

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0666.01 Debbie Haskins x2045

HOUSE BILL 15-1198

HOUSE SPONSORSHIP

Foote,

SENATE SPONSORSHIP

Steadman,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ENACTMENT OF THE 2008 AMENDMENTS TO THE**
102 **"UNIFORM INTERSTATE FAMILY SUPPORT ACT".**

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>.)

Colorado Commission on Uniform State Laws. The bill updates the "Uniform Interstate Family Support Act" (UIFSA) with the 2008 amendments to UIFSA, adopted by the national conference of commissioners on uniform state laws. UIFSA provides uniform rules for the enforcement of family support orders.

In November 2007, the United States signed The Hague

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.

Convention on the International Recovery of Child Support and Other Forms of Family Maintenance ("Convention"). The Convention contains numerous provisions that establish uniform procedures for the processing of international child support cases. In 2008, the national conference of commissioners on uniform state laws amended UIFSA to incorporate changes required by the Convention. The amendments implement the requirements of the Convention throughout the states and improve the enforcement of American child support orders in foreign countries.

Most of the 2008 amendments are in part 7 of UIFSA. Part 7 provides guidelines and procedures for the registration, recognition, enforcement, and modification of foreign support orders from countries that are parties to the Convention. Part 7 provides that a support order from a country that has agreed to the Convention must be registered immediately unless a tribunal in the state where the registration is sought determines that the language of the order goes against the policy of the state. Once registered, the nonregistering party receives notice and is allowed the opportunity to challenge the order on certain grounds. Part 7 also requires that documents submitted under the Convention must be in the original language and, if not in English, must be accompanied by an English translation.

In September 2014, Congress passed the federal "Preventing Sex Trafficking and Strengthening Families Act", which implemented the Convention. The new federal law enacts various amendments to federal law to ensure access to child support services in international child support cases. The new federal law requires that all states enact UIFSA 2008 as a condition for continued receipt of federal funds supporting state child support programs. In order to retain Part IV-D funding under the "Social Security Act", states will need to enact the updated 2008 UIFSA by the end of their 2015 legislative sessions.

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

2 **SECTION 1.** In Colorado Revised Statutes, 14-5-102, **amend** (2),
3 (4), (8), (9), (10), (12), (13), (14), (16), (17), (18), (19), (21), (22), (23),
4 and (24); **repeal** (7); and **add** (2.5), (3.3), (3.4), (3.5), (8.5), and (13.5) as
5 follows:

6 **14-5-102. Definitions.** In this article:

7 (2) "Child support order" means a support order for a child,
8 including a child who has attained the age of majority under the law of

1 the issuing state OR FOREIGN COUNTRY.

2 (2.5) "CONVENTION" MEANS THE CONVENTION ON THE
3 INTERNATIONAL RECOVERY OF CHILD SUPPORT AND OTHER FORMS OF
4 FAMILY MAINTENANCE, CONCLUDED AT THE HAGUE ON NOVEMBER 23,
5 2007.

6 (3.3) "FOREIGN COUNTRY" MEANS A COUNTRY, INCLUDING A
7 POLITICAL SUBDIVISION THEREOF, OTHER THAN THE UNITED STATES, THAT
8 AUTHORIZES THE ISSUANCE OF SUPPORT ORDERS AND:

9 (A) WHICH HAS BEEN DECLARED UNDER THE LAW OF THE UNITED
10 STATES TO BE A FOREIGN RECIPROCATING COUNTRY;

11 (B) WHICH HAS ESTABLISHED A RECIPROCAL ARRANGEMENT FOR
12 CHILD SUPPORT WITH THIS STATE AS PROVIDED IN SECTION 14-5-308;

13 (C) WHICH HAS ENACTED A LAW OR ESTABLISHED PROCEDURES
14 FOR THE ISSUANCE AND ENFORCEMENT OF SUPPORT ORDERS WHICH ARE
15 SUBSTANTIALLY SIMILAR TO THE PROCEDURES UNDER THIS ARTICLE; OR

16 (D) IN WHICH THE CONVENTION IS IN FORCE WITH RESPECT TO THE
17 UNITED STATES.

18 (3.4) "FOREIGN SUPPORT ORDER" MEANS A SUPPORT ORDER OF A
19 FOREIGN TRIBUNAL.

20 (3.5) "FOREIGN TRIBUNAL" MEANS A COURT, ADMINISTRATIVE
21 AGENCY, OR QUASI-JUDICIAL ENTITY OF A FOREIGN COUNTRY WHICH IS
22 AUTHORIZED TO ESTABLISH, ENFORCE, OR MODIFY SUPPORT ORDERS OR TO
23 DETERMINE PARENTAGE OF A CHILD. THE TERM INCLUDES A COMPETENT
24 AUTHORITY UNDER THE CONVENTION.

25 (4) "Home state" means the state OR FOREIGN COUNTRY in which
26 a child lived with a parent or a person acting as parent for at least six
27 consecutive months immediately preceding the time of filing of a petition

1 or comparable pleading for support and, if a child is less than six months
2 old, the state OR FOREIGN COUNTRY in which the child lived from birth
3 with any of them. A period of temporary absence of any of them is
4 counted as part of the six-month or other period.

5 (7) ~~"Initiating state" means a state from which a proceeding is~~
6 ~~forwarded or in which a proceeding is filed for forwarding to a~~
7 ~~responding state under this article or a law or procedure substantially~~
8 ~~similar to this article.~~

9 (8) "Initiating tribunal" means the ~~authorized~~ tribunal ~~in an~~
10 ~~initiating~~ OF A state OR FOREIGN COUNTRY FROM WHICH A PETITION OR
11 COMPARABLE PLEADING IS FORWARDED OR IN WHICH A PETITION OR
12 COMPARABLE PLEADING IS FILED FOR FORWARDING TO ANOTHER STATE OR
13 FOREIGN COUNTRY.

14 (8.5) "ISSUING FOREIGN COUNTRY" MEANS THE FOREIGN COUNTRY
15 IN WHICH A TRIBUNAL ISSUES A SUPPORT ORDER OR A JUDGMENT
16 DETERMINING PARENTAGE OF A CHILD.

17 (9) "Issuing state" means the state in which a tribunal issues a
18 support order or ~~renders~~ a judgment determining parentage OF A CHILD.

19 (10) "Issuing tribunal" means the tribunal OF A STATE OR FOREIGN
20 COUNTRY that issues a support order or ~~renders~~ a judgment determining
21 parentage OF A CHILD.

22 (12) "Obligee" means:

23 (A) An individual to whom a duty of support is or is alleged to be
24 owed or in whose favor a support order ~~has been issued~~ or a judgment
25 determining parentage OF A CHILD has been ~~rendered~~ ISSUED;

26 (B) A FOREIGN COUNTRY, state, or political subdivision OF A
27 STATE to which the rights under a duty of support or support order have

1 been assigned or which has independent claims based on financial
2 assistance provided to an individual obligee ~~or~~ IN PLACE OF CHILD
3 SUPPORT;

4 (C) An individual seeking a judgment determining parentage of
5 the individual's child; OR

6 (D) A PERSON THAT IS A CREDITOR IN A PROCEEDING UNDER PART
7 7 OF THIS ARTICLE.

8 (13) "Obligor" means an individual, or the estate of a decedent
9 THAT:

10 (A) ~~Who~~ Owes or is alleged to owe a duty of support;

11 (B) ~~Who~~ Is alleged but has not been adjudicated to be a parent of
12 a child; ~~or~~

13 (C) ~~Who~~ Is liable under a support order; OR

14 (D) IS A DEBTOR IN A PROCEEDING UNDER PART 7 OF THIS ARTICLE.

15 (13.5) "OUTSIDE THIS STATE" MEANS A LOCATION IN ANOTHER
16 STATE OR A COUNTRY OTHER THAN THE UNITED STATES, WHETHER OR
17 NOT THE COUNTRY IS A FOREIGN COUNTRY.

18 (14) "Person" means an individual, corporation, business trust,
19 estate, trust, partnership, limited liability company, association, joint
20 venture, PUBLIC CORPORATION, government, OR governmental
21 subdivision, agency, or instrumentality, ~~public corporation~~, or any other
22 legal or commercial entity.

23 (16) "Register" means to file IN A TRIBUNAL OF THIS STATE a
24 support order or judgment determining parentage ~~in the appropriate~~
25 ~~location for the filing of foreign support orders~~ OF A CHILD ISSUED IN
26 ANOTHER STATE OR A FOREIGN COUNTRY.

27 (17) "Registering tribunal" means a tribunal in which a support

1 order OR JUDGMENT DETERMINING PARENTAGE OF A CHILD is registered.

2 (18) "Responding state" means a state in which a ~~proceeding~~
3 PETITION OR COMPARABLE PLEADING FOR SUPPORT OR TO DETERMINE
4 PARENTAGE OF A CHILD is filed or to which a ~~proceeding~~ PETITION OR
5 COMPARABLE PLEADING is forwarded for filing from ~~an initiating~~
6 ANOTHER state ~~under this article or a law or procedure substantially~~
7 ~~similar to this article~~ OR A FOREIGN COUNTRY.

8 (19) "Responding tribunal" means the authorized tribunal in a
9 responding state OR FOREIGN COUNTRY.

10 (21) "State" means a state of the United States, the District of
11 Columbia, Puerto Rico, the United States Virgin Islands, or any territory
12 or insular possession ~~subject to~~ UNDER the jurisdiction of the United
13 States. The term ~~includes:~~ INCLUDES

14 ~~(A) An AN Indian NATION OR tribe. and~~

15 ~~(B) A foreign country or political subdivision that:~~

16 ~~(i) Has been declared to be a foreign reciprocating country or~~
17 ~~political subdivision under federal law;~~

18 ~~(ii) Has established a reciprocal arrangement for child support~~
19 ~~with this state as provided in section 14-5-308; or~~

20 ~~(iii) Has enacted a law or established procedures for issuance and~~
21 ~~enforcement of support orders which are substantially similar to the~~
22 ~~procedures under this article.~~

23 (22) "Support enforcement agency" means a public official,
24 GOVERNMENTAL ENTITY, or PRIVATE agency authorized to: ~~seek:~~

25 (A) SEEK enforcement of support orders or laws relating to the
26 duty of support;

27 (B) SEEK establishment or modification of child support;

- 1 (C) REQUEST determination of parentage OF A CHILD;
- 2 (D) ~~Location of~~ ATTEMPT TO LOCATE obligors or their assets; or
- 3 (E) REQUEST determination of the controlling child support order.

4 (23) "Support order" means a judgment, decree, order, DECISION,
5 or directive, whether temporary, final, or subject to modification, issued
6 ~~by a tribunal~~, IN A STATE OR FOREIGN COUNTRY for the benefit of a child,
7 a spouse, or a former spouse, which provides for monetary support, health
8 care, arrearages, RETROACTIVE SUPPORT, or reimbursement ~~and~~ FOR
9 FINANCIAL ASSISTANCE PROVIDED TO AN INDIVIDUAL OBLIGEE IN PLACE
10 OF CHILD SUPPORT. THE TERM may include related costs and fees, interest,
11 income withholding, AUTOMATIC ADJUSTMENT, REASONABLE attorney's
12 fees, and other relief.

13 (24) "Tribunal" means a court, administrative agency, or
14 quasi-judicial entity authorized to establish, enforce, or modify support
15 orders or to determine parentage OF A CHILD.

16 **SECTION 2.** In Colorado Revised Statutes, **amend** 14-5-103 as
17 follows:

18 **14-5-103. State tribunals and support enforcement agency.**

19 (a) The court and the administrative agency are the tribunals of this state.

20 (b) THE COUNTY AND STATE CHILD SUPPORT SERVICES AGENCIES
21 ARE THE SUPPORT ENFORCEMENT AGENCIES OF THIS STATE.

22 **SECTION 3.** In Colorado Revised Statutes, 14-5-104, **amend** (a)
23 as follows:

24 **14-5-104. Remedies cumulative.** (a) Remedies provided by this
25 article are cumulative and do not affect the availability of remedies under
26 other law ~~including~~ OR the recognition of a FOREIGN support order ~~of a~~
27 ~~foreign country or political subdivision~~ on the basis of comity.

1 **SECTION 4.** In Colorado Revised Statutes, **add** 14-5-105 as
2 follows:

3 **14-5-105. Application of article to resident of foreign country**
4 **and foreign support proceeding.** (a) A TRIBUNAL OF THIS STATE SHALL
5 APPLY PARTS 1 THROUGH 6 OF THIS ARTICLE AND, AS APPLICABLE, PART
6 7 OF THIS ARTICLE, TO A SUPPORT PROCEEDING INVOLVING:

- 7 (1) A FOREIGN SUPPORT ORDER;
8 (2) A FOREIGN TRIBUNAL; OR
9 (3) AN OBLIGEE, OBLIGOR, OR CHILD RESIDING IN A FOREIGN
10 COUNTRY.

11 (b) A TRIBUNAL OF THIS STATE THAT IS REQUESTED TO RECOGNIZE
12 AND ENFORCE A SUPPORT ORDER ON THE BASIS OF COMITY MAY APPLY THE
13 PROCEDURAL AND SUBSTANTIVE PROVISIONS OF PARTS 1 THROUGH 6.

14 (c) PART 7 OF THIS ARTICLE APPLIES ONLY TO A SUPPORT
15 PROCEEDING UNDER THE CONVENTION. IN SUCH A PROCEEDING, IF A
16 PROVISION OF PART 7 OF THIS ARTICLE IS INCONSISTENT WITH PARTS 1
17 THROUGH 6 OF THIS ARTICLE, PART 7 OF THIS ARTICLE CONTROLS.

18 **SECTION 5.** In Colorado Revised Statutes, **amend** 14-5-201 as
19 follows:

20 **14-5-201. Bases for jurisdiction over nonresident.** (a) In a
21 proceeding to establish or enforce a support order or to determine
22 parentage OF A CHILD, a tribunal of this state may exercise personal
23 jurisdiction over a nonresident individual or the individual's guardian or
24 conservator if:

- 25 (1) The individual is personally served with a summons within
26 this state;
27 (2) The individual submits to the jurisdiction of this state by

1 consent, by entering a general appearance, or by filing a responsive
2 document having the effect of waiving any contest to personal
3 jurisdiction;

4 (3) The individual resided with the child in this state;

5 (4) The individual resided in this state and provided prenatal
6 expenses or support for the child;

7 (5) The child resides in this state as a result of the acts or
8 directives of the individual;

9 (6) The individual engaged in sexual intercourse in this state and
10 the child may have been conceived by that act of intercourse; or

11 (7) There is any other basis consistent with the constitutions of
12 this state and the United States for the exercise of personal jurisdiction.

13 (b) The bases of personal jurisdiction set forth in subsection (a) of
14 this section or in any other law of this state may not be used to acquire
15 personal jurisdiction for a tribunal of ~~the~~ THIS state to modify a child
16 support order of another state unless the requirements of section 14-5-611
17 ~~or 14-5-615~~ are met, OR IN THE CASE OF A FOREIGN SUPPORT ORDER,
18 UNLESS THE REQUIREMENTS OF SECTION 14-5-615 ARE MET.

19 **SECTION 6.** In Colorado Revised Statutes, **amend** 14-5-203 as
20 follows:

21 **14-5-203. Initiating and responding tribunals of this state.**
22 Under this article, a tribunal of this state may serve as an initiating
23 tribunal to forward proceedings to A TRIBUNAL OF another state, and as a
24 responding tribunal for proceedings initiated in another state OR A
25 FOREIGN COUNTRY.

26 **SECTION 7.** In Colorado Revised Statutes, **amend** 14-5-204 as
27 follows:

1 **14-5-204. Simultaneous proceedings.** (a) A tribunal of this state
2 may exercise jurisdiction to establish a support order if the petition or
3 comparable pleading is filed after a ~~petition or comparable~~ pleading is
4 filed in another state OR A FOREIGN COUNTRY only if:

5 (1) The petition or comparable pleading in this state is filed before
6 the expiration of the time allowed in the other state OR THE FOREIGN
7 COUNTRY for filing a responsive pleading challenging the exercise of
8 jurisdiction by the other state OR THE FOREIGN COUNTRY;

9 (2) The contesting party timely challenges the exercise of
10 jurisdiction in the other state OR THE FOREIGN COUNTRY; and

11 (3) If relevant, this state is the home state of the child.

12 (b) A tribunal of this state may not exercise jurisdiction to
13 establish a support order if the petition or comparable pleading is filed
14 before a petition or comparable pleading is filed in another state OR A
15 FOREIGN COUNTRY if:

16 (1) The petition or comparable pleading in the other state OR
17 FOREIGN COUNTRY is filed before the expiration of the time allowed in
18 this state for filing a responsive pleading challenging the exercise of
19 jurisdiction by this state;

20 (2) The contesting party timely challenges the exercise of
21 jurisdiction in this state; and

22 (3) If relevant, the other state OR FOREIGN COUNTRY is the home
23 state of the child.

24 **SECTION 8.** In Colorado Revised Statutes, 14-5-206, **amend** (a)
25 (2) as follows:

26 **14-5-206. Continuing jurisdiction to enforce child support**
27 **order.** (a) A tribunal of this state that has issued a child support order

1 consistent with the law of this state may serve as an initiating tribunal to
2 request a tribunal of another state to enforce:

3 (2) A money judgment for arrears of support and interest on the
4 order accrued before a determination that an order of A TRIBUNAL OF
5 another state is the controlling order.

6 **SECTION 9.** In Colorado Revised Statutes, 14-5-207, **amend** (a),
7 (b), and (c) as follows:

8 **14-5-207. Determination of controlling child support order.**

9 (a) If a proceeding is brought under this article and only one tribunal has
10 issued a child support order, the order of that tribunal controls and must
11 be ~~so~~ recognized.

12 (b) If a proceeding is brought under this article, and two or more
13 child support orders have been issued by tribunals of this state, ~~or~~ another
14 state, OR A FOREIGN COUNTRY with regard to the same obligor and same
15 child, a tribunal of this state having personal jurisdiction over both the
16 obligor and individual obligee shall apply the following rules and by
17 order shall determine which order controls AND MUST BE RECOGNIZED:

18 (1) If only one of the tribunals would have continuing, exclusive
19 jurisdiction under this article, the order of that tribunal controls. ~~and must~~
20 ~~be so recognized.~~

21 (2) If more than one of the tribunals would have continuing,
22 exclusive jurisdiction under this article:

23 (A) An order issued by a tribunal in the current home state of the
24 child controls; ~~but~~ OR

25 (B) If an order has not been issued in the current home state of the
26 child, the order most recently issued controls.

