Second Regular Session Seventy-first General Assembly STATE OF COLORADO

BILL(1)(c)(i)

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LLS NO. 18-###.## Jane Ritter x4342

COMMITTEE BILL

Statutory Revision Committee

A BILL FOR AN ACT

101 CONCERNING MODERNIZATION OF LANGUAGE IN STATUTORY SECTIONS 102 CONCERNING "RIGHTS OF MARRIED WOMEN".

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/.)

Statutory Revision Committee. The bill modernizes the language in statutory sections concerning the "rights of married women" to be inclusive of married men and women.

I	Be it enacted by the General Assembly of the State of Colorado:
2	SECTION 1. Legislative declaration. The general assembly
3	declares that the purpose of House Bill/Senate Bill 18, enacted in
4	2018, is to effect a nonsubstantive change in statute to modernize the use
5	of the terms "married woman", "wife", and similar terms, where
6	appropriate, in statutory sections found in part 2 of article 2 of title 14,
7	Colorado Revised Statutes, formally titled "Rights of Married Women".
8	The intent is to clarify that the rights set forth in these particular statutory
9	sections apply to all married persons, not just married women.
10	SECTION 2. In Colorado Revised Statutes, amend part 2 of
11	article 2 of title 14 as follows:
12	PART 2
13	RIGHTS OF MARRIED WOMEN PERSONS
14	14-2-201. Property ownership. The property, real and personal,
15	which any woman THAT A PERSON in this state owns at the time of HIS OR
16	her marriage, and the rents, issues, profits, and proceeds thereof, and any
17	real, personal, or mixed property which THAT comes to HIM OR her by
18	descent, devise, or bequest, or the gift of any person except HIS OR her
19	husband OR WIFE, including presents or gifts from HIS OR her husband OR
20	WIFE, such as jewelry, silver, tableware, watches, money, and wearing
21	apparel, shall remain REMAINS HIS OR her sole and separate property,
22	notwithstanding HIS OR her marriage, and shall not be IS NOT subject to
23	the disposal of HIS OR her husband OR WIFE or liable for his OR HER debts.
24	14-2-202. Married person may sue and be sued. Any woman A
25	PERSON, while married, may sue and be sued, in all matters having
26	relation to HIS OR her property, person, or reputation, in the same manner

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PERSON may carry on any trade or business and perform any labor or services on HIS OR her sole and separate account, and the earnings of any A married woman PERSON from HIS OR her trade, business, labor, or services shall be IS HIS OR her sole and separate property and may be used and invested by HIM OR her in HIS OR her own name. Her Property acquired by trade, business, and services BY THE MARRIED PERSON and the proceeds thereof may be taken on any execution against her THE PERSON.

14-2-204. Not to affect marriage settlements. Nothing in sections 14-2-201 to 14-2-206 shall invalidate INVALIDATES any marriage settlement or contract.

14-2-205. Married person's land subject to judgment. When any woman A PERSON against whom liability exists marries and has or acquires lands, judgment on such liability may be rendered against HIM OR her and HIS OR her husband OR WIFE jointly, to be levied on such lands only.

14-2-206. Spouse cannot convey other spouse's lands. The separate deed of the husband shall convey A SPOUSE CONVEYS no interest in the wife's OTHER SPOUSE'S lands.

14-2-207. Spouse may convey lands as if unmarried. Any woman A PERSON, while married, may bargain, sell, and convey HIS OR her real and personal property and enter into any contract in reference to the same as if HE OR she were sole UNMARRIED.

14-2-208. Married person may contract. Any woman A PERSON, while married, may contract debts in HIS OR her own name and upon HIS OR her own credit, and may execute promissory notes, bonds, bills of

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exchange, and other instruments in writing, and may enter into any contract the same as if HE OR she were sole; and UNMARRIED. In all cases where any suit or other legal proceedings are instituted against her THE MARRIED PERSON and any judgment, decree, or order therein is rendered or pronounced against her THE MARRIED PERSON, the same may be enforced by execution or other process against her the same as if she were sole THE MARRIED PERSON AS IF HE OR SHE WERE UNMARRIED.

14-2-209. Loss of consortium. In all actions for a tort by a married woman, she shall have the same right PERSON, BOTH SPOUSES HAVE AN EQUAL RIGHT to recover for loss of consortium of her husband as is afforded husbands in like actions HIS OR HER SPOUSE.

14-2-210. Domicile. The right of any A person to become a resident domiciled in the state of Colorado shall MUST not be denied or abridged because of sex or marital status, and the common law rule that the domicile of a married woman PERSON is that of her husband shall HIS OR HER SPOUSE IS no longer be in effect in this state.

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 8, 2018, if adjournment sine die is on May 9, 2018); 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 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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