

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0196.01 Michael Dohr x4347

HOUSE BILL 21-1179

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HOUSE SPONSORSHIP

Duran and Rich,

SENATE SPONSORSHIP

Gardner,

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House Committees  
Judiciary

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE CREATION OF THE "UNIFORM RECOGNITION AND  
102 ENFORCEMENT OF CANADIAN DOMESTIC VIOLENCE  
103 PROTECTION ORDERS ACT".

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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/>.)*

**Colorado Commission on Uniform State Laws.** The bill enacts the "Uniform Recognition and Enforcement of Canadian Domestic Violence Protection Orders Act" as recommended by the national conference of commissioners on uniform state laws. The bill allows a peace officer to enforce a Canadian domestic violence protection order.

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.

The bill allows a court to enter an order enforcing or refusing to enforce a Canadian domestic violence protection order. The bill provides immunity for a person who enforces a Canadian domestic violence protection order.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 2 to article  
3 14 of title 13 as follows:

4 **PART 2**

5 **UNIFORM RECOGNITION AND ENFORCEMENT OF**  
6 **CANADIAN DOMESTIC VIOLENCE PROTECTION ORDERS**

7 **13-14-201. Short title.** THIS PART 2 MAY BE CITED AS THE  
8 "UNIFORM RECOGNITION AND ENFORCEMENT OF CANADIAN DOMESTIC  
9 VIOLENCE PROTECTION ORDERS ACT".

10 **13-14-202. Definitions.** IN THIS PART 2:

11 (1) "CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER" MEANS  
12 A JUDGMENT OR PART OF A JUDGMENT OR ORDER ISSUED IN A CIVIL  
13 PROCEEDING BY A COURT OF CANADA UNDER LAW OF THE ISSUING  
14 JURISDICTION THAT RELATES TO DOMESTIC VIOLENCE AND PROHIBITS A  
15 RESPONDENT FROM:

16 (a) BEING IN PHYSICAL PROXIMITY TO A PROTECTED INDIVIDUAL  
17 OR FOLLOWING A PROTECTED INDIVIDUAL;

18 (b) DIRECTLY OR INDIRECTLY CONTACTING OR COMMUNICATING  
19 WITH A PROTECTED INDIVIDUAL OR OTHER INDIVIDUAL DESCRIBED IN THE  
20 ORDER;

21 (c) BEING WITHIN A CERTAIN DISTANCE OF A SPECIFIED PLACE OR  
22 LOCATION ASSOCIATED WITH A PROTECTED INDIVIDUAL; OR

23 (d) MOLESTING, ANNOYING, HARASSING, OR ENGAGING IN

1 THREATENING CONDUCT DIRECTED AT A PROTECTED INDIVIDUAL.

2 (2) "DOMESTIC PROTECTION ORDER" MEANS AN INJUNCTION OR  
3 OTHER ORDER ISSUED BY A TRIBUNAL WHICH RELATES TO DOMESTIC OR  
4 FAMILY VIOLENCE LAWS TO PREVENT AN INDIVIDUAL FROM ENGAGING IN  
5 VIOLENT OR THREATENING ACTS AGAINST, HARASSMENT OF, DIRECT OR  
6 INDIRECT CONTACT OR COMMUNICATION WITH, OR BEING IN PHYSICAL  
7 PROXIMITY TO ANOTHER INDIVIDUAL.

8 (3) "ISSUING COURT" MEANS THE COURT THAT ISSUES A CANADIAN  
9 DOMESTIC VIOLENCE PROTECTION ORDER.

10 (4) "LAW ENFORCEMENT OFFICER" MEANS AN INDIVIDUAL  
11 AUTHORIZED BY LAW OF THIS STATE OTHER THAN THIS PART 2 TO ENFORCE  
12 A DOMESTIC PROTECTION ORDER.

13 (5) "PERSON" MEANS AN INDIVIDUAL; ESTATE; BUSINESS OR  
14 NONPROFIT ENTITY; PUBLIC CORPORATION; GOVERNMENT OR  
15 GOVERNMENTAL SUBDIVISION, AGENCY, OR INSTRUMENTALITY; OR OTHER  
16 LEGAL ENTITY.

