NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 13-1243

BY REPRESENTATIVE(S) Young, Buckner, Court, Duran, Gardner, Kagan, Lee, McLachlan, Pettersen, Salazar, Fields, Labuda, Lebsock, Levy, May, Melton, Mitsch Bush, Rosenthal;
also SENATOR(S) Ulibarri, Aguilar, Newell.

CONCERNING FACTUAL FINDINGS INCLUDED IN PARENTING TIME ORDERS.

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

SECTION 1. In Colorado Revised Statutes, 14-10-124, **amend** (1.5) (a) introductory portion as follows:

14-10-124. Best interests of child. (1.5) **Allocation of parental responsibilities.** The court shall determine the allocation of parental responsibilities, including parenting time and decision-making responsibilities, in accordance with the best interests of the child giving paramount consideration to the physical, mental, and emotional conditions and needs of the child as follows:

(a) **Determination of parenting time.** The court, upon the motion of either party or upon its own motion, may make provisions for parenting time that the court finds are in the child's best interests unless the court finds, after a hearing, that parenting time by the party would endanger the

---

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

child's physical health or significantly impair the child's emotional development. IN ADDITION TO A FINDING THAT PARENTING TIME WOULD ENDANGER THE CHILD'S PHYSICAL HEALTH OR SIGNIFICANTLY IMPAIR THE CHILD'S EMOTIONAL DEVELOPMENT, IN ANY ORDER IMPOSING OR CONTINUING A PARENTING TIME RESTRICTION THE COURT SHALL ENUMERATE THE SPECIFIC FACTUAL FINDINGS SUPPORTING THE RESTRICTION. In determining the best interests of the child for purposes of parenting time, the court shall consider all relevant factors, including:

SECTION 2. In Colorado Revised Statutes, 14-10-129, **amend** (1) (b) (I) as follows:

14-10-129. Modification of parenting time. (1) (b) (I) The court shall not restrict a parent's parenting time rights unless it finds that the parenting time would endanger the child's physical health or significantly impair the child's emotional development. IN ADDITION TO A FINDING THAT PARENTING TIME WOULD ENDANGER THE CHILD'S PHYSICAL HEALTH OR SIGNIFICANTLY IMPAIR THE CHILD'S EMOTIONAL DEVELOPMENT, IN ANY ORDER IMPOSING OR CONTINUING A PARENTING TIME RESTRICTION THE COURT SHALL ENUMERATE THE SPECIFIC FACTUAL FINDINGS SUPPORTING THE RESTRICTION. Nothing in this section shall be construed to affect grandparent visitation granted pursuant to section 19-1-117, C.R.S.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Mark Ferrandino SPEAKER OF THE HOUSE OF REPRESENTATIVES	John P. Morse PRESIDENT OF THE SENATE
Marilyn Eddins CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES	Cindi L. Markwell SECRETARY OF THE SENATE

APPROVED_____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO