

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 17-0446.01 Jerry Barry x4341

HOUSE BILL 17-1093

HOUSE SPONSORSHIP

Ransom,

SENATE SPONSORSHIP

Kagan,

House Committees
Finance

Senate Committees
Finance

A BILL FOR AN ACT

101 **CONCERNING AN INCREASE IN THE EXEMPTION FOR THE CASH**
102 **SURRENDER VALUE OF LIFE INSURANCE.**

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/>.)

Under current law, the cash surrender value of life insurance held by a debtor for 48 months or longer up to \$100,000 is exempt from attachment or execution. The bill increases this exemption up to \$250,000.

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
2nd Reading Unamended
March 3, 2017

HOUSE
Amended 3rd Reading
February 22, 2017

HOUSE
2nd Reading Unamended
February 21, 2017

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-54-102, **amend**
3 (1)(I)(A) as follows:

4 **13-54-102. Property exempt - definitions.** (1) The following
5 property is exempt from levy and sale under writ of attachment or writ of
6 execution:

7 (1) (I) (A) The cash surrender value of policies or certificates of
8 life insurance that have been owned by a debtor for a continuous,
9 unexpired period of forty-eight months or more, to the extent of ~~one~~ TWO
10 hundred FIFTY thousand dollars for writs of attachment or writs of
11 execution issued against the insured; except that there is no exemption for
12 increases in cash value from extraordinary moneys contributed to a policy
13 or certificate of life insurance during the forty-eight months prior to the
14 issuance of the writ of attachment or writ of execution; and

15 **SECTION 2. Act subject to petition - effective date -**
16 **applicability.** (1) This act takes effect September 1, 2017; except that,
17 if a referendum petition is filed pursuant to section 1 (3) of article V of
18 the state constitution against this act or an item, section, or part of this act
19 within the ninety-day period after final adjournment of the general
20 assembly, then the act, item, section, or part will not take effect unless
21 approved by the people at the general election to be held in November
22 2018 and, in such case, will take effect on the date of the official
23 declaration of the vote thereon by the governor.

24 (2) This act applies to writs of attachment or execution ordered on
25 or after the applicable effective date of this act.