17 (6) "PROTECTED INDIVIDUAL" MEANS AN INDIVIDUAL PROTECTED  
18 BY A CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER.

19 (7) "RECORD" MEANS INFORMATION THAT IS INSCRIBED ON A  
20 TANGIBLE MEDIUM OR THAT IS STORED IN AN ELECTRONIC OR OTHER  
21 MEDIUM AND IS RETRIEVABLE IN PERCEIVABLE FORM.

22 (8) "RESPONDENT" MEANS AN INDIVIDUAL AGAINST WHOM A  
23 CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER IS ISSUED.

24 (9) "STATE" MEANS A STATE OF THE UNITED STATES, THE  
25 DISTRICT OF COLUMBIA, PUERTO RICO, THE UNITED STATES VIRGIN  
26 ISLANDS, OR ANY TERRITORY OR INSULAR POSSESSION SUBJECT TO THE  
27 JURISDICTION OF THE UNITED STATES.

1 (10) "TRIBUNAL" MEANS A COURT, AGENCY, OR OTHER ENTITY  
2 AUTHORIZED BY LAW OF THIS STATE OTHER THAN THIS PART 2 TO  
3 ESTABLISH, ENFORCE, OR MODIFY A DOMESTIC PROTECTION ORDER.

4 **13-14-203. Enforcement of Canadian domestic violence**  
5 **protection order by law enforcement officer.** (1) IF A LAW  
6 ENFORCEMENT OFFICER DETERMINES UNDER SUBSECTION (2) OR (3) OF  
7 THIS SECTION THAT THERE IS PROBABLE CAUSE TO BELIEVE A VALID  
8 CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER EXISTS AND THE  
9 ORDER HAS BEEN VIOLATED, THE OFFICER SHALL ENFORCE THE TERMS OF  
10 THE CANADIAN DOMESTIC VIOLENCE ORDER AS IF THEY WERE IN AN ORDER  
11 OF A TRIBUNAL. PRESENTATION TO A LAW ENFORCEMENT OFFICER OF A  
12 CERTIFIED COPY OF A CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER  
13 IS NOT REQUIRED FOR ENFORCEMENT.

14 (2) PRESENTATION TO A LAW ENFORCEMENT OFFICER OF A RECORD  
15 OF A CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER THAT IDENTIFIES  
16 BOTH A PROTECTED INDIVIDUAL AND A RESPONDENT AND ON ITS FACE IS  
17 IN EFFECT CONSTITUTES PROBABLE CAUSE TO BELIEVE THAT A VALID  
18 ORDER EXISTS.

19 (3) IF A RECORD OF A CANADIAN DOMESTIC VIOLENCE PROTECTION  
20 ORDER IS NOT PRESENTED AS PROVIDED IN SUBSECTION (2) OF THIS  
21 SECTION, A LAW ENFORCEMENT OFFICER MAY CONSIDER OTHER  
22 INFORMATION IN DETERMINING WHETHER THERE IS PROBABLE CAUSE TO  
23 BELIEVE THAT A VALID CANADIAN DOMESTIC VIOLENCE PROTECTION  
24 ORDER EXISTS.

25 (4) IF A LAW ENFORCEMENT OFFICER DETERMINES THAT AN  
26 OTHERWISE VALID CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER  
27 CANNOT BE ENFORCED BECAUSE THE RESPONDENT HAS NOT BEEN NOTIFIED

