

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 16-0754.03 Debbie Haskins x2045

HOUSE BILL 16-1227

HOUSE SPONSORSHIP

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House Committees

Public Health Care & Human Services
Appropriations

Senate Committees

Health & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING EXEMPTIONS FROM CHILD SUPPORT ENFORCEMENT**
102 **REQUIREMENTS AS A CONDITION OF RECEIPT OF CHILD CARE**
103 **ASSISTANCE UNDER THE COLORADO CHILD CARE ASSISTANCE**
104 **PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN**
105 **APPROPRIATION.**

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://www.leg.state.co.us/billsummaries>.)

Under current law, a county may impose as a condition of receiving low-income child care assistance under the Colorado child care

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

SENATE
3rd Reading Unamended
April 29, 2016

SENATE
2nd Reading Unamended
April 28, 2016

HOUSE
3rd Reading Unamended
April 14, 2016

HOUSE
Amended 2nd Reading
April 12, 2016

assistance program (CCCAP) that an applicant who is not a Colorado works participant apply for and cooperate with child support establishment and enforcement, unless the applicant shows good cause to the county for an exemption from this requirement. Pursuant to this law, the state board of human services (state board) has adopted rules that give counties the option to require child support cooperation as a condition of receiving child care assistance for teen parents.

The bill exempts an applicant who is a teen parent, as defined by rule of the state board, from child support cooperation requirements as a condition of receiving child care assistance. Once a person who receives child care assistance no longer meets the definition of a teen parent, the county may require that person to cooperate with child support establishment and enforcement as a condition of continued receipt of child care assistance.

The bill exempts an applicant who is a victim of domestic violence, a sexual offense, harassment, or stalking from child support cooperation requirements or from establishing good cause for not cooperating as a condition of receiving child care assistance. The bill sets forth the requirements that a victim of domestic violence, a sexual offense, harassment, or stalking must establish to qualify for this exception.

A county may provide information about the importance of establishing child support to a teen parent or a victim of domestic violence, a sexual offense, harassment, or stalking who chooses not to engage in child support establishment and enforcement.

The state board is required to revise its rules on CCCAP to implement the exceptions from child support cooperation for teen parents and victims of domestic violence, sexual offense, harassment, or stalking.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-2-805, **amend** (5)
3 as follows:

4 **26-2-805. Services - eligibility - assistance provided - waiting**
5 **lists - rules - exceptions from cooperating with child support**
6 **establishment.** (5) (a) On and after July 1, 2014, AND EXCEPT AS
7 OTHERWISE PROVIDED IN PARAGRAPH (a.5) OR (a.7) OF THIS SUBSECTION
8 (5), a county may require a person who receives child care assistance
9 pursuant to this section and who is not otherwise a participant to apply,

1 pursuant to section 26-13-106 (2), for child support establishment,
2 modification, and enforcement services related to any support owed by
3 obligors to their children and to cooperate with the delegate child support
4 enforcement unit to receive these services; except that a person ~~shall~~ IS
5 not ~~be~~ required to submit a written application for child support
6 establishment, modification, and enforcement services if the person
7 shows good cause to the county implementing the Colorado child care
8 assistance program for not receiving these services.

9 (a.5) A COUNTY SHALL NOT REQUIRE AN APPLICANT WHO IS A TEEN
10 PARENT, AS DEFINED BY RULE OF THE STATE BOARD, AND WHO IS NOT
11 OTHERWISE A PARTICIPANT TO SUBMIT A WRITTEN APPLICATION FOR CHILD
12 SUPPORT ESTABLISHMENT, MODIFICATION, AND ENFORCEMENT SERVICES
13 AS A CONDITION OF RECEIVING CHILD CARE ASSISTANCE UNDER THIS
14 SECTION UNTIL THE TEEN PARENT HAS GRADUATED FROM HIGH SCHOOL OR
15 SUCCESSFULLY COMPLETED A HIGH SCHOOL EQUIVALENCY EXAMINATION.
16 AFTER THE TEEN PARENT HAS BEEN DETERMINED ELIGIBLE FOR CHILD
17 CARE ASSISTANCE AND HIS OR HER CHOSEN CHILD CARE PROVIDER IS
18 RECEIVING SUBSIDY PAYMENTS, A COUNTY MAY REQUIRE THE TEEN
19 PARENT TO REGULARLY ATTEND, AT NO COST AND AT A LOCATION AND
20 TIME MOST CONVENIENT TO THE TEEN PARENT, INFORMATION SESSIONS
21 WITH THE COUNTY CHILD SUPPORT STAFF FOCUSED ON UNDERSTANDING
22 THE BENEFITS OF CHILD SUPPORT TO THE CHILD, THE FAMILY AS A WHOLE,
23 AND THE BENEFITS OF TWO-PARENT ENGAGEMENT IN A CHILD'S LIFE. ONCE
24 A PERSON WHO RECEIVES CHILD CARE ASSISTANCE PURSUANT TO THIS
25 SECTION NO LONGER MEETS THE DEFINITION OF A TEEN PARENT OR HAS
26 EITHER GRADUATED FROM HIGH SCHOOL OR SUCCESSFULLY COMPLETED
27 A HIGH SCHOOL EQUIVALENCY EXAMINATION, THE COUNTY MAY REQUIRE