27 (3) If none of the tribunals would have continuing, exclusive

1 jurisdiction under this article, the tribunal of this state shall issue a child
2 support order, which controls.

3 (c) If two or more child support orders have been issued for the
4 same obligor and same child, upon request of a party who is an individual
5 or THAT IS a support enforcement agency, a tribunal of this state having
6 personal jurisdiction over both the obligor and the obligee who is an
7 individual shall determine which order controls under subsection (b) of
8 this section. The request may be filed with a registration for enforcement
9 or registration for modification pursuant to part 6 of this article, or may
10 be filed as a separate proceeding.

11 **SECTION 10.** In Colorado Revised Statutes, **amend** 14-5-208 as
12 follows:

13 **14-5-208. Child support orders for two or more obligees.** In
14 responding to registrations or petitions for enforcement of two or more
15 child support orders in effect at the same time with regard to the same
16 obligor and different individual obligees, at least one of which was issued
17 by a tribunal of another state OR A FOREIGN COUNTRY, a tribunal of this
18 state shall enforce those orders in the same manner as if the orders had
19 been issued by a tribunal of this state.

20 **SECTION 11.** In Colorado Revised Statutes, **amend** 14-5-209 as
21 follows:

22 **14-5-209. Credit for payment.** A tribunal of this state shall
23 credit amounts collected for a particular period pursuant to any child
24 support order against the amounts owed for the same period under any
25 other child support order for support of the same child issued by a
26 tribunal of this ~~or~~ STATE, another state, OR A FOREIGN COUNTRY.

27 **SECTION 12.** In Colorado Revised Statutes, **amend** 14-5-210 as

1 follows:

2 **14-5-210. Application of article to nonresident subject to**
3 **personal jurisdiction.** A tribunal of this state exercising personal
4 jurisdiction over a nonresident in a proceeding under this article, under
5 other law of this state relating to a support order, or recognizing a
6 FOREIGN support order ~~of a foreign country or political subdivision on the~~
7 ~~basis of comity~~ may receive evidence from ~~another~~ OUTSIDE THIS state
8 pursuant to section 14-5-316, communicate with a tribunal ~~of another~~
9 OUTSIDE THIS state pursuant to section 14-5-317, and obtain discovery
10 through a tribunal ~~of another~~ OUTSIDE THIS state pursuant to section
11 14-5-318. In all other respects, parts 3 to ~~7~~ 6 of this article do not apply,
12 and the tribunal shall apply the procedural and substantive law of this
13 state.

14 **SECTION 13.** In Colorado Revised Statutes, 14-5-211, **amend**
15 (b) as follows:

16 **14-5-211. Continuing, exclusive jurisdiction to modify**
17 **spousal-support order.** (b) A tribunal of this state may not modify a
18 spousal-support order issued by a tribunal of another state OR A FOREIGN
19 COUNTRY having continuing, exclusive jurisdiction over that order under
20 the law of that state OR FOREIGN COUNTRY.

21 **SECTION 14.** In Colorado Revised Statutes, 14-5-301, **amend**
22 (b) as follows:

23 **14-5-301. Proceedings under article.** (b) An individual
24 petitioner or a support enforcement agency may initiate a proceeding
25 authorized under this article by filing a petition in an initiating tribunal for
26 forwarding to a responding tribunal or by filing a petition or a comparable
27 pleading directly in a tribunal of another state OR FOREIGN COUNTRY

1 which has or can obtain personal jurisdiction over the respondent.

2 **SECTION 15.** In Colorado Revised Statutes, 14-5-304, **amend**
3 (b) as follows:

4 **14-5-304. Duties of initiating tribunal.** (b) If requested by the
5 responding tribunal, a tribunal of this state shall issue a certificate or other
6 document and make findings required by the law of the responding state.
7 If the responding ~~state~~ TRIBUNAL is IN a foreign country, ~~or political~~
8 ~~subdivision~~, upon request the tribunal OF THIS STATE shall specify the
9 amount of support sought, convert that amount into the equivalent amount
10 in the foreign currency under applicable official or market exchange rate
11 as publicly reported, and provide any other documents necessary to
12 satisfy the requirements of the responding ~~state~~ FOREIGN TRIBUNAL.

13 **SECTION 16.** In Colorado Revised Statutes, 14-5-305, **amend**
14 (b) (1) and (b) (8) as follows:

15 **14-5-305. Duties and powers of responding tribunal.** (b) A
16 responding tribunal of this state, to the extent not prohibited by other law,
17 may do one or more of the following:

18 (1) ~~Issue~~ ESTABLISH or enforce a support order, modify a child
19 support order, determine the controlling child support order, or determine
20 parentage OF A CHILD;

21 (8) Order an obligor to keep the tribunal informed of the obligor's
22 current residential address, ELECTRONIC-MAIL ADDRESS, telephone
23 number, employer, address of employment, and telephone number at the
24 place of employment;

25 **SECTION 17.** In Colorado Revised Statutes, **amend** 14-5-306 as
26 follows:

27 **14-5-306. Inappropriate tribunal.** If a petition or comparable

1 pleading is received by an inappropriate tribunal of this state, the tribunal
2 shall forward the pleading and accompanying documents to an
3 appropriate tribunal ~~in~~ OF this state or another state and notify the
4 petitioner where and when the pleading was sent.

5 **SECTION 18.** In Colorado Revised Statutes, 14-5-307, **amend**
6 (b) (1) and (e) as follows:

7 **14-5-307. Duties of support enforcement agency.** (b) A support
8 enforcement agency of this state that is providing services to the
9 petitioner shall:

10 (1) Take all steps necessary to enable an appropriate tribunal ~~in~~ OF
11 this state, ~~or~~ another state, OR A FOREIGN COUNTRY to obtain jurisdiction
12 over the respondent;

13 (e) A support enforcement agency of this state shall issue or
14 request a tribunal of this state to issue a child support order and an
15 income-withholding order that redirect payment of current support,
16 arrears, and interest if requested to do so by a support enforcement
17 agency of another state pursuant to section 14-5-319. ~~of the "Uniform~~
18 ~~Interstate Family Support Act".~~

19 **SECTION 19.** In Colorado Revised Statutes, 14-5-308, **amend**
20 (b) as follows:

21 **14-5-308. Duty of attorney general.** (b) The attorney general
22 may determine that a foreign country ~~or political subdivision~~ has
23 established a reciprocal arrangement for child support with this state and
24 take appropriate action for notification of the determination.

25 **SECTION 20.** In Colorado Revised Statutes, 14-5-310, **amend**
26 (b) (3) as follows:

27 **14-5-310. Duties of state information agency.** (b) The state

1 information agency shall:

2 (3) Forward to the appropriate tribunal in the county in this state
3 in which the obligee who is an individual or the obligor resides, or in
4 which the obligor's property is believed to be located, all documents
5 concerning a proceeding under this article received from ~~an initiating~~
6 ~~tribunal or the state information agency of the initiating~~ ANOTHER state OR
7 A FOREIGN COUNTRY; and

8 **SECTION 21.** In Colorado Revised Statutes, 14-5-311, **amend**
9 (a) as follows:

10 **14-5-311. Pleadings and accompanying documents.** (a) In a
11 proceeding under this article, a petitioner seeking to establish a support
12 order, to determine parentage OF A CHILD, or to register and modify a
13 support order OF A TRIBUNAL of another state OR A FOREIGN COUNTRY
14 must file a petition. Unless otherwise ordered under section 14-5-312, the
15 petition or accompanying documents must provide, so far as known, the
16 name, residential address, and social security numbers of the obligor and
17 the obligee or the parent and alleged parent, and the name, sex, residential
18 address, social security number, and date of birth of each child for whose
19 benefit support is sought or whose parentage is to be determined. Unless
20 filed at the time of registration, the petition must be accompanied by a
21 copy of any support order known to have been issued by another tribunal.
22 The petition may include any other information that may assist in locating
23 or identifying the respondent.

24 **SECTION 22.** In Colorado Revised Statutes, 14-5-313, **amend**
25 (b) as follows:

26 **14-5-313. Costs and fees.** (b) If an obligee prevails, a responding
27 tribunal OF THIS STATE may assess against an obligor filing fees,

1 reasonable attorney's fees, other costs, and necessary travel and other
2 reasonable expenses incurred by the obligee and the obligee's witnesses.
3 The tribunal may not assess fees, costs, or expenses against the obligee
4 or the support enforcement agency of either the initiating or the
5 responding state OR FOREIGN COUNTRY, except as provided by other law.
6 Attorney's fees may be taxed as costs, and may be ordered paid directly
7 to the attorney, who may enforce the order in the attorney's own name.
8 Payment of support owed to the obligee has priority over fees, costs, and
9 expenses.

10 **SECTION 23.** In Colorado Revised Statutes, 14-5-316, **amend**
11 (a), (b), (d), (e), and (f) as follows:

12 **14-5-316. Special rules of evidence and procedure.** (a) The
13 physical presence of a nonresident party who is an individual in a tribunal
14 of this state is not required for the establishment, enforcement, or
15 modification of a support order or the rendition of a judgment
16 determining parentage OF A CHILD.

17 (b) An affidavit, a document substantially complying with
18 federally mandated forms, or a document incorporated by reference in
19 any of them, which would not be excluded under the hearsay rule if given
20 in person, is admissible in evidence if given under penalty of perjury by
21 a party or witness residing ~~in another~~ OUTSIDE THIS state.