1 OF OR SERVED WITH THE ORDER, THE OFFICER SHALL NOTIFY THE  
2 PROTECTED INDIVIDUAL THAT THE OFFICER WILL MAKE REASONABLE  
3 EFFORTS TO CONTACT THE RESPONDENT, CONSISTENT WITH THE SAFETY OF  
4 THE PROTECTED INDIVIDUAL. AFTER NOTICE TO THE PROTECTED  
5 INDIVIDUAL AND CONSISTENT WITH THE SAFETY OF THE INDIVIDUAL, THE  
6 LAW ENFORCEMENT OFFICER SHALL MAKE A REASONABLE EFFORT TO  
7 INFORM THE RESPONDENT OF THE ORDER; NOTIFY THE RESPONDENT OF THE  
8 TERMS OF THE ORDER; PROVIDE A RECORD OF THE ORDER, IF AVAILABLE,  
9 TO THE RESPONDENT; AND ALLOW THE RESPONDENT A REASONABLE  
10 OPPORTUNITY TO COMPLY WITH THE ORDER BEFORE THE OFFICER  
11 ENFORCES THE ORDER.

12 (5) IF A LAW ENFORCEMENT OFFICER DETERMINES THAT AN  
13 INDIVIDUAL IS A PROTECTED INDIVIDUAL, THE OFFICER SHALL INFORM THE  
14 INDIVIDUAL OF AVAILABLE LOCAL VICTIM SERVICES.

15 **13-14-204. Enforcement of Canadian domestic violence**  
16 **protection order by tribunal.** (1) A TRIBUNAL MAY ISSUE AN ORDER  
17 ENFORCING OR REFUSING TO ENFORCE A CANADIAN DOMESTIC VIOLENCE  
18 PROTECTION ORDER ON APPLICATION OF:

19 (a) A PERSON AUTHORIZED BY LAW OF THIS STATE OTHER THAN  
20 THIS PART 2 TO SEEK ENFORCEMENT OF A DOMESTIC PROTECTION ORDER;  
21 OR

22 (b) A RESPONDENT.

23 (2) IN A PROCEEDING UNDER SUBSECTION (1) OF THIS SECTION, THE  
24 TRIBUNAL SHALL FOLLOW THE PROCEDURES OF THIS STATE FOR  
25 ENFORCEMENT OF A DOMESTIC PROTECTION ORDER. AN ORDER ENTERED  
26 UNDER THIS SECTION IS LIMITED TO THE ENFORCEMENT OF THE TERMS OF  
27 THE CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER AS DESCRIBED

1 IN SECTION 13-14-202 (1).

2 (3) A CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER IS  
3 ENFORCEABLE UNDER THIS SECTION IF:

4 (a) THE ORDER IDENTIFIES A PROTECTED INDIVIDUAL AND A  
5 RESPONDENT;

6 (b) THE ORDER IS VALID AND IN EFFECT;

7 (c) THE ISSUING COURT HAD JURISDICTION OVER THE PARTIES AND  
8 THE SUBJECT MATTER UNDER LAW APPLICABLE IN THE ISSUING COURT;  
9 AND

10 (d) THE ORDER WAS ISSUED AFTER:

11 (I) THE RESPONDENT WAS GIVEN REASONABLE NOTICE AND HAD  
12 AN OPPORTUNITY TO BE HEARD BEFORE THE COURT ISSUED THE ORDER; OR

13 (II) IN THE CASE OF AN EX PARTE ORDER, THE RESPONDENT WAS  
14 GIVEN REASONABLE NOTICE AND HAD OR WILL HAVE AN OPPORTUNITY TO  
15 BE HEARD WITHIN A REASONABLE TIME AFTER THE ORDER WAS ISSUED, IN  
16 A MANNER CONSISTENT WITH THE RIGHT OF THE RESPONDENT TO DUE  
17 PROCESS.

18 (4) A CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER VALID  
19 ON ITS FACE IS PRIMA FACIE EVIDENCE OF ITS ENFORCEABILITY UNDER THIS  
20 SECTION.

