financial responsibility. A negotiation conference shall not be rescheduled more than once and shall not be rescheduled for a date more than ten days after the date and time stated in the notice without good cause as defined in rules and regulations promulgated pursuant to section 26-13.5-113. If a negotiation conference is continued, the obligor shall be notified of such continuance by first-class mail or by hand delivery. If a stipulation is agreed upon at the negotiation conference as to the obligor's duty of support, the delegate child support enforcement unit shall issue an administrative order of financial responsibility setting forth the following:

(d) ~~The name of the custodian of the child and the name, birth date, and social security number of the child for whom support is being sought AND THE FOLLOWING INFORMATION ABOUT THE PARTIES:~~

- (I) THE PARTIES' SOCIAL SECURITY NUMBERS;
- (II) THE PARTIES' RESIDENTIAL AND MAILING ADDRESSES;
- (III) THE PARTIES' TELEPHONE NUMBERS;
- (IV) THE PARTIES' DRIVER'S LICENSE NUMBERS; AND
- (V) THE NAME, ADDRESS, AND TELEPHONE NUMBERS OF THE PARTIES' EMPLOYERS;

(3) (a) ~~If no stipulation is agreed upon at the negotiation conference because the obligor contests the issue of paternity, the delegate child support enforcement unit shall file the notice of financial responsibility and proof of service with the clerk of the district court in the county in which the notice of financial responsibility was issued or in the district court where an action relating to child support is pending or an order exists but is silent on the issue of child support and shall request the court to set a hearing for the matter.~~ ISSUE AN ORDER FOR GENETIC TESTING AND CONTINUE THE NEGOTIATION CONFERENCE TO ALLOW FOR THE RECEIPT OF THE GENETIC TESTING RESULTS. THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT SHALL PAY THE COSTS OF THE GENETIC TESTING AND MAY RECOVER ANY TESTING COSTS FROM THE PRESUMED OR ALLEGED FATHER IF PATERNITY IS ESTABLISHED.

(b) IF NO STIPULATION IS AGREED UPON AT THE CONTINUED NEGOTIATION CONFERENCE AND THE EVIDENCE RELATING TO PATERNITY DOES NOT MEET THE REQUIREMENTS SET FORTH IN SECTION 13-25-126 (1) (e) (III), C.R.S., THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT MAY DISMISS THE ACTION OR TAKE SUCH OTHER APPROPRIATE ACTION AS ALLOWED BY LAW.

(c) If no stipulation is agreed upon at the negotiation conference and paternity is not an issue, OR, IF PATERNITY IS AN ISSUE AND THE EVIDENCE RELATING TO PATERNITY MEETS THE REQUIREMENTS SET FORTH IN SECTION 13-25-126 (1) (e) (III), C.R.S., the delegate child support enforcement unit shall issue temporary orders establishing current child support, ~~child support debt~~, arrears, foster care maintenance, medical support, and reasonable support for a time period prior to the entry of the order for support and shall file the notice of financial responsibility and

proof of service with the clerk of the district court in the county in which the notice of financial responsibility was issued and shall request the court to set a hearing for the matter.

(d) Notwithstanding any rules of the Colorado rules of civil procedure, a complaint is not required in order to initiate a court action pursuant to this subsection (3). The court shall inform the delegate child support enforcement unit of the date and location of the hearing and the court or the delegate child support enforcement unit shall send a notice to the obligor informing the obligor of the date and location of the hearing. In order to meet federal requirements of expedited process for child support enforcement, the court shall hold a hearing and decide only the issue of child support within ninety days after receipt of notice, as defined in section 26-13.5-102 (13), or within six months after receipt of notice, as defined in section 26-13.5-102 (13), if the obligor is contesting the issue of paternity. If the obligor raises issues relating to custody or parenting time and the court has jurisdiction to hear such matters, the court shall set a separate hearing for those issues after entry of the order of support. In any action, including an action for paternity, no additional service beyond that originally required pursuant to section 26-13.5-104 shall be required if no stipulation is reached at the negotiation conference and the court is requested to set a hearing in the matter.

