

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 26-0379.01 Lindy Schaible x4215

HOUSE BILL 26-1217

HOUSE SPONSORSHIP

Espenoza and Bradley, Carter, Luck

SENATE SPONSORSHIP

Rich and Ball, Exum

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CORRECTING CROSS REFERENCES IN THE CHILD SUPPORT**
102 **GUIDELINES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill corrects cross references in the child support guidelines.

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

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

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

4 **14-10-115. Child support guidelines - purpose - determination**
5 **of income - schedule of basic child support obligations - adjustments**
6 **to basic child support - additional guidelines - child support**
7 **commission - definitions.**

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

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

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

20 (VI) In addition to the adjustments described in this subsection
21 (7)(a), the obligor's child support amount must be further adjusted for
22 work-related and education-related child care costs, health insurance,
23 extraordinary medical expenses, and other extraordinary adjustments as
24 described in subsections (9), (10), (11)(a), (11)(b), and ~~(11)(c)(II)~~
25 **(11)(c)(III)** of this section.

26 **(8) Computation of basic child support - shared overnight**
27 **parenting time - split physical care - stipulations - deviations - basis**

1 **for periodic updates.**

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

19 (b) Shared overnight parenting time presumes that certain basic
20 expenses for the children will be paid directly by the overnight parent;
21 therefore, expenses may be duplicated and an adjustment for shared
22 parenting time is necessary. The shared parenting time adjustment is
23 calculated by identifying the parenting time credit percentage listed in the
24 parenting time table in subsection (8)(h) of this section based upon the
25 number of overnights for each parent. The parenting time credit is the
26 total basic child support obligation multiplied by that parent's parenting
27 time credit percentage. The shared parenting adjustment is deducted from

1 each parent's share of the basic child support obligation, which is in
2 addition to each parent's proportionate share of education and
3 work-related net child care costs, extraordinary medical expenses, and
4 extraordinary adjustments to the schedule of basic child support
5 obligations, as described in subsections (9), (10), (11)(a), (11)(b), and
6 ~~(11)(c)(H)~~ **(11)(c)(III)** of this section. The parent owing the greater
7 amount of child support owes the difference between the two amounts as
8 a child support order minus any ordered direct payments made on behalf
9 of the children for education and work-related net child care costs,
10 extraordinary medical expenses, or extraordinary adjustments to the
11 schedule of basic child support obligations, as described in subsections
12 (9), (10), (11)(a), (11)(b), and ~~(11)(c)(H)~~ **(11)(c)(III)** of this section. The
13 amount of child support ordered to be paid must not exceed the amount
14 owed by that same parent if the parent had no overnights. For purposes
15 of calculating overnights when two or more children are included in the
16 child support worksheet calculation and the parties have a different
17 number of overnights with each of the two or more children, the number
18 of overnights is determined by adding the number of overnights for each
19 child and dividing the resulting number by the number of children
20 included in the child support worksheet calculation.

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