21 (5) A CLAIM THAT A CANADIAN DOMESTIC VIOLENCE PROTECTION  
22 ORDER DOES NOT COMPLY WITH SUBSECTION (3) OF THIS SECTION IS AN  
23 AFFIRMATIVE DEFENSE IN A PROCEEDING SEEKING ENFORCEMENT OF THE  
24 ORDER. IF THE TRIBUNAL DETERMINES THAT THE ORDER IS NOT  
25 ENFORCEABLE, THE TRIBUNAL SHALL ISSUE AN ORDER THAT THE  
26 CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER IS NOT ENFORCEABLE  
27 UNDER THIS SECTION AND SECTION 13-14-203 AND MAY NOT BE

1 REGISTERED UNDER SECTION 13-14-205.

2 (6) THIS SECTION APPLIES TO THE ENFORCEMENT OF A PROVISION  
3 OF A CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER AGAINST A  
4 PARTY TO THE ORDER IN WHICH EACH PARTY IS A PROTECTED INDIVIDUAL  
5 AND RESPONDENT ONLY IF:

6 (a) THE PARTY SEEKING ENFORCEMENT OF THE ORDER FILED A  
7 PLEADING REQUESTING THE ORDER FROM THE ISSUING COURT; AND

8 (b) THE COURT MADE SPECIFIC FINDINGS THAT ENTITLED THE  
9 PARTY TO THE ENFORCEMENT SOUGHT.

10 **13-14-205. Registration of a Canadian domestic violence**  
11 **protection order.** (1) AN INDIVIDUAL MAY REGISTER A CANADIAN  
12 DOMESTIC VIOLENCE PROTECTION ORDER IN THIS STATE. TO REGISTER THE  
13 ORDER, THE INDIVIDUAL MUST PRESENT A COPY OF THE ORDER TO THE  
14 COLORADO BUREAU OF INVESTIGATION FOR INCLUSION IN THE CENTRAL  
15 REGISTRY OF PROTECTION ORDERS CREATED IN SECTION 18-6-803.7.

16 (2) ON RECEIPT OF A CERTIFIED COPY OF A CANADIAN DOMESTIC  
17 VIOLENCE PROTECTION ORDER, THE TRIBUNAL OR OTHER AGENCY  
18 RESPONSIBLE FOR THE REGISTRATION OF THE DOMESTIC PROTECTION  
19 ORDERS SHALL REGISTER THE ORDER WITHIN TWENTY-FOUR HOURS AFTER  
20 BEING RECEIVED IN ACCORDANCE WITH THIS SECTION.

21 (3) AN INDIVIDUAL REGISTERING A CANADIAN DOMESTIC  
22 VIOLENCE PROTECTION ORDER UNDER THIS SECTION SHALL FILE AN  
23 AFFIDAVIT STATING THAT, TO THE BEST OF THE INDIVIDUAL'S KNOWLEDGE,  
24 THE ORDER IS VALID AND IN EFFECT.

25 (4) AFTER A CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER  
26 IS REGISTERED UNDER THIS SECTION, THE RESPONSIBLE TRIBUNAL OR  
27 OTHER AGENCY SHALL PROVIDE THE INDIVIDUAL REGISTERING THE

1 CANADIAN ORDER A CERTIFIED COPY OF THE REGISTERED ORDER.

2 (5) A CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER  
3 REGISTERED UNDER THIS SECTION MAY BE ENTERED IN A STATE OR  
4 FEDERAL REGISTRY OF PROTECTION ORDERS IN ACCORDANCE WITH  
5 APPLICABLE LAW.

6 (6) AN INACCURATE, EXPIRED, OR UNENFORCEABLE CANADIAN  
7 DOMESTIC VIOLENCE PROTECTION ORDER MAY BE CORRECTED OR  
8 REMOVED FROM THE REGISTRY OF PROTECTION ORDERS MAINTAINED IN  
9 THIS STATE IN ACCORDANCE WITH LAW OF THIS STATE OTHER THAN THIS  
10 PART 2.

11 (7) A FEE MAY NOT BE CHARGED FOR THE REGISTRATION OF A  
12 CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER.

13 (8) REGISTRATION IN THIS STATE OR FILING UNDER LAW OF THIS  
14 STATE OTHER THAN THIS PART 2 OF A CANADIAN DOMESTIC VIOLENCE  
15 PROTECTION ORDER IS NOT REQUIRED FOR ITS ENFORCEMENT UNDER THIS  
16 PART 2.