22 (d) Copies of bills for testing for parentage OF A CHILD, and for
23 prenatal and postnatal health care of the mother and child, furnished to
24 the adverse party at least ten days before trial, are admissible in evidence
25 to prove the amount of the charges billed and that the charges were
26 reasonable, necessary, and customary.

27 (e) Documentary evidence transmitted from ~~another~~ OUTSIDE THIS

1 state to a tribunal of this state by telephone, telecopier, or other
2 ELECTRONIC means that do not provide an original record may not be
3 excluded from evidence on an objection based on the means of
4 transmission.

5 (f) In a proceeding under this article, a tribunal of this state shall
6 permit a party or witness residing ~~in another~~ OUTSIDE THIS state to be
7 deposed or to testify UNDER PENALTY OF PERJURY by telephone,
8 audiovisual means, or other electronic means at a designated tribunal or
9 other location. ~~in that state.~~ A tribunal of this state shall cooperate with
10 OTHER tribunals ~~of other states~~ in designating an appropriate location for
11 the deposition or testimony.

12 **SECTION 24.** In Colorado Revised Statutes, **amend** 14-5-317 as
13 follows:

14 **14-5-317. Communications between tribunals.** A tribunal of this
15 state may communicate with a tribunal ~~of another~~ OUTSIDE THIS state ~~or~~
16 ~~foreign country or political subdivision~~ in a record, or by telephone,
17 ELECTRONIC MAIL, or other means, to obtain information concerning the
18 laws, the legal effect of a judgment, decree, or order of that tribunal, and
19 the status of a proceeding. ~~in the other state or foreign country or political~~
20 ~~subdivision.~~ A tribunal of this state may furnish similar information by
21 similar means to a tribunal ~~of another~~ OUTSIDE THIS state. ~~or foreign~~
22 ~~country or political subdivision.~~

23 **SECTION 25.** In Colorado Revised Statutes, **amend** 14-5-318 as
24 follows:

25 **14-5-318. Assistance with discovery.** A tribunal of this state
26 may:

27 (1) Request a tribunal ~~of another~~ OUTSIDE THIS state to assist in

1 obtaining discovery; and

2 (2) Upon request, compel a person over ~~whom~~ WHICH it has
3 jurisdiction to respond to a discovery order issued by a tribunal ~~of another~~
4 OUTSIDE THIS state.

5 **SECTION 26.** In Colorado Revised Statutes, 14-5-319, **amend**
6 (a) as follows:

7 **14-5-319. Receipt and disbursement of payments.** (a) A
8 support enforcement agency or tribunal of this state shall disburse
9 promptly any amounts received pursuant to a support order, as directed
10 by the order. The agency or tribunal shall furnish to a requesting party or
11 tribunal of another state OR A FOREIGN COUNTRY a certified statement by
12 the custodian of the record of the amounts and dates of all payments
13 received.

14 **SECTION 27.** In Colorado Revised Statutes, **amend** part 4 of
15 article 5 of title 14 as follows:

16 PART 4

17 ESTABLISHMENT OF SUPPORT ORDER

18 OR DETERMINATION OF PARENTAGE

19 **14-5-401. Establishment of support order.** (a) If a support order
20 entitled to recognition under this article has not been issued, a responding
21 tribunal of this state WITH PERSONAL JURISDICTION OVER THE PARTIES
22 may issue a support order if:

23 (1) The individual seeking the order resides ~~in another~~ OUTSIDE
24 THIS state; or

25 (2) The support enforcement agency seeking the order is located
26 ~~in another~~ OUTSIDE THIS state.

27 (b) The tribunal may issue a temporary child support order if the

1 tribunal determines that such an order is appropriate and the individual
2 ordered to pay is:

- 3 (1) A presumed father of the child;
- 4 (2) Petitioning to have his paternity adjudicated;
- 5 (3) Identified as the father of the child through genetic testing;
- 6 (4) An alleged father who has declined to submit to genetic
7 testing;
- 8 (5) Shown by clear and convincing evidence to be the father of the
9 child;
- 10 (6) An acknowledged father as provided by section 19-4-105 (1)
11 (e), C.R.S.;
- 12 (7) The mother of the child; or
- 13 (8) An individual who has been ordered to pay child support in a
14 previous proceeding and the order has not been reversed or vacated.

15 (c) Upon finding, after notice and opportunity to be heard, that an
16 obligor owes a duty of support, the tribunal shall issue a support order
17 directed to the obligor and may issue other orders pursuant to section
18 14-5-305.

19 **14-5-402. Proceeding to determine parentage.** A TRIBUNAL OF
20 THIS STATE AUTHORIZED TO DETERMINE PARENTAGE OF A CHILD MAY
21 SERVE AS A RESPONDING TRIBUNAL IN A PROCEEDING TO DETERMINE
22 PARENTAGE OF A CHILD BROUGHT UNDER THIS ARTICLE OR A LAW OR
23 PROCEDURE SUBSTANTIALLY SIMILAR TO THIS ARTICLE.

24 **SECTION 28.** In Colorado Revised Statutes, **amend** 14-5-504 as
25 follows:

26 **14-5-504. Immunity from civil liability.** An employer ~~who~~ THAT
27 complies with an income-withholding order issued in another state in

1 accordance with this article is not subject to civil liability to an individual
2 or agency with regard to the employer's withholding of child support from
3 the obligor's income.

4 **SECTION 29.** In Colorado Revised Statutes, **amend** 14-5-505 as
5 follows:

6 **14-5-505. Penalties for noncompliance.** An employer ~~who~~ THAT
7 willfully fails to comply with an income-withholding order issued ~~by~~ IN
8 another state and received for enforcement is subject to the same penalties
9 that may be imposed for noncompliance with an order issued by a tribunal
10 of this state.

11 **SECTION 30.** In Colorado Revised Statutes, 14-5-507, **amend**
12 (a) as follows:

13 **14-5-507. Administrative enforcement of orders.** (a) A party
14 or support enforcement agency seeking to enforce a support order or an
15 income-withholding order, or both, issued ~~by a tribunal of~~ IN another state
16 OR A FOREIGN SUPPORT ORDER may send the documents required for
17 registering the order to a support enforcement agency of this state.

18 **SECTION 31.** In Colorado Revised Statutes, **amend** part 6 of
19 article 5 of title 14 as follows:

20 PART 6

21 REGISTRATION, ENFORCEMENT, AND MODIFICATION
22 OF SUPPORT ORDER

23 PART A. REGISTRATION FOR ENFORCEMENT
24 OF SUPPORT ORDER

25 **14-5-601. Registration of order for enforcement.** A support
26 order or income-withholding order issued ~~by a tribunal of~~ IN another state
27 OR A FOREIGN SUPPORT ORDER may be registered in this state for

1 enforcement.

2 **14-5-602. Procedure to register order for enforcement.** (a)

3 EXCEPT AS OTHERWISE PROVIDED IN SECTION 14-5-706, a support order
4 or income-withholding order of another state OR A FOREIGN SUPPORT
5 ORDER may be registered in this state by sending the following records
6 ~~and information~~ to the appropriate tribunal in this state:

7 (1) A letter of transmittal to the tribunal requesting registration
8 and enforcement;

9 (2) Two copies, including one certified copy, of the order to be
10 registered, including any modification of the order;

11 (3) A sworn statement by the person requesting registration or a
12 certified statement by the custodian of the records showing the amount of
13 any arrearage;

14 (4) The name of the obligor and, if known:

15 (A) The obligor's address and social security number;

16 (B) The name and address of the obligor's employer and any other
17 source of income of the obligor; and

18 (C) A description and the location of property of the obligor in
19 this state not exempt from execution; and

20 (5) Except as otherwise provided in section 14-5-312, the name
21 and address of the obligee and, if applicable, the person to whom support
22 payments are to be remitted.

23 (b) On receipt of a request for registration, the registering tribunal
24 shall cause the order to be filed as a ~~foreign judgment~~ AN ORDER OF A
25 TRIBUNAL OF ANOTHER STATE OR A FOREIGN SUPPORT ORDER, together
26 with one copy of the documents and information, regardless of their form.

27 (c) A petition or comparable pleading seeking a remedy that must

1 be affirmatively sought under other law of this state may be filed at the
2 same time as the request for registration or later. The pleading must
3 specify the grounds for the remedy sought.

4 (d) If two or more orders are in effect, the person requesting
5 registration shall:

6 (1) Furnish to the tribunal a copy of every support order asserted
7 to be in effect in addition to the documents specified in this section;

8 (2) Specify the order alleged to be the controlling order, if any;
9 and

10 (3) Specify the amount of consolidated arrears, if any.

11 (e) A request for a determination of which is the controlling order
12 may be filed separately or with a request for registration and enforcement
13 or for registration and modification. The person requesting registration
14 shall give notice of the request to each party whose rights may be affected
15 by the determination.

16 **14-5-603. Effect of registration for enforcement.** (a) A support
17 order or income-withholding order issued in another state OR A FOREIGN
18 SUPPORT ORDER is registered when the order is filed in the registering
19 tribunal of this state.

20 (b) A registered SUPPORT order issued in another state OR A
21 FOREIGN COUNTRY is enforceable in the same manner and is subject to the
22 same procedures as an order issued by a tribunal of this state.

