

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

REVISED

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

LLS NO. 19-0244.01 Jacob Baus x2173

HOUSE BILL 19-1104

HOUSE SPONSORSHIP

Ransom, Buentello, Galindo, Snyder, Soper, Titone

SENATE SPONSORSHIP

Lee,

House Committees
Judiciary

Senate Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING THE RIGHTS OF PERSONS REPRESENTED BY AN ATTORNEY**
102 **THROUGH THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL.**

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>.)

The bill adds to the list of agencies and attorneys authorized to have statewide read-only access to the name index and register of actions for the judiciary department those attorneys who are either under contract with or authorized by the office of the respondent parents' counsel.

The bill clarifies that a parent whose rights in a parent-child relationship have been terminated and who has filed a petition to reinstate

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

SENATE
2nd Reading Unamended
February 19, 2019

HOUSE
3rd Reading Unamended
January 31, 2019

HOUSE
2nd Reading Unamended
January 30, 2019

the rights of a parent-child relationship is entitled to appointed counsel through the office of the respondent parents' counsel, if income eligibility criteria are satisfied.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-1-307, **amend**
3 (2.3) introductory portion and (2.3)(d) as follows:

4 **19-1-307. Dependency and neglect records and information -**
5 **access - fee - rules - records and reports fund - misuse of information**
6 **- penalty - adult protective services data system check.** (2.3) The
7 following agencies or attorneys appointed by the court ~~shall~~ MUST be
8 granted statewide read-only access to the name index and register of
9 actions for the judiciary department:

10 (d) ~~Respondent parent~~ A RESPONDENT PARENT'S counsel appointed
11 ~~by the court and paid by the judicial department~~ UNDER CONTRACT WITH
12 THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL, CREATED IN SECTION
13 13-92-103, OR AUTHORIZED BY THE OFFICE OF THE RESPONDENT PARENTS'
14 COUNSEL TO ACT AS A RESPONDENT PARENT'S COUNSEL, as it relates to a
15 case in which they are appointed by the court.

16 **SECTION 2.** In Colorado Revised Statutes, 19-3-612, **amend** (5)
17 as follows:

18 **19-3-612. Reinstatement of the parent-child legal relationship**
19 **- circumstances - petition - hearings - legislative declaration.** (5) If a
20 petition to reinstate the parent-child legal relationship is filed, a former
21 parent who is named in the petition and whose rights the petition seeks to
22 have reinstated is entitled to appointed counsel THROUGH THE OFFICE OF
23 THE RESPONDENT PARENTS' COUNSEL PURSUANT TO ARTICLE 92 OF TITLE
24 13 if the former parent meets the income eligibility criteria for public

1 counsel, or the former parent may retain counsel at his or her own
2 expense.

3 **SECTION 3. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2020 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.