

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB26-1100 be amended as follows:

1 Strike the Finance Committee Report, dated April 23, 2026, and
2 substitute:

3 "Strike the Judiciary Committee Report, dated April 1, 2026, and
4 substitute:

5 "Amend printed bill, strike everything below the enacting clause and
6 substitute:

7 "SECTION 1. In Colorado Revised Statutes, **add** 15-14-103 as
8 follows:

9 **15-14-103. Guardianship bill of rights.**

10 (1) A WARD HAS THE RIGHT TO:

11 (a) BE TREATED WITH DIGNITY AND RESPECT;

12 (b) BE FREE FROM ABUSE, NEGLECT, EXPLOITATION, AND
13 DISCRIMINATION;

14 (c) REMAIN AS INDEPENDENT AS POSSIBLE;

15 (d) EXPRESS AND PRACTICE THEIR OWN RELIGIOUS PREFERENCES;

16 (e) PERSONAL PRIVACY;

17 (f) HUMANE, SAFE, AND SANITARY LIVING, LEARNING, AND
18 WORKING ENVIRONMENTS;

19 (g) SEXUAL EXPRESSION AND RESPECT FOR THEIR GENDER
20 IDENTITY;

21 (h) A COMPETENT GUARDIAN WHO ADVOCATES FOR THEIR GOALS,
22 NEEDS, AND PREFERENCES AND PRIORITIZES THEIR DESIRES, INCLUDING
23 MEDICAL TREATMENT PREFERENCES, CULTURAL PRACTICES, AND
24 RELIGIOUS BELIEFS;

25 (i) PARTICIPATE, TO THE EXTENT POSSIBLE, IN ALL DECISIONS,
26 ESPECIALLY THOSE AFFECTING THEIR CARE, WHERE THEY LIVE, THEIR
27 ACTIVITIES, AND THEIR SOCIAL INTERACTIONS, TO THE EXTENT THEY WISH
28 TO BE INVOLVED AND ARE ABLE TO BE INVOLVED;

29 (j) RECEIVE NECESSARY SERVICES AND REHABILITATION, WITHIN
30 AVAILABLE RESOURCES, THAT PROTECT THEIR PERSONAL LIBERTY AND
31 ARE PROVIDED WITH THE LEAST RESTRICTIVE CONDITIONS;

32 (k) PRUDENT MANAGEMENT OF THEIR RESOURCES BY THEIR
33 GUARDIAN;

34 (l) PARTICIPATE, TO THE EXTENT POSSIBLE, IN DECISIONS ABOUT
35 HOW THEIR PROPERTY IS MANAGED, TO THE EXTENT THEY WISH TO BE
36 INVOLVED AND ARE ABLE TO BE INVOLVED;

37 (m) CONFIDENTIALITY FOR THOSE MATTERS THAT THEY WISH TO
38 KEEP CONFIDENTIAL, UNLESS THE INFORMATION IS NECESSARY TO OBTAIN

1 SERVICES; TO PREVENT ABUSE, NEGLECT, OR EXPLOITATION; OR TO MODIFY
2 THE GUARDIANSHIP ORDER OR OTHER ORDERS ENTERED PURSUANT TO THIS
3 ARTICLE 14 OR ARTICLE 14.5 OF THIS TITLE 15;

4 (n) MAINTAIN ALL RIGHTS THAT THE COURT HAS NOT GRANTED TO
5 THEIR GUARDIAN OR CONSERVATOR;

6 (o) A LAWYER WHO ADVOCATES FOR THE OUTCOME THE WARD
7 WANTS;

8 (p) BE PRESENT AND PARTICIPATE IN ALL COURT HEARINGS;

9 (q) SHARE CONCERNS OR COMPLAINTS ABOUT THEIR
10 GUARDIANSHIP WITH THE COURT;

11 (r) ASK THE COURT TO REVIEW THE NEED FOR THEIR
12 GUARDIANSHIP TO CHANGE, CONTINUE, OR END AND WHETHER THEIR
13 GUARDIAN IS AN APPROPRIATE FIT FOR THEM;

14 (s) IF A QUESTION ARISES ABOUT THEIR CAPACITY TO EXERCISE A
15 SPECIFIC RIGHT, HAVE A COURT REVIEW AND DETERMINE IF AN
16 EVALUATION IS NECESSARY IN ORDER TO DETERMINE THEIR CAPACITY TO
17 EXERCISE THE RIGHT;

18 (t) THE SUPPORT AND ACCOMMODATIONS THEY NEED TO BE ABLE
19 TO EFFECTIVELY COMMUNICATE WITH THE COURT AND TO UNDERSTAND
20 THE COURT PROCEEDINGS; AND

21 (u) HAVE THEIR RIGHTS EXPLAINED TO THEM IN THEIR PREFERRED
22 METHOD OF COMMUNICATION AND IN THE LANGUAGE THEY CHOOSE.