23 (c) Except as otherwise provided in this part 6, a tribunal of this
24 state shall recognize and enforce, but may not modify, a registered
25 SUPPORT order if the issuing tribunal had jurisdiction.

26 **14-5-604. Choice of law.** (a) Except as otherwise provided in
27 subsection (d) of this section, the law of the issuing state OR FOREIGN

1 COUNTRY governs:

2 (1) The nature, extent, amount, and duration of current payments
3 under a registered support order;

4 (2) The computation and payment of arrearages and accrual of
5 interest on the arrearages under the support order; and

6 (3) The existence and satisfaction of other obligations under the
7 support order.

8 (b) In a proceeding for ~~arrearages~~ ARREARS under a registered
9 support order, the statute of limitation of this state, or of the issuing state
10 OR FOREIGN COUNTRY, whichever is longer, applies.

11 (c) A responding tribunal of this state shall apply the procedures
12 and remedies of this state to enforce current support and to collect
13 ~~arrearages~~ ARREARS and interest due on a support order of another state
14 OR A FOREIGN COUNTRY registered in this state.

15 (d) After a tribunal of this STATE or another state determines
16 which is the controlling order and issues an order consolidating ~~arrearages~~
17 ARREARS, if any, a tribunal of this state shall prospectively apply the law
18 of the state OR FOREIGN COUNTRY issuing the controlling order, including
19 its law on interest on ~~arrearages~~ ARREARS, on current and future support,
20 and on consolidated ~~arrearages~~ ARREARS.

21 PART B. CONTEST OF VALIDITY OR ENFORCEMENT

22 **14-5-605. Notice of registration of order.** (a) When a support
23 order or income-withholding order issued in another state OR A FOREIGN
24 SUPPORT ORDER is registered, the registering tribunal OF THIS STATE shall
25 notify the nonregistering party. The notice must be accompanied by a
26 copy of the registered order and the documents and relevant information
27 accompanying the order.

1 (b) A notice must inform the nonregistering party:

2 (1) That a registered order is enforceable as of the date of

3 registration in the same manner as an order issued by a tribunal of this

4 state;

5 (2) That a hearing to contest the validity or enforcement of the

6 registered order must be requested within twenty days after notice UNLESS

7 THE REGISTERED ORDER IS UNDER SECTION 14-5-707;

8 (3) That failure to contest the validity or enforcement of the

9 registered order in a timely manner will result in confirmation of the order

10 and enforcement of the order and the alleged arrearages; and

11 (4) Of the amount of any alleged arrearages.

12 (c) If the registering party asserts that two or more orders are in

13 effect, a notice must also:

14 (1) Identify the two or more orders and the order alleged by the

15 registering ~~person~~ PARTY to be the controlling order and the consolidated

16 ~~arrearages~~ ARREARS, if any;

17 (2) Notify the nonregistering party of the right to a determination

18 of which is the controlling order;

19 (3) State that the procedures provided in subsection (b) of this

20 section apply to the determination of which is the controlling order; and

21 (4) State that failure to contest the validity or enforcement of the

22 order alleged to be the controlling order in a timely manner may result in

23 confirmation that the order is the controlling order.

24 (d) Upon registration of an income-withholding order for

25 enforcement, THE SUPPORT ENFORCEMENT AGENCY OR the registering

26 tribunal shall notify the obligor's employer pursuant to the

27 income-withholding law of this state.

1 **14-5-606. Procedure to contest validity or enforcement of**
2 **registered support order.** (a) A nonregistering party seeking to contest
3 the validity or enforcement of a registered SUPPORT order in this state
4 shall request a hearing within ~~twenty days after notice of the registration~~
5 THE TIME REQUIRED BY SECTION 14-5-605. The nonregistering party may
6 seek to vacate the registration, to assert any defense to an allegation of
7 noncompliance with the registered order, or to contest the remedies being
8 sought or the amount of any alleged arrearages pursuant to section
9 14-5-607.

10 (b) If the nonregistering party fails to contest the validity or
11 enforcement of the registered SUPPORT order in a timely manner, the order
12 is confirmed by operation of law.

13 (c) If a nonregistering party requests a hearing to contest the
14 validity or enforcement of the registered SUPPORT order, the registering
15 tribunal shall schedule the matter for hearing and give notice to the parties
16 of the date, time, and place of the hearing.

17 **14-5-607. Contest of registration or enforcement.** (a) A party
18 contesting the validity or enforcement of a registered SUPPORT order or
19 seeking to vacate the registration has the burden of proving one or more
20 of the following defenses:

21 (1) The issuing tribunal lacked personal jurisdiction over the
22 contesting party;

23 (2) The order was obtained by fraud;

24 (3) The order has been vacated, suspended, or modified by a later
25 order;

26 (4) The issuing tribunal has stayed the order pending appeal;

27 (5) There is a defense under the law of this state to the remedy

1 sought;

2 (6) Full or partial payment has been made;

3 (7) The statute of limitation under section 14-5-604 precludes
4 enforcement of some or all of the alleged arrearages; or

5 (8) The alleged controlling order is not the controlling order.

6 (b) If a party presents evidence establishing a full or partial
7 defense under subsection (a) of this section, a tribunal may stay
8 enforcement of ~~the~~ A registered SUPPORT order, continue the proceeding
9 to permit production of additional relevant evidence, and issue other
10 appropriate orders. An uncontested portion of the registered SUPPORT
11 order may be enforced by all remedies available under the law of this
12 state.

13 (c) If the contesting party does not establish a defense under
14 subsection (a) of this section to the validity or enforcement of ~~the~~ A
15 REGISTERED SUPPORT order, the registering tribunal shall issue an order
16 confirming the order.

17 **14-5-608. Confirmed order.** Confirmation of a registered
18 SUPPORT order, whether by operation of law or after notice and hearing,
19 precludes further contest of the order with respect to any matter that could
20 have been asserted at the time of registration.

21 PART C. REGISTRATION AND MODIFICATION
22 OF CHILD SUPPORT ORDER OF ANOTHER STATE

23 **14-5-609. Procedure to register child support order of another**
24 **state for modification.** A party or support enforcement agency seeking
25 to modify, or to modify and enforce, a child support order issued in
26 another state shall register that order in this state in the same manner
27 provided in ~~part A of this part~~ 6 SECTIONS 14-5-601 THROUGH 14-5-608

1 if the order has not been registered. A petition for modification may be
2 filed at the same time as a request for registration, or later. The pleading
3 must specify the grounds for modification.

4 **14-5-610. Effect of registration for modification.** A tribunal of
5 this state may enforce a child support order of another state registered for
6 purposes of modification, in the same manner as if the order had been
7 issued by a tribunal of this state, but the registered SUPPORT order may be
8 modified only if the requirements of section 14-5-611 OR 14-5-613 ~~or~~
9 ~~14-5-615~~ have been met.

10 **14-5-611. Modification of child support order of another state.**

11 (a) If section 14-5-613 does not apply, ~~except as otherwise provided in~~
12 ~~section 14-5-615~~, upon petition a tribunal of this state may modify a child
13 support order issued in another state which order is registered in this state
14 if, after notice and hearing, the tribunal finds that:

15 (1) The following requirements are met:

16 (A) Neither the child, nor the obligee who is an individual, nor the
17 obligor resides in the issuing state;

18 (B) A petitioner who is a nonresident of this state seeks
19 modification; and

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

22 (2) This state is the ~~state of~~ residence of the child, or a party who
23 is an individual is subject to the personal jurisdiction of the tribunal of
24 this state, and all of the parties who are individuals have filed consents in
25 a record in the issuing tribunal for a tribunal of this state to modify the
26 support order and assume continuing, exclusive jurisdiction.

27 (b) Modification of a registered child support order is subject to

1 the same requirements, procedures, and defenses that apply to the
2 modification of an order issued by a tribunal of this state and the order
3 may be enforced and satisfied in the same manner.

4 (c) ~~Except as otherwise provided in section 14-5-615,~~ A tribunal
5 of this state may not modify any aspect of a child support order that may
6 not be modified under the law of the issuing state, including the duration
7 of the obligation of support. If two or more tribunals have issued child
8 support orders for the same obligor and same child, the order that controls
9 and must be so recognized under section 14-5-207 establishes the aspects
10 of the support order which are nonmodifiable.

11 (d) In a proceeding to modify a child support order, the law of the
12 state that is determined to have issued the initial controlling order governs
13 the duration of the obligation of support. The obligor's fulfillment of the
14 duty of support established by that order precludes imposition of a further
15 obligation of support by a tribunal of this state.

16 (e) On issuance of an order by a tribunal of this state modifying
17 a child support order issued in another state, the tribunal of this state
18 becomes the tribunal having continuing, exclusive jurisdiction.

19 (f) NOTWITHSTANDING SUBSECTIONS (a) THROUGH (e) OF THIS
20 SECTION AND SECTION 14-5-201 (b), A TRIBUNAL OF THIS STATE RETAINS
21 JURISDICTION TO MODIFY AN ORDER ISSUED BY A TRIBUNAL OF THIS STATE
22 IF:

23 (1) ONE PARTY RESIDES IN ANOTHER STATE; AND

24 (2) THE OTHER PARTY RESIDES OUTSIDE THE UNITED STATES.