(6) IF A PARENT IS UNEMPLOYED AND NOT INCAPACITATED, THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT MAY ORDER SUCH PARENT TO PAY SUCH SUPPORT IN ACCORDANCE WITH A PLAN APPROVED BY THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT OR TO PARTICIPATE IN WORK ACTIVITIES, AS DESCRIBED IN SECTION 14-10-115 (7) (b) (I.5), C.R.S., AS DEEMED APPROPRIATE BY THAT DELEGATE CHILD SUPPORT ENFORCEMENT UNIT, AS A CONDITION OF THE CHILD SUPPORT ORDER.

**SECTION 45.** Article 1 of title 35, Colorado Revised Statutes, 1995 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**35-1-113. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE DEPARTMENT, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OR AN AUTHORIZED AGENT THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE

## IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3) (a) THE DEPARTMENT SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 46.** 42-6-121, Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

**42-6-121. Filing of mortgage.** The holder of any chattel mortgage on a motor vehicle desiring to secure the rights provided for in this part 1 and to have the existence of the mortgage and the fact of the filing thereof for public record noted on the certificate of title to the motor vehicle thereby encumbered shall present the signed original or signed duplicate original of said mortgage or copy thereof certified by the holder of the mortgage or the holder's agent to be a true copy of the signed original mortgage and the certificate of title to the motor vehicle encumbered to the authorized agent of the director in the county or city and county in which the mortgagor of such motor vehicle resides or where the property is located. Upon the receipt of said original or duplicate mortgage or certified copy thereof and certificate of title, the authorized agent, if satisfied that the vehicle described in the mortgage is the same as that described in the certificate of title, shall make and subscribe a certificate to be attached or stamped on the mortgage and on the certificate of title, in which shall appear the day and hour on which said mortgage was received for filing, the name and address of the mortgagee therein named and the name and address of the holder of such mortgage, if such person is other than the mortgagee named, the amount secured thereby, the date thereof, the day and year on which said mortgage was filed for public record, and such other information regarding the filing thereof in the office of the authorized agent as may be required by the director by rule or regulation, to which certificate the authorized agent shall affix the agent's signature and the seal of such agent's office. A mortgage is deemed to be a signed original or a signed duplicate original if the signature appearing thereon was affixed personally by the mortgagor or the mortgagor's attorney-in-fact, in ink, carbon, or by any other means. FOR PURPOSES OF LIENS CREATED PURSUANT TO SECTION 14-10-122 (1.5), C.R.S., THE LIEN SHALL CONTAIN THE INFORMATION SET FORTH IN THIS SECTION AS WELL AS ANY SUCH ADDITIONAL INFORMATION REQUIRED IN SECTION 14-10-122 (1.5)

(f), C.R.S.

**SECTION 47.** 42-2-403, Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-2-403. Department authority - rules and regulations - federal requirements.** (2.5) ANY APPLICATION FOR THE ISSUANCE OR RENEWAL OF A LICENSE PURSUANT TO THIS SECTION SHALL INCLUDE THE APPLICANT'S SOCIAL SECURITY NUMBER AS REQUIRED IN SECTION 14-14-113, C.R.S.

**SECTION 48.** Part 1 of article 1 of title 43, Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**43-1-119. Applications for licenses - authority to suspend licenses - rules.**

(1) EVERY APPLICATION BY AN INDIVIDUAL FOR A LICENSE ISSUED BY THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL REQUIRE THE APPLICANT'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER.