17 **13-14-206. Immunity.** THE STATE, A STATE AGENCY, A LOCAL  
18 GOVERNMENTAL AGENCY, A LAW ENFORCEMENT OFFICER, A PROSECUTING  
19 ATTORNEY, A CLERK OF COURT, AND A STATE OR LOCAL GOVERNMENTAL  
20 OFFICIAL ACTING IN AN OFFICIAL CAPACITY ARE IMMUNE FROM CIVIL AND  
21 CRIMINAL LIABILITY FOR AN ACT OR OMISSION ARISING OUT OF THE  
22 REGISTRATION OR ENFORCEMENT OF A CANADIAN DOMESTIC VIOLENCE  
23 PROTECTION ORDER OR THE DETENTION OR ARREST OF AN ALLEGED  
24 VIOLATOR OF A CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER IF  
25 THE ACT OR OMISSION WAS A GOOD FAITH EFFORT TO COMPLY WITH THIS  
26 PART 2.

27 **13-14-207. Other remedies.** AN INDIVIDUAL WHO SEEKS A



1 REMEDY UNDER THIS PART 2 MAY SEEK OTHER LEGAL OR EQUITABLE  
2 REMEDIES.

3 **13-14-208. Uniformity of application and construction.** IN  
4 APPLYING AND CONSTRUING THIS PART 2, CONSIDERATION MUST BE GIVEN  
5 TO THE NEED TO PROMOTE UNIFORMITY OF THE LAW WITH RESPECT TO ITS  
6 SUBJECT MATTER AMONG STATES THAT ENACT IT.

7 **13-14-209. Relation to electronic signatures in global and**  
8 **national commerce act.** THIS PART 2 MODIFIES, LIMITS, OR SUPERSEDES  
9 THE FEDERAL "ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL  
10 COMMERCE ACT", 15 U.S.C. SEC. 7001 ET SEQ., BUT DOES NOT MODIFY,  
11 LIMIT, OR SUPERSEDE SECTION 101 (c) OF THAT ACT, 15 U.S.C. SEC. 7001  
12 (c), OR AUTHORIZE ELECTRONIC DELIVERY OF ANY OF THE NOTICES  
13 DESCRIBED IN SECTION 103 (b) OF THAT ACT, 15 U.S.C. SEC. 7003 (b).

14 **13-14-210. Transition.** THIS PART 2 APPLIES TO A CANADIAN  
15 DOMESTIC VIOLENCE PROTECTION ORDER ISSUED BEFORE, ON, OR AFTER  
16 THE EFFECTIVE DATE OF THIS PART 2 AND TO A CONTINUING ACTION FOR  
17 ENFORCEMENT OF A CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER  
18 COMMENCED BEFORE, ON, OR AFTER THE EFFECTIVE DATE OF THIS PART 2.  
19 A REQUEST FOR ENFORCEMENT OF A CANADIAN DOMESTIC VIOLENCE  
20 PROTECTION ORDER MADE ON OR AFTER THE EFFECTIVE DATE OF THIS PART  
21 2 FOR A VIOLATION OF THE ORDER OCCURRING BEFORE, ON, OR AFTER THE  
22 EFFECTIVE DATE OF THIS PART 2 IS GOVERNED BY THIS PART 2.

23 **13-14-211. Severability.** IF ANY PROVISION OF THIS PART 2 OR ITS  
24 APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE  
25 INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF  
26 THIS PART 2 WHICH CAN BE GIVEN EFFECT WITHOUT THE INVALID  
27 PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS

1 PART 2 ARE SEVERABLE.

2           **SECTION 2. Act subject to petition - effective date.** This act  
3 takes effect at 12:01 a.m. on the day following the expiration of the  
4 ninety-day period after final adjournment of the general assembly; except  
5 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
6 of the state constitution against this act or an item, section, or part of this  
7 act within such period, then the act, item, section, or part will not take  
8 effect unless approved by the people at the general election to be held in  
9 November 2022 and, in such case, will take effect on the date of the  
10 official declaration of the vote thereon by the governor.