23 (2) THE COURT MAY AUTHORIZE A GUARDIAN OR CONSERVATOR
24 TO MAKE DECISIONS FOR THE FOLLOWING RIGHTS ON BEHALF OF THE
25 WARD:

26 (a) TO DETERMINE THE WARD'S SOCIAL ENVIRONMENT AND THE
27 SOCIAL ASPECTS OF THEIR PERSONAL LIFE;

28 (b) TO FILE AND DEFEND LAWSUITS;

29 (c) TO MAKE CONTRACTS;

30 (d) TO MAKE GIFTS OF THE WARD'S MONEY; AND

31 (e) TO MANAGE THE WARD'S MONEY AND PROPERTY.

32 (3) THE WARD RETAINS THE RIGHT TO VOTE, TO MAINTAIN THEIR
33 REPRODUCTIVE HEALTH AND ABILITY TO PROCREATE, AND TO CHANGE
34 THEIR MARITAL STATUS, UNLESS THE COURT RESTRICTS THOSE RIGHTS BY
35 STATING THE RESTRICTIONS AND THE RELEVANT FINDINGS TO SUPPORT THE
36 RESTRICTIONS IN THE ORDER APPOINTING THE GUARDIAN.

37 (4) NOTHING IN THIS SECTION ALTERS, LIMITS, OR AFFECTS THE
38 COURT'S AUTHORITY OR THE STANDARDS AND PROCEDURES FOR
39 APPOINTING A GUARDIAN, DETERMINING THE SCOPE OF GUARDIANSHIP, OR
40 MODIFYING OR TERMINATING A GUARDIANSHIP PURSUANT TO THIS ARTICLE
41 14 OR ARTICLE 14.5 OF THIS TITLE 15. THE RIGHTS SET FORTH IN THIS
42 SECTION ARE SUBJECT TO ANY LIMITATIONS IMPOSED BY COURT ORDER.

43 **SECTION 2.** In Colorado Revised Statutes, 15-14-314, **amend**

1 (2)(f) and (2)(g); and **add** (2)(h) as follows:

2 **15-14-314. Duties of guardian.**

3 (2) A guardian shall:

4 (f) Inform the court of ~~any~~ A change in the ward's custodial
5 dwelling or address; ~~and~~

6 (g) Immediately notify the court in writing of the ward's death;

7 AND

8 (h) NOTIFY, TO THE EXTENT REASONABLY FEASIBLE, THE COURT
9 AND THE WARD, AT LEAST THIRTY DAYS BEFORE A CHANGE, IF POSSIBLE,
10 AT THE WARD'S PRIMARY DWELLING, OF A FORTHCOMING PERMANENT
11 MOVE TO A NURSING HOME, MENTAL HEALTH INSTITUTION, OR OTHER
12 FACILITY THAT PLACES RESTRICTIONS ON THE WARD'S ABILITY TO LEAVE
13 THE FACILITY OR HAVE VISITORS, UNLESS THE CHANGE OR MOVE IS
14 PROPOSED IN THE GUARDIAN'S PLAN OR AUTHORIZED BY THE COURT BY
15 SPECIFIC ORDER.

16 **SECTION 3.** In Colorado Revised Statutes, 15-14-316, **add** (5)
17 as follows:

18 **15-14-316. Rights and immunities of guardian - limitations.**

19 (5) A GUARDIAN, IN EXERCISING THE GUARDIAN'S POWERS
20 PURSUANT TO SECTION 15-14-315, SHALL NOT CONSENT TO CARE OR
21 TREATMENT FOR THE WARD THAT IS AGAINST THE WARD'S WILL.

22 **SECTION 4. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act
28 within such period, then the act, item, section, or part will not take effect
29 unless approved by the people at the general election to be held in
30 November 2026 and, in such case, will take effect on the date of the
31 official declaration of the vote thereon by the governor."."."

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