(2) THE DEPARTMENT OR ANY AUTHORIZED AGENT OF THE DEPARTMENT SHALL DENY, SUSPEND, OR REVOKE ANY LICENSE PURSUANT TO THE PROVISIONS OF SECTION 26-13-126, C.R.S., AND ANY RULES PROMULGATED IN FURTHERANCE THEREOF, IF THE DEPARTMENT OR AGENT THEREOF RECEIVES A NOTICE TO DENY, SUSPEND, OR REVOKE FROM THE STATE CHILD SUPPORT ENFORCEMENT AGENCY BECAUSE THE LICENSEE OR APPLICANT IS OUT OF COMPLIANCE WITH A COURT OR ADMINISTRATIVE ORDER FOR CURRENT CHILD SUPPORT, CHILD SUPPORT DEBT, RETROACTIVE CHILD SUPPORT, CHILD SUPPORT ARREARAGES, OR CHILD SUPPORT WHEN COMBINED WITH MAINTENANCE OR BECAUSE THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH A PROPERLY ISSUED SUBPOENA OR WARRANT RELATING TO A PATERNITY OR CHILD SUPPORT PROCEEDING. ANY SUCH DENIAL, SUSPENSION, OR REVOCATION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY RULE OF THE DEPARTMENT, RULES PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES, AND ANY MEMORANDUM OF UNDERSTANDING ENTERED INTO BETWEEN THE DEPARTMENT OR AN AUTHORIZED AGENT THEREOF AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY FOR THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(3)(a) THE DEPARTMENT SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE CHILD SUPPORT ENFORCEMENT AGENCY, WHICH MEMORANDUM SHALL IDENTIFY THE RELATIVE RESPONSIBILITIES OF THE DEPARTMENT AND THE STATE CHILD SUPPORT ENFORCEMENT AGENCY IN THE DEPARTMENT OF HUMAN SERVICES WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION AND SECTION 26-13-126, C.R.S.

(b) THE APPROPRIATE RULE-MAKING BODY OF THE DEPARTMENT IS AUTHORIZED TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(4) FOR PURPOSES OF THIS SECTION, "LICENSE" MEANS ANY RECOGNITION, AUTHORITY, OR PERMISSION THAT THE DEPARTMENT OR ANY AUTHORIZED AGENT OF SUCH DEPARTMENT IS AUTHORIZED BY LAW TO ISSUE FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY. "LICENSE" MAY INCLUDE, BUT IS NOT NECESSARILY

LIMITED TO, ANY LICENSE, CERTIFICATE, CERTIFICATION, LETTER OF AUTHORIZATION, OR REGISTRATION ISSUED FOR AN INDIVIDUAL TO PRACTICE A PROFESSION OR OCCUPATION OR FOR AN INDIVIDUAL TO PARTICIPATE IN ANY RECREATIONAL ACTIVITY.

**SECTION 49.** 14-10-115 (1.5), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended, and the said 14-10-115 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

**14-10-115. Child support - guidelines - schedule of basic child support obligations.** (1.5) (a) FOR CHILD SUPPORT ORDERS ENTERED PRIOR TO JULY 1, 1997, unless a court finds that a child is otherwise emancipated, emancipation occurs and child support terminates when the child attains nineteen years of age unless one or more of the following conditions exist:

(I) The parties agree otherwise in a written stipulation after July 1, 1991.

(II) If the child is mentally or physically disabled, the court or the delegate child support enforcement unit may order child support, including payments for medical expenses or insurance or both, to continue beyond the age of nineteen.

(III) If the child is still in high school or an equivalent program, support continues until the end of the month following graduation, unless there is an order for postsecondary education, in which case support continues through postsecondary education as provided in subparagraph (I) of paragraph (b) of this subsection (1.5). A child who ceases to attend high school prior to graduation and later reenrolls is entitled to support upon reenrollment AND UNTIL THE END OF THE MONTH FOLLOWING GRADUATION, but not beyond age twenty-one.