1 THAT PERSON TO COOPERATE WITH CHILD SUPPORT ESTABLISHMENT AND
2 ENFORCEMENT AS A CONDITION OF CONTINUED RECEIPT OF CHILD CARE
3 ASSISTANCE. NOTHING IN THIS SECTION PREVENTS A TEEN PARENT FROM
4 ESTABLISHING CHILD SUPPORT.

5 (a.7) (I) A COUNTY SHALL NOT REQUIRE AN APPLICANT TO SUBMIT
6 A WRITTEN APPLICATION FOR CHILD SUPPORT ESTABLISHMENT,
7 MODIFICATION, AND ENFORCEMENT SERVICES AS A CONDITION OF
8 RECEIVING CHILD CARE ASSISTANCE OR TO ESTABLISH GOOD CAUSE FOR
9 NOT COOPERATING WITH CHILD SUPPORT ESTABLISHMENT AS A CONDITION
10 OF RECEIVING CHILD CARE ASSISTANCE IF THE APPLICANT:

11 (A) SUBMITS A STATEMENT THAT HE OR SHE IS A VICTIM OF
12 DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1), C.R.S., AND
13 IN PART 8 OF ARTICLE 6 OF TITLE 18, C.R.S.; OR A VICTIM OF A SEXUAL
14 OFFENSE, AS DESCRIBED IN PART 4 OF ARTICLE 3 OF TITLE 18, C.R.S.,
15 SECTION 18-6-301, C.R.S., OR SECTION 18-6-302, C.R.S.; OR A VICTIM OF
16 HARASSMENT, AS DESCRIBED IN SECTION 18-9-111, C.R.S.; OR A VICTIM
17 OF STALKING, AS DESCRIBED IN SECTION 18-3-602, C.R.S.;

18 (B) INDICATES IN THAT STATEMENT THAT HE OR SHE FEARS FOR HIS
19 OR HER SAFETY OR THE SAFETY OF HIS OR HER CHILDREN IF THE APPLICANT
20 WERE TO PURSUE CHILD SUPPORT ENFORCEMENT PURSUANT TO SECTION
21 26-13-106 (2); AND

22 (C) SUBMITS EVIDENCE THAT HE OR SHE IS A VICTIM OF DOMESTIC
23 VIOLENCE, A SEXUAL OFFENSE, HARASSMENT, OR STALKING AS DESCRIBED
24 IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I).

25 (II) FOR PURPOSES OF SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH
26 (I) OF THIS PARAGRAPH (a.7), SUFFICIENT EVIDENCE INCLUDES, BUT IS NOT
27 LIMITED TO, EVIDENCE IDENTIFIED FOR PARTICIPATION IN THE ADDRESS

1 CONFIDENTIALITY PROGRAM INCLUDED IN SECTION 24-30-2105 (3) (c) (I)
2 TO (3) (c) (IV), C.R.S., OR FROM A "VICTIM'S ADVOCATE", AS DEFINED IN
3 SECTION 13-90-107 (1) (k) (II), C.R.S, FROM WHOM THE APPLICANT HAS
4 SOUGHT ASSISTANCE.

5 (III) A COUNTY MAY PROVIDE INFORMATION ABOUT THE
6 IMPORTANCE OF ESTABLISHING CHILD SUPPORT TO A VICTIM OF DOMESTIC
7 VIOLENCE, A SEXUAL OFFENSE, HARASSMENT, OR STALKING WHO CHOOSES
8 NOT TO ENGAGE IN CHILD SUPPORT ESTABLISHMENT OR TO PURSUE A GOOD
9 CAUSE WAIVER FROM COOPERATION.

10 (b) The state board shall promulgate rules for the implementation
11 of this subsection (5), including but not limited to rules establishing good
12 cause for not receiving these services, and rules for the imposition of
13 sanctions upon a person who fails, without good cause as determined by
14 the county implementing the Colorado child care assistance program, to
15 apply for child support enforcement services or to cooperate with the
16 delegate child support enforcement unit as required by this subsection (5).
17 THE STATE BOARD SHALL REVISE ITS RULES REGARDING THE OPTION OF
18 COUNTIES TO MAKE COOPERATION WITH CHILD SUPPORT ESTABLISHMENT
19 AND ENFORCEMENT A CONDITION OF RECEIVING CHILD CARE ASSISTANCE
20 FOR TEEN PARENTS AND FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL
21 OFFENSE, HARASSMENT, OR STALKING.