25 **14-5-612. Recognition of order modified in another state.** If a
26 child support order issued by a tribunal of this state is modified by a
27 tribunal of another state which assumed jurisdiction pursuant to the

1 "Uniform Interstate Family Support Act", a tribunal of this state:

2 (1) May enforce its order that was modified only as to arrears and
3 interest accruing before the modification;

4 (2) May provide appropriate relief for violations of its order which
5 occurred before the effective date of the modification; and

6 (3) Shall recognize the modifying order of the other state, upon
7 registration, for the purpose of enforcement.

8 (4) (Deleted by amendment, L. 2003, p. 1261, § 41, effective July
9 1, 2004.)

10 **14-5-613. Jurisdiction to modify child support order of**
11 **another state when individual parties reside in this state.** (a) If all of
12 the parties who are individuals reside in this state and the child does not
13 reside in the issuing state, a tribunal of this state has jurisdiction to
14 enforce and to modify the issuing state's child support order in a
15 proceeding to register that order.

16 (b) A tribunal of this state exercising jurisdiction under this
17 section shall apply the provisions of parts 1 and 2 of this article, this part
18 6, and the procedural and substantive law of this state to the proceeding
19 for enforcement or modification. Parts 3, 4, 5, 7, and 8 of this article do
20 not apply.

21 **14-5-614. Notice to issuing tribunal of modification.** Within
22 thirty days after issuance of a modified child support order, the party
23 obtaining the modification shall file a certified copy of the order with the
24 issuing tribunal that had continuing, exclusive jurisdiction over the earlier
25 order, and in each tribunal in which the party knows the earlier order has
26 been registered. A party who obtains the order and fails to file a certified
27 copy is subject to appropriate sanctions by a tribunal in which the issue

1 of failure to file arises. The failure to file does not affect the validity or
2 enforceability of the modified order of the new tribunal having
3 continuing, exclusive jurisdiction.

4 PART D. REGISTRATION AND MODIFICATION
5 OF FOREIGN CHILD SUPPORT ORDER

6 **14-5-615. Jurisdiction to modify child support order of foreign**
7 **country.** (a) EXCEPT AS OTHERWISE PROVIDED IN SECTION 14-5-711, if
8 a foreign country ~~or political subdivision that is a state will not or may not~~
9 LACKS OR REFUSES TO EXERCISE JURISDICTION TO modify its child support
10 order pursuant to its laws, a tribunal of this state may assume jurisdiction
11 to modify the child support order and bind all individuals subject to the
12 personal jurisdiction of the tribunal whether ~~or not~~ the consent to
13 modification of a child support order otherwise required of the individual
14 pursuant to section 14-5-611 has been given or whether the individual
15 seeking modification is a resident of this state or of the foreign country.
16 ~~or political subdivision.~~

17 (b) An order issued BY A TRIBUNAL OF THIS STATE MODIFYING A
18 FOREIGN CHILD SUPPORT ORDER pursuant to this section is the controlling
19 order.

20 **14-5-616. Procedure to register child support order of foreign**
21 **country for modification.** A PARTY OR SUPPORT ENFORCEMENT AGENCY
22 SEEKING TO MODIFY, OR TO MODIFY AND ENFORCE, A FOREIGN CHILD
23 SUPPORT ORDER NOT UNDER THE CONVENTION MAY REGISTER THAT
24 ORDER IN THIS STATE UNDER SECTIONS 14-5-601 THROUGH 14-5-608 IF
25 THE ORDER HAS NOT BEEN REGISTERED. A PETITION FOR MODIFICATION
26 MAY BE FILED AT THE SAME TIME AS A REQUEST FOR REGISTRATION, OR AT
27 ANOTHER TIME. THE PETITION MUST SPECIFY THE GROUNDS FOR

- 1 (ii) HAS BEEN:
2 (I) FORMALLY DRAWN UP OR REGISTERED AS AN AUTHENTIC
3 INSTRUMENT BY A FOREIGN TRIBUNAL; OR
4 (II) AUTHENTICATED BY, OR CONCLUDED, REGISTERED, OR FILED
5 WITH A FOREIGN TRIBUNAL; AND
6 (iii) MAY BE REVIEWED AND MODIFIED BY A FOREIGN TRIBUNAL;
7 AND
8 (B) INCLUDES A MAINTENANCE ARRANGEMENT OR AUTHENTIC
9 INSTRUMENT UNDER THE CONVENTION.

10 (7) "UNITED STATES CENTRAL AUTHORITY" MEANS THE
11 SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN
12 SERVICES.

13 **14-5-702. Applicability.** THIS PART 7 APPLIES ONLY TO A SUPPORT
14 PROCEEDING UNDER THE CONVENTION. IN SUCH A PROCEEDING, IF A
15 PROVISION OF THIS PART 7 IS INCONSISTENT WITH PARTS 1 THROUGH 6 OF
16 THIS ARTICLE, THIS PART 7 CONTROLS.

17 **14-5-703. Relationship of state department of human services**
18 **to United States central authority.** THE [REDACTED] STATE DEPARTMENT OF
19 HUMAN SERVICES OF THIS STATE IS RECOGNIZED AS THE AGENCY
20 DESIGNATED BY THE UNITED STATES CENTRAL AUTHORITY TO PERFORM
21 SPECIFIC FUNCTIONS UNDER THE CONVENTION.

22 **14-5-704. Initiation by state department of human services of**
23 **support proceeding under Convention.** (a) IN A SUPPORT PROCEEDING
24 UNDER THIS PART 7, [REDACTED] THE STATE DEPARTMENT OF HUMAN SERVICES OF
25 THIS STATE SHALL:

- 26 (1) TRANSMIT AND RECEIVE APPLICATIONS; AND
27 (2) INITIATE OR FACILITATE THE INSTITUTION OF A PROCEEDING

1 REGARDING AN APPLICATION IN A TRIBUNAL OF THIS STATE.

2 (b) THE FOLLOWING SUPPORT PROCEEDINGS ARE AVAILABLE TO AN
3 OBLIGEE UNDER THE CONVENTION:

4 (1) RECOGNITION OR RECOGNITION AND ENFORCEMENT OF A
5 FOREIGN SUPPORT ORDER;

6 (2) ENFORCEMENT OF A SUPPORT ORDER ISSUED OR RECOGNIZED
7 IN THIS STATE;

8 (3) ESTABLISHMENT OF A SUPPORT ORDER IF THERE IS NO EXISTING
9 ORDER, INCLUDING, IF NECESSARY, DETERMINATION OF PARENTAGE OF A
10 CHILD;

11 (4) ESTABLISHMENT OF A SUPPORT ORDER IF RECOGNITION OF A
12 FOREIGN SUPPORT ORDER IS REFUSED UNDER SECTION 14-5-708 (b) (2), (4),
13 OR (9);

14 (5) MODIFICATION OF A SUPPORT ORDER OF A TRIBUNAL OF THIS
15 STATE; AND

16 (6) MODIFICATION OF A SUPPORT ORDER OF A TRIBUNAL OF
17 ANOTHER STATE OR A FOREIGN COUNTRY.

18 (c) THE FOLLOWING SUPPORT PROCEEDINGS ARE AVAILABLE
19 UNDER THE CONVENTION TO AN OBLIGOR AGAINST WHICH THERE IS AN
20 EXISTING SUPPORT ORDER:

21 (1) RECOGNITION OF AN ORDER SUSPENDING OR LIMITING
22 ENFORCEMENT OF AN EXISTING SUPPORT ORDER OF A TRIBUNAL OF THIS
23 STATE;

24 (2) MODIFICATION OF A SUPPORT ORDER OF A TRIBUNAL OF THIS
25 STATE; AND

26 (3) MODIFICATION OF A SUPPORT ORDER OF A TRIBUNAL OF
27 ANOTHER STATE OR A FOREIGN COUNTRY.

1 (d) A TRIBUNAL OF THIS STATE MAY NOT REQUIRE SECURITY,
2 BOND, OR DEPOSIT, HOWEVER DESCRIBED, TO GUARANTEE THE PAYMENT
3 OF COSTS AND EXPENSES IN PROCEEDINGS UNDER THE CONVENTION.

4 **14-5-705. Direct request.** (a) A PETITIONER MAY FILE A DIRECT
5 REQUEST SEEKING ESTABLISHMENT OR MODIFICATION OF A SUPPORT
6 ORDER OR DETERMINATION OF PARENTAGE OF A CHILD. IN THE
7 PROCEEDING, THE LAW OF THIS STATE APPLIES.

8 (b) A PETITIONER MAY FILE A DIRECT REQUEST SEEKING
9 RECOGNITION AND ENFORCEMENT OF A SUPPORT ORDER OR SUPPORT
10 AGREEMENT. IN THE PROCEEDING, SECTIONS 14-5-706 THROUGH 14-5-713
11 APPLY.

12 (c) IN A DIRECT REQUEST FOR RECOGNITION AND ENFORCEMENT OF
13 A CONVENTION SUPPORT ORDER OR FOREIGN SUPPORT AGREEMENT:

14 (1) A SECURITY, BOND, OR DEPOSIT IS NOT REQUIRED TO
15 GUARANTEE THE PAYMENT OF COSTS AND EXPENSES; AND

16 (2) AN OBLIGEE OR OBLIGOR THAT IN THE ISSUING COUNTRY HAS
17 BENEFITTED FROM FREE LEGAL ASSISTANCE IS ENTITLED TO BENEFIT, AT
18 LEAST TO THE SAME EXTENT, FROM ANY FREE LEGAL ASSISTANCE
19 PROVIDED FOR BY THE LAW OF THIS STATE UNDER THE SAME
20 CIRCUMSTANCES.