(b) (I) If the court finds that it is appropriate for the parents to contribute to the costs of a program of postsecondary education, then the court shall terminate child support and enter an order requiring both parents to contribute a sum determined to be reasonable for the education expenses of the child, taking into account the resources of each parent and the child. In determining the amount of each parent's contribution to the costs of a program of postsecondary education for a child, the court shall be limited to an amount not to exceed the amount listed under the schedule of basic child support obligations in paragraph (b) of subsection (10) of this section for the number of children receiving postsecondary education. The amount of contribution which each parent is ordered to pay pursuant to this paragraph (b) shall be subtracted from the amount of each parent's gross income, respectively, prior to calculating the basic child support obligation for any remaining children pursuant to subsection (10) of this section. In no case shall the court issue orders providing for both child support and postsecondary education to be paid for the same time period for the same child regardless of the age of the child. Either parent or the child may move for such an order at any time before the child attains the age of twenty-one years. Either a child seeking an order for postsecondary education expenses or on whose behalf postsecondary education expenses are sought, or the parent from whom the payment of postsecondary education expenses are sought, may request that the court order the child and such parent to seek mediation prior to a hearing on the issue of postsecondary education expenses. Mediation services shall be provided in accordance with section 13-22-305, C.R.S. The court may order the parties to seek

mediation if the court finds that mediation is appropriate. Postsecondary education includes college and vocational education programs. If such an order is entered, the parents shall contribute to the total sum determined by the court in proportion to their adjusted gross incomes as defined in subparagraph (II) of paragraph (a) of subsection (10) of this section. The order for postsecondary education support may not extend beyond the earlier of the child's twenty-first birthday or the completion of an undergraduate degree. The court may order the support paid directly to the educational institution, to the child, or in such other fashion as is appropriate to support the education of the child. If the child resides in the home of one parent while attending school or during periods of time in excess of thirty days when school is not in session, the court may order payments from one parent to the other for room and board until the child attains the age of nineteen. A child shall not be considered emancipated solely by reason of living away from home while in postsecondary education.

(II) If the court orders support pursuant to subparagraph (I) of this paragraph (b), the court or delegate child support enforcement unit may also order that the parents provide health insurance for the child or pay medical expenses of the child or both for the duration of such order. Such order shall provide that these expenses be paid in proportion to their adjusted gross incomes as defined in subparagraph (II) of paragraph (a) of subsection (10) of this section. The court or delegate child support enforcement unit shall order a parent to provide health insurance if the child is eligible for coverage as a dependent on that parent's insurance policy or if health insurance coverage for the child is available at reasonable cost.

(c) This subsection (1.5) shall apply to all child support obligations established or modified as a part of any proceeding, including but not limited to articles 5, 6, and 10 of this title and articles 4 and 6 of title 19, C.R.S., ~~whether filed on, prior to or subsequent to July 1, 1991; 1997. except that paragraph (a) of this subsection (1.5) does not apply to modifications of child support obligations with respect to a child whose nineteenth birthday falls before July 1, 1991.~~ THIS SUBSECTION (1.5) SHALL NOT APPLY TO CHILD SUPPORT ORDERS ESTABLISHED ON OR AFTER JULY 1, 1997, WHICH SHALL BE GOVERNED BY SUBSECTION (1.6) OF THIS SECTION.

(c.5) AN ORDER FOR POSTSECONDARY EDUCATION EXPENSES ENTERED BETWEEN JULY 1, 1991, AND JULY 1, 1997, MAY BE MODIFIED PURSUANT TO THIS SUBSECTION (1.5) TO PROVIDE FOR POSTSECONDARY EDUCATION EXPENSES SUBJECT TO THE STATUTORY PROVISIONS FOR DETERMINING THE AMOUNT OF A PARENT'S CONTRIBUTION TO THE COSTS OF POSTSECONDARY EDUCATION, THE LIMITATIONS ON THE AMOUNT OF A PARENT'S CONTRIBUTION, AND THE CHANGES TO THE DEFINITION OF POSTSECONDARY EDUCATION CONSISTENT WITH THIS SECTION AS IT EXISTED ON JULY 1, 1994. AN ORDER FOR CHILD SUPPORT ENTERED PRIOR TO JULY 1, 1997, THAT DOES NOT PROVIDE FOR POSTSECONDARY EDUCATION EXPENSES SHALL NOT BE MODIFIED PURSUANT TO THIS SUBSECTION (1.5).