22 (c) (I) ON JULY 1, 2017, AND EVERY JULY 1 THEREAFTER THROUGH
23 JULY 1, 2025, EACH COUNTY DEPARTMENT SHALL REPORT TO THE STATE
24 DEPARTMENT INFORMATION RELATED TO TEEN PARENTS IN THE
25 COLORADO CHILD CARE ASSISTANCE PROGRAM. THE STATE BOARD SHALL
26 ESTABLISH, BY RULE, CRITERIA TO BE REPORTED ANNUALLY BY EACH
27 COUNTY, INCLUDING BUT NOT LIMITED TO:

1 (A) THE TOTAL NUMBER OF CASES IN EACH COUNTY THAT ARE
2 RECEIVING SERVICES FROM A COUNTY CHILD SUPPORT SERVICES OFFICE
3 THAT INVOLVE CUSTODIAL PARTIES WHO ARE NINETEEN YEARS OF AGE OR
4 YOUNGER AND THE NUMBER OF CHILDREN BEING SERVED;

5 (B) THE TOTAL NUMBER OF TEEN PARENTS IN EACH COUNTY THAT
6 ARE RECEIVING COLORADO CHILD CARE ASSISTANCE;

7 (C) FOR EACH TEEN PARENT RECEIVING CHILD CARE ASSISTANCE
8 IN THE COUNTY, LONGITUDINAL DATA INDICATING WHETHER PATERNITY
9 HAS BEEN ESTABLISHED AND WHETHER CHILD SUPPORT HAS BEEN
10 ESTABLISHED FOR THE CHILD AND REPORTED FOR THE CHILD FROM BIRTH
11 TO AGE FOUR;

12 (D) FOR EACH TEEN PARENT RECEIVING CHILD CARE ASSISTANCE
13 IN THE COUNTY, LONGITUDINAL DATA INDICATING WHETHER THE TEEN
14 PARENT ACHIEVED ECONOMIC SELF-SUFFICIENCY AND AVOIDED BECOMING
15 A COLORADO WORKS PARTICIPANT WHILE IN SCHOOL AND REPORTED FOR
16 THE CHILD FROM THE CHILD'S BIRTH TO AGE FOUR;

17 (E) FOR EACH TEEN PARENT RECEIVING CHILD CARE ASSISTANCE
18 IN THE COUNTY, LONGITUDINAL DATA INDICATING THE TOTAL AMOUNT
19 AND THE PERCENTAGE OF CHILD SUPPORT COLLECTED FOR THE BENEFIT OF
20 THE CHILD AND REPORTED FOR THE CHILD FROM BIRTH TO AGE FOUR.

21 (II) THE REPORTS FILED WITH THE STATE DEPARTMENT AS A
22 RESULT OF THIS PARAGRAPH (c) ARE PUBLIC RECORDS AVAILABLE FOR
23 PUBLIC INSPECTION.

24 (d) UPON NOTIFICATION THAT THE RELEVANT HUMAN SERVICES
25 CASE MANAGEMENT SYSTEMS ARE CAPABLE OF ACCOMMODATING THE
26 PROVISIONS IN PARAGRAPHS (a.5) AND (a.7) OF THIS SUBSECTION (5), THE
27 STATE DEPARTMENT IS REQUIRED TO START TRACKING COUNTIES'

1 COMPLIANCE WITH PARAGRAPHS (a.5) AND (a.7) OF THIS SUBSECTION (5).
2 THE STATE DEPARTMENT SHALL NOTIFY COUNTIES WHEN THE HUMAN
3 SERVICES CASE MANAGEMENT SYSTEMS ARE FUNCTIONAL AND WHEN THE
4 TRACKING OF COMPLIANCE WILL BEGIN.

5 **SECTION 2. Appropriation.** (1) For the 2016-17 state fiscal
6 year, \$268,562 is appropriated to the department of human services. This
7 appropriation is from federal child care development funds. To implement
8 this act, the department may use this appropriation for the purchase of
9 information technology services.

10 (2) For the 2016-17 state fiscal year, \$268,562 is appropriated to
11 the office of the governor for use by the office of information technology.
12 This appropriation is from reappropriated funds received from the
13 department of human services under subsection (1) of this section. To
14 implement this act, the office may use this appropriation to provide
15 information technology services for the department of human services.

16 **SECTION 3. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.