

CHAPTER 27

COURTS

HOUSE BILL 09-1023

BY REPRESENTATIVE(S) Gagliardi and Swalm, Balmer, Benefield, Frangas, Gardner B., Gerou, Kefalas, Labuda, Looper, McCann, McGihon, Merrifield, Miklosi, Pace, Primavera, Riesberg, Ryden, Todd; also SENATOR(S) Boyd, Bacon, Groff, Hodge, Newell, Spence, Tapia, Tochtrop.

AN ACT**CONCERNING THE AGE REQUIREMENT FOR BLOOD DONATIONS BY A MINOR.**

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

SECTION 1. 13-22-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

13-22-104. Transplants and transfusions generally - declaration of policy - limit on liability of minors. (4) ANY PROVISION OF THE LAW TO THE CONTRARY NOTWITHSTANDING, A MINOR WHO IS AT LEAST SIXTEEN YEARS OF AGE BUT IS LESS THAN EIGHTEEN YEARS OF AGE MAY GIVE CONSENT TO THE DONATION OF HIS OR HER BLOOD AND TO THE PENETRATION OF TISSUE THAT IS NECESSARY TO ACCOMPLISH THE DONATION, SO LONG AS THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTS TO AUTHORIZE THE DONATION OF THE MINOR'S BLOOD AND THE PENETRATION OF TISSUE. A MINOR'S CONSENT SHALL NOT BE SUBJECT TO DISAFFIRMANCE BECAUSE OF MINORITY.

SECTION 2. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 4, 2009, if adjournment sine die is on May 6, 2009); except that, if a referendum petition is

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

filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 19, 2009

Editor's note: The August 4 date specified in the effective date section of this act reflects the ninetieth day, therefore the act takes effect at 12:01 a.m. on August 5, 2009.