(d) Postsecondary education support may be established or modified in the same manner as child support under this article.

(e) For the purposes of this section, "postsecondary education support" means support for the following expenses associated with attending a college, university, or vocational education program: Tuition, books, and fees.

(1.6) FOR CHILD SUPPORT ORDERS ENTERED ON OR AFTER JULY 1, 1997, UNLESS A COURT FINDS THAT A CHILD IS OTHERWISE EMANCIPATED, EMANCIPATION OCCURS AND CHILD SUPPORT TERMINATES WHEN THE CHILD ATTAINS NINETEEN YEARS OF AGE UNLESS ONE OR MORE OF THE FOLLOWING CONDITIONS EXIST:

(a) THE PARTIES AGREE OTHERWISE IN A WRITTEN STIPULATION AFTER JULY 1, 1997.

(b) IF THE CHILD IS MENTALLY OR PHYSICALLY DISABLED, THE COURT OR THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT MAY ORDER CHILD SUPPORT, INCLUDING PAYMENTS FOR MEDICAL EXPENSES OR INSURANCE OR BOTH, TO CONTINUE BEYOND THE AGE OF NINETEEN.

(c) IF THE CHILD IS STILL IN HIGH SCHOOL OR AN EQUIVALENT PROGRAM, SUPPORT CONTINUES UNTIL THE END OF THE MONTH FOLLOWING GRADUATION. A CHILD WHO CEASES TO ATTEND HIGH SCHOOL PRIOR TO GRADUATION AND LATER REENROLLS IS ENTITLED TO SUPPORT UPON REENROLLMENT AND UNTIL THE END OF THE MONTH FOLLOWING GRADUATION, BUT NOT BEYOND AGE TWENTY-ONE.

(1.7) NOTHING IN SUBSECTION (1.5) OR (1.6) OF THIS SECTION SHALL PRECLUDE THE PARTIES FROM AGREEING IN A WRITTEN STIPULATION OR AGREEMENT ON OR AFTER JULY 1, 1997, TO CONTINUE CHILD SUPPORT BEYOND THE AGE OF NINETEEN OR TO PROVIDE FOR POSTSECONDARY EDUCATION EXPENSES FOR A CHILD AND TO SET FORTH THE DETAILS OF THE PAYMENT OF SUCH EXPENSES. IF SUCH STIPULATION OR AGREEMENT IS APPROVED BY THE COURT AND MADE PART OF A DECREE OF DISSOLUTION OF MARRIAGE OR LEGAL SEPARATION, THE TERMS OF SUCH AGREEMENT SHALL BE ENFORCED AS PROVIDED IN SECTION 14-10-112.

**SECTION 50. Appropriation - adjustments to the 1997 long bill.** (1) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 1997, shall be adjusted as follows:

(a) The appropriation made to the department of human services, self-sufficiency, child support enforcement, automated child support enforcement system, is increased by fifty thousand dollars (\$50,000). Of said sum, seventeen thousand dollars (\$17,000) shall be from the general fund, and thirty-three thousand dollars (\$33,000) shall be from federal funds. Said amount appropriated from the general fund is exempt from the statutory limit on state general fund appropriations pursuant to section 24-75-201.1 (1) (a) (III) (A), Colorado Revised Statutes. Said amount appropriated from the general fund shall also be subject to the "(M)" notation as defined in the general appropriation act.