21 (d) A PETITIONER FILING A DIRECT REQUEST IS NOT ENTITLED TO
22 ASSISTANCE FROM THE STATE CHILD SUPPORT SERVICES AGENCY IN THE
23 STATE DEPARTMENT OF HUMAN SERVICES.

24 (e) THIS PART 7 DOES NOT PREVENT THE APPLICATION OF LAWS OF
25 THIS STATE THAT PROVIDE SIMPLIFIED, MORE EXPEDITIOUS RULES
26 REGARDING A DIRECT REQUEST FOR RECOGNITION AND ENFORCEMENT OF
27 A FOREIGN SUPPORT ORDER OR FOREIGN SUPPORT AGREEMENT.

1 **14-5-706. Registration of Convention support order.** (a)

2 EXCEPT AS OTHERWISE PROVIDED IN THIS PART 7, A PARTY WHO IS AN
3 INDIVIDUAL OR THAT IS A SUPPORT ENFORCEMENT AGENCY SEEKING
4 RECOGNITION OF A CONVENTION SUPPORT ORDER SHALL REGISTER THE
5 ORDER IN THIS STATE AS PROVIDED IN PART 6 OF THIS ARTICLE.

6 (b) NOTWITHSTANDING SECTIONS 14-5-311 AND 14-5-602 (a), A
7 REQUEST FOR REGISTRATION OF A CONVENTION SUPPORT ORDER MUST BE
8 ACCOMPANIED BY:

9 (1) A COMPLETE TEXT OF THE SUPPORT ORDER OR AN ABSTRACT
10 OR EXTRACT OF THE SUPPORT ORDER DRAWN UP BY THE ISSUING FOREIGN
11 TRIBUNAL, WHICH MAY BE IN THE FORM RECOMMENDED BY THE HAGUE
12 CONFERENCE ON PRIVATE INTERNATIONAL LAW;

13 (2) A RECORD STATING THAT THE SUPPORT ORDER IS
14 ENFORCEABLE IN THE ISSUING COUNTRY;

15 (3) IF THE RESPONDENT DID NOT APPEAR AND WAS NOT
16 REPRESENTED IN THE PROCEEDINGS IN THE ISSUING COUNTRY, A RECORD
17 ATTESTING, AS APPROPRIATE, EITHER THAT THE RESPONDENT HAD PROPER
18 NOTICE OF THE PROCEEDINGS AND AN OPPORTUNITY TO BE HEARD OR THAT
19 THE RESPONDENT HAD PROPER NOTICE OF THE SUPPORT ORDER AND AN
20 OPPORTUNITY TO BE HEARD IN A CHALLENGE OR APPEAL ON FACT OR LAW
21 BEFORE A TRIBUNAL;

22 (4) A RECORD SHOWING THE AMOUNT OF ARREARS, IF ANY, AND
23 THE DATE THE AMOUNT WAS CALCULATED;

24 (5) A RECORD SHOWING A REQUIREMENT FOR AUTOMATIC
25 ADJUSTMENT OF THE AMOUNT OF SUPPORT, IF ANY, AND THE INFORMATION
26 NECESSARY TO MAKE THE APPROPRIATE CALCULATIONS; AND

27 (6) IF NECESSARY, A RECORD SHOWING THE EXTENT TO WHICH THE

1 APPLICANT RECEIVED FREE LEGAL ASSISTANCE IN THE ISSUING COUNTRY.

2 (c) A REQUEST FOR REGISTRATION OF A CONVENTION SUPPORT
3 ORDER MAY SEEK RECOGNITION AND PARTIAL ENFORCEMENT OF THE
4 ORDER.

5 (d) A TRIBUNAL OF THIS STATE MAY VACATE THE REGISTRATION
6 OF A CONVENTION SUPPORT ORDER WITHOUT THE FILING OF A CONTEST
7 UNDER SECTION 14-5-707 ONLY IF, ACTING ON ITS OWN MOTION, THE
8 TRIBUNAL FINDS THAT RECOGNITION AND ENFORCEMENT OF THE ORDER
9 WOULD BE MANIFESTLY INCOMPATIBLE WITH PUBLIC POLICY.

10 (e) THE TRIBUNAL SHALL PROMPTLY NOTIFY THE PARTIES OF THE
11 REGISTRATION OR THE ORDER VACATING THE REGISTRATION OF A
12 CONVENTION SUPPORT ORDER.

13 **14-5-707. Contest of registered Convention support order.**

14 (a) EXCEPT AS OTHERWISE PROVIDED IN THIS PART 7, SECTIONS 14-5-605
15 THROUGH 14-5-608 APPLY TO A CONTEST OF A REGISTERED CONVENTION
16 SUPPORT ORDER.

17 (b) A PARTY CONTESTING A REGISTERED CONVENTION SUPPORT
18 ORDER SHALL FILE A CONTEST NOT LATER THAN THIRTY DAYS AFTER
19 NOTICE OF THE REGISTRATION, BUT IF THE CONTESTING PARTY DOES NOT
20 RESIDE IN THE UNITED STATES, THE CONTEST MUST BE FILED NOT LATER
21 THAN SIXTY DAYS AFTER NOTICE OF THE REGISTRATION.

22 (c) IF THE NONREGISTERING PARTY FAILS TO CONTEST THE
23 REGISTERED CONVENTION SUPPORT ORDER BY THE TIME SPECIFIED IN
24 SUBSECTION (b), THE ORDER IS ENFORCEABLE.

25 (d) A CONTEST OF A REGISTERED CONVENTION SUPPORT ORDER
26 MAY BE BASED ONLY ON GROUNDS SET FORTH IN SECTION 14-5-708. THE
27 CONTESTING PARTY BEARS THE BURDEN OF PROOF.

1 (e) IN A CONTEST OF A REGISTERED CONVENTION SUPPORT ORDER,
2 A TRIBUNAL OF THIS STATE:

3 (1) IS BOUND BY THE FINDINGS OF FACT ON WHICH THE FOREIGN
4 TRIBUNAL BASED ITS JURISDICTION; AND

5 (2) MAY NOT REVIEW THE MERITS OF THE ORDER.

6 (f) A TRIBUNAL OF THIS STATE DECIDING A CONTEST OF A
7 REGISTERED CONVENTION SUPPORT ORDER SHALL PROMPTLY NOTIFY THE
8 PARTIES OF ITS DECISION.

9 (g) A CHALLENGE OR APPEAL, IF ANY, DOES NOT STAY THE
10 ENFORCEMENT OF A CONVENTION SUPPORT ORDER UNLESS THERE ARE
11 EXCEPTIONAL CIRCUMSTANCES.

12 **14-5-708. Recognition and enforcement of registered**
13 **Convention support order.** (a) EXCEPT AS OTHERWISE PROVIDED IN
14 SUBSECTION (b) OF THIS SECTION, A TRIBUNAL OF THIS STATE SHALL
15 RECOGNIZE AND ENFORCE A REGISTERED CONVENTION SUPPORT ORDER.

16 (b) THE FOLLOWING GROUNDS ARE THE ONLY GROUNDS ON WHICH
17 A TRIBUNAL OF THIS STATE MAY REFUSE RECOGNITION AND ENFORCEMENT
18 OF A REGISTERED CONVENTION SUPPORT ORDER:

19 (1) RECOGNITION AND ENFORCEMENT OF THE ORDER IS
20 MANIFESTLY INCOMPATIBLE WITH PUBLIC POLICY, INCLUDING THE
21 FAILURE OF THE ISSUING TRIBUNAL TO OBSERVE MINIMUM STANDARDS OF
22 DUE PROCESS, WHICH INCLUDE NOTICE AND AN OPPORTUNITY TO BE
23 HEARD;

24 (2) THE ISSUING TRIBUNAL LACKED PERSONAL JURISDICTION
25 CONSISTENT WITH SECTION 14-5-201;

26 (3) THE ORDER IS NOT ENFORCEABLE IN THE ISSUING COUNTRY;

27 (4) THE ORDER WAS OBTAINED BY FRAUD IN CONNECTION WITH A

1 MATTER OF PROCEDURE;

2 (5) A RECORD TRANSMITTED IN ACCORDANCE WITH SECTION
3 14-5-706 LACKS AUTHENTICITY OR INTEGRITY;

4 (6) A PROCEEDING BETWEEN THE SAME PARTIES AND HAVING THE
5 SAME PURPOSE IS PENDING BEFORE A TRIBUNAL OF THIS STATE AND THAT
6 PROCEEDING WAS THE FIRST TO BE FILED;

7 (7) THE ORDER IS INCOMPATIBLE WITH A MORE RECENT SUPPORT
8 ORDER INVOLVING THE SAME PARTIES AND HAVING THE SAME PURPOSE IF
9 THE MORE RECENT SUPPORT ORDER IS ENTITLED TO RECOGNITION AND
10 ENFORCEMENT UNDER THIS ARTICLE IN THIS STATE;

11 (8) PAYMENT, TO THE EXTENT ALLEGED ARREARS HAVE BEEN PAID
12 IN WHOLE OR IN PART;

13 (9) IN A CASE IN WHICH THE RESPONDENT NEITHER APPEARED NOR
14 WAS REPRESENTED IN THE PROCEEDING IN THE ISSUING FOREIGN COUNTRY:

15 (A) IF THE LAW OF THAT COUNTRY PROVIDES FOR PRIOR NOTICE OF
16 PROCEEDINGS, THE RESPONDENT DID NOT HAVE PROPER NOTICE OF THE
17 PROCEEDINGS AND AN OPPORTUNITY TO BE HEARD; OR

18 (B) IF THE LAW OF THAT COUNTRY DOES NOT PROVIDE FOR PRIOR
19 NOTICE OF THE PROCEEDINGS, THE RESPONDENT DID NOT HAVE PROPER
20 NOTICE OF THE ORDER AND AN OPPORTUNITY TO BE HEARD IN A
21 CHALLENGE OR APPEAL ON FACT OR LAW BEFORE A TRIBUNAL; OR

22 (10) THE ORDER WAS MADE IN VIOLATION OF SECTION 14-5-711.