(b) The appropriation made to the department of human services, self-sufficiency, child support enforcement, is increased by two hundred four thousand seven hundred twelve dollars (\$204,712) and 5.0 FTE. Of said sum, sixty-nine thousand six hundred two dollars (\$69,602) shall be from the general fund, and one hundred thirty-five thousand one hundred ten dollars (\$135,110) shall be from federal funds. Said amount appropriated from the general fund is exempt from the statutory limit on state general fund appropriations pursuant to section 24-75-201.1 (1) (a) (III) (A), Colorado Revised Statutes. Said amount appropriated from the general fund shall also be subject to the "(M)" notation as defined in the general appropriation act.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of human services, self-sufficiency, child support enforcement, for the fiscal year beginning July 1, 1997, the sum of one million thirty-two thousand nine hundred forty-nine dollars (\$1,032,949) and 3.0 FTE, or so much thereof as may be necessary, for the implementation of the state directory of new hires pursuant to section 26-13-125, Colorado Revised Statutes. Of said sum, three hundred fifty-one thousand two hundred two dollars (\$351,202) shall be from the general fund, and six hundred eighty-one thousand seven hundred forty-seven dollars (\$681,747) shall be from federal funds. Said amount appropriated from the general fund is exempt from the statutory limit on state general fund appropriations pursuant to section 24-75-201.1 (1) (a) (III) (A), Colorado Revised Statutes. Said amount appropriated from the general fund shall also be subject to the "(M)" notation as defined in the general appropriation act.

(3) In addition to any other appropriation, there is hereby appropriated, to the department of human services, self-sufficiency, child support enforcement, for the fiscal year beginning July 1, 1997, the sum of four hundred fifteen thousand eighteen dollars (\$415,018) and 3.0 FTE, or so much thereof as may be necessary, for the implementation of sections 26-13-107 and 26-13-128, Colorado Revised Statutes. Of said sum, one hundred forty-one thousand one hundred six dollars (\$141,106) shall be from the general fund, and two hundred seventy-three thousand nine hundred twelve dollars (\$273,912) shall be from federal funds. Said amount appropriated from the general fund shall be subject to the "(M)" notation as defined in the general appropriation act. Of said amount appropriated from the general fund, fifty-seven thousand one hundred twenty-four dollars (\$57,124) is exempt from the statutory limit on state general fund appropriations pursuant to section 24-75-201.1 (1) (a) (III) (A), Colorado Revised Statutes.

(4) In addition to any other appropriation, there is hereby appropriated, to the judicial department, for the fiscal year beginning July 1, 1997, out of any general fund moneys not otherwise appropriated, the sum of fifty-nine thousand two hundred dollars (\$59,200), or so much thereof as may be necessary, for the implementation of the state case registry pursuant to section 26-13-127, Colorado Revised Statutes. Said amount is exempt from the statutory limit on state general fund appropriations pursuant to section 24-75-201.1 (1) (a) (III) (A), Colorado Revised Statutes.

(5) In addition to any other appropriation, there is hereby appropriated, to the department of regulatory agencies, for the fiscal year beginning July 1, 1997, the sum of four hundred ninety thousand one hundred fifty dollars (\$490,150) and 3.0 FTE, or so much thereof as may be necessary, for the implementation of section 24-34-107, Colorado Revised Statutes. Said sum shall be from various cash fund sources within the department.

(6) In addition to any other appropriation, there is hereby appropriated, to the department of law, for the fiscal year beginning July 1, 1997, the sum of twenty-eight thousand four hundred seventy dollars (\$28,470) and 0.3 FTE, or so much thereof as may be necessary, for the provision of legal services to the department of regulatory agencies related to the implementation of this act. Said sum shall be from cash funds exempt received from the department of regulatory agencies out of the appropriation made in subsection (5) of this section.

**SECTION 51. Effective date - applicability.** (1) This act shall take effect July 1, 1997, only if S.B. 97-120 becomes law.

(2) Sections 1 through 48 of this act shall apply to all orders whether entered on, before, or after July 1, 1997.

**SECTION 52. 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: June 3, 1997