23 (c) IF A TRIBUNAL OF THIS STATE DOES NOT RECOGNIZE A
24 CONVENTION SUPPORT ORDER UNDER SUBSECTION (b) (2), (4), OR (9)
25 OF THIS SECTION:

26 (1) THE TRIBUNAL MAY NOT DISMISS THE PROCEEDING WITHOUT
27 ALLOWING A REASONABLE TIME FOR A PARTY TO REQUEST THE

1 ESTABLISHMENT OF A NEW CONVENTION SUPPORT ORDER; AND

2 (2) THE ■ STATE DEPARTMENT OF HUMAN SERVICES SHALL TAKE
3 ALL APPROPRIATE MEASURES TO REQUEST A CHILD SUPPORT ORDER FOR
4 THE OBLIGEE IF THE APPLICATION FOR RECOGNITION AND ENFORCEMENT
5 WAS RECEIVED UNDER SECTION 14-5-704.

6 **14-5-709. Partial enforcement.** IF A TRIBUNAL OF THIS STATE
7 DOES NOT RECOGNIZE AND ENFORCE A CONVENTION SUPPORT ORDER IN
8 ITS ENTIRETY, IT SHALL ENFORCE ANY SEVERABLE PART OF THE ORDER.
9 AN APPLICATION OR DIRECT REQUEST MAY SEEK RECOGNITION AND
10 PARTIAL ENFORCEMENT OF A CONVENTION SUPPORT ORDER.

11 **14-5-710. Foreign support agreement.** (a) EXCEPT AS
12 OTHERWISE PROVIDED IN SUBSECTIONS (c) AND (d) OF THIS SECTION, A
13 TRIBUNAL OF THIS STATE SHALL RECOGNIZE AND ENFORCE A FOREIGN
14 SUPPORT AGREEMENT REGISTERED IN THIS STATE.

15 (b) AN APPLICATION OR DIRECT REQUEST FOR RECOGNITION AND
16 ENFORCEMENT OF A FOREIGN SUPPORT AGREEMENT MUST BE
17 ACCOMPANIED BY:

18 (1) A COMPLETE TEXT OF THE FOREIGN SUPPORT AGREEMENT; AND

19 (2) A RECORD STATING THAT THE FOREIGN SUPPORT AGREEMENT
20 IS ENFORCEABLE AS AN ORDER OF SUPPORT IN THE ISSUING COUNTRY.

21 (c) A TRIBUNAL OF THIS STATE MAY VACATE THE REGISTRATION
22 OF A FOREIGN SUPPORT AGREEMENT ONLY IF, ACTING ON ITS OWN MOTION,
23 THE TRIBUNAL FINDS THAT RECOGNITION AND ENFORCEMENT WOULD BE
24 MANIFESTLY INCOMPATIBLE WITH PUBLIC POLICY.

25 (d) IN A CONTEST OF A FOREIGN SUPPORT AGREEMENT, A TRIBUNAL
26 OF THIS STATE MAY REFUSE RECOGNITION AND ENFORCEMENT OF THE
27 AGREEMENT IF IT FINDS:

1 (1) RECOGNITION AND ENFORCEMENT OF THE AGREEMENT IS
2 MANIFESTLY INCOMPATIBLE WITH PUBLIC POLICY;

3 (2) THE AGREEMENT WAS OBTAINED BY FRAUD OR FALSIFICATION;

4 (3) THE AGREEMENT IS INCOMPATIBLE WITH A SUPPORT ORDER
5 INVOLVING THE SAME PARTIES AND HAVING THE SAME PURPOSE IN THIS
6 STATE, ANOTHER STATE, OR A FOREIGN COUNTRY IF THE SUPPORT ORDER
7 IS ENTITLED TO RECOGNITION AND ENFORCEMENT UNDER THIS ARTICLE IN
8 THIS STATE; OR

9 (4) THE RECORD SUBMITTED UNDER SUBSECTION (b) OF THIS
10 SECTION LACKS AUTHENTICITY OR INTEGRITY.

11 (e) A PROCEEDING FOR RECOGNITION AND ENFORCEMENT OF A
12 FOREIGN SUPPORT AGREEMENT MUST BE SUSPENDED DURING THE
13 PENDENCY OF A CHALLENGE TO OR APPEAL OF THE AGREEMENT BEFORE A
14 TRIBUNAL OF ANOTHER STATE OR A FOREIGN COUNTRY.

15 **14-5-711. Modification of Convention child support order.**

16 (a) A TRIBUNAL OF THIS STATE MAY NOT MODIFY A CONVENTION CHILD
17 SUPPORT ORDER IF THE OBLIGEE REMAINS A RESIDENT OF THE FOREIGN
18 COUNTRY WHERE THE SUPPORT ORDER WAS ISSUED UNLESS:

19 (1) THE OBLIGEE SUBMITS TO THE JURISDICTION OF A TRIBUNAL OF
20 THIS STATE, EITHER EXPRESSLY OR BY DEFENDING ON THE MERITS OF THE
21 CASE WITHOUT OBJECTING TO THE JURISDICTION AT THE FIRST AVAILABLE
22 OPPORTUNITY; OR

23 (2) THE FOREIGN TRIBUNAL LACKS OR REFUSES TO EXERCISE
24 JURISDICTION TO MODIFY ITS SUPPORT ORDER OR ISSUE A NEW SUPPORT
25 ORDER.

26 (b) IF A TRIBUNAL OF THIS STATE DOES NOT MODIFY A
27 CONVENTION CHILD SUPPORT ORDER BECAUSE THE ORDER IS NOT

1 RECOGNIZED IN THIS STATE, SECTION 14-5-708 (c) APPLIES.

2 **14-5-712. Personal information - limit on use.** PERSONAL
3 INFORMATION GATHERED OR TRANSMITTED UNDER THIS PART 7 MAY BE
4 USED ONLY FOR THE PURPOSES FOR WHICH IT WAS GATHERED OR
5 TRANSMITTED.

6 **14-5-713. Record in original language - English.** A RECORD
7 FILED WITH A TRIBUNAL OF THIS STATE UNDER THIS PART 7 MUST BE IN
8 THE ORIGINAL LANGUAGE AND, IF NOT IN ENGLISH, MUST BE
9 ACCOMPANIED BY AN ENGLISH TRANSLATION.

10 **SECTION 33.** In Colorado Revised Statutes, **recreate and**
11 **reenact, with amendments,** 14-5-902 as follows:

12 **14-5-902. Transitional provision.** THIS ARTICLE, AS AMENDED BY
13 HOUSE BILL 15-1198, ENACTED IN 2015, APPLIES TO PROCEEDINGS BEGUN
14 ON OR AFTER JULY 1, 2015, TO ESTABLISH A SUPPORT ORDER OR
15 DETERMINE PARENTAGE OF A CHILD OR TO REGISTER, RECOGNIZE,
16 ENFORCE, OR MODIFY A PRIOR SUPPORT ORDER, DETERMINATION, OR
17 AGREEMENT, WHENEVER ISSUED OR ENTERED.

18 **SECTION 34.** In Colorado Revised Statutes, 2-5-102, **add** (13)
19 as follows:

20 **2-5-102. Inclusions - nonstatutory.** (13) THE REVISOR OF
21 STATUTES SHALL INCLUDE IN THE PUBLICATION OF THE "UNIFORM
22 INTERSTATE FAMILY SUPPORT ACT" AS NONSTATUTORY MATTER,
23 FOLLOWING EACH AMENDED OR ADDED SECTION, THE FULL TEXT OF THE
24 OFFICIAL COMMENTS TO THAT SECTION CONTAINED IN THE 2008 OFFICIAL
25 TEXT OF THE "UNIFORM INTERSTATE FAMILY SUPPORT ACT" ISSUED BY
26 THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE
27 LAWS, WITH ANY CHANGES IN THE OFFICIAL COMMENTS TO CORRESPOND

1 TO COLORADO CHANGES IN THE "UNIFORM INTERSTATE FAMILY SUPPORT
2 ACT". THE COMMENTS SHALL BE PREPARED BY THE REVISOR OF STATUTES
3 AND APPROVED FOR PUBLICATION BY THE COMMITTEE ON LEGAL
4 SERVICES.

5 **SECTION 35.** In Colorado Revised Statutes, 19-4-130, **amend**
6 (2) as follows:

7 **19-4-130. Temporary orders.** (2) Subsection (1) of this section
8 shall not apply to any paternity determination made pursuant to section
9 ~~14-5-701~~, 14-5-402, C.R.S.

10 **SECTION 36. Effective date.** This act takes effect July 1, 2015.

11 **SECTION 37. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, and safety.