

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0555.01 Anna Petrini x5497

HOUSE BILL 26-1105

HOUSE SPONSORSHIP

Slaugh and Flanell,

SENATE SPONSORSHIP

Zamora Wilson,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIRING A HEALTH-CARE PROVIDER TO DISCUSS**
102 **INFORMATION RELATED TO ADOPTION WITH A PREGNANT**
103 **PERSON SEEKING AN ABORTION.**

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>.)

If a pregnant person presents to a health-care facility requesting an abortion, the bill requires the person's health-care provider, if willing, or another willing health-care provider to discuss, at least 24 hours before the abortion procedure, certain information related to adoption as a pregnancy outcome option, unless the person declines the discussion.

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

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25-3-135 as
3 follows:

4 **25-3-135. Adoption option for pregnant person - definitions.**

5 (1) NOTWITHSTANDING ANY LAW TO THE CONTRARY, IF A
6 PREGNANT PERSON PRESENTS TO A HEALTH-CARE FACILITY REQUESTING
7 AN ABORTION, THE PERSON'S HEALTH-CARE PROVIDER, OR ANOTHER
8 WILLING HEALTH-CARE PROVIDER AT THE HEALTH-CARE FACILITY, SHALL,
9 AT LEAST TWENTY-FOUR HOURS PRIOR TO AN ABORTION PROCEDURE BEING
10 PERFORMED FOR THE PERSON AT THE HEALTH-CARE FACILITY, DISCUSS
11 WITH THE PERSON THE AVAILABILITY OF ADOPTION AS A PREGNANCY
12 OUTCOME OPTION AND THE FOLLOWING INFORMATION ABOUT ADOPTIVE
13 PLACEMENT:

14 (a) THE AVAILABILITY OF FINANCIAL ASSISTANCE FOR PRENATAL
15 CARE, CHILD BIRTH, AND NEONATAL CARE EXPENSES;

16 (b) THE DISTINCTION BETWEEN ADOPTION THROUGH THE CHILD
17 WELFARE SYSTEM AND PRIVATE ADOPTION;

18 (c) A BRIEF OVERVIEW OF THE ASSESSMENT AND APPROVAL
19 PROCESS FOR ADOPTIVE PARENTS IN A PRIVATE ADOPTION;

20 (d) THE OPTION FOR A BIRTH PARENT TO DESIGNATE SPECIFIC
21 APPLICANTS AS POTENTIAL ADOPTIVE PARENTS;

22 (e) THE CONFIDENTIALITY OPTIONS AVAILABLE TO VARIOUS
23 PARTIES FOR A RELINQUISHMENT AND SUBSEQUENT ADOPTION OF A CHILD;
24 AND

25 (f) A DESCRIPTION OF IMMEDIATE AND LONG-TERM MENTAL
26 HEALTH OUTCOMES FOR BIRTH PARENTS WHO PURSUE ADOPTIVE

1 PLACEMENT AS AN ALTERNATIVE TO AN ABORTION.

2 (2) (a) THE HEALTH-CARE PROVIDER SHALL PRESENT THE
3 INFORMATION DESCRIBED IN SUBSECTIONS (1)(a) TO (1)(f) OF THIS
4 SECTION TO A PREGNANT PERSON IN AN OBJECTIVE AND UNBIASED
5 MANNER, USING PLAIN LANGUAGE, AND IN A PRIVATE SETTING.

6 (b) THE HEALTH-CARE PROVIDER SHALL PROVIDE THE PREGNANT
7 PERSON WITH:

8 (I) AN ADEQUATE OPPORTUNITY TO ASK QUESTIONS AND RECEIVE
9 ANSWERS THAT THE PREGNANT PERSON CAN UNDERSTAND; AND

10 (II) AN OPPORTUNITY TO DECLINE TO DISCUSS THE INFORMATION
11 DESCRIBED IN SUBSECTIONS (1)(a) TO (1)(f) OF THIS SECTION AT ANY
12 POINT FOLLOWING A HEALTH-CARE PROVIDER'S INITIAL MENTION OF THE
13 AVAILABILITY OF ADOPTION AS A PREGNANCY OUTCOME OPTION.

14 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
15 REQUIRES:

16 (a) "ABORTION" HAS THE MEANING SET FORTH IN SECTION
17 25-6-402.

18 (b) "HEALTH-CARE FACILITY" MEANS A FACILITY LICENSED OR
19 CERTIFIED BY THE DEPARTMENT PURSUANT TO SECTION 25-1.5-103.

20 (c) "HEALTH-CARE PROVIDER" MEANS A PHYSICIAN, NURSE
21 PRACTITIONER, REGISTERED NURSE, ADVANCED PRACTICE REGISTERED
22 NURSE, CERTIFIED NURSE MIDWIFE, GENETIC COUNSELOR, PHYSICIAN'S
23 ASSISTANT, SOCIAL WORKER, OR OTHER STAFF MEMBER OF A HEALTH-CARE
24 FACILITY WHO IS KNOWLEDGEABLE ABOUT THE STATE'S ADOPTION
25 PROCESSES AND LOCAL RESOURCES.

26 **SECTION 2. Act subject to petition - effective date.** This act
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August
2 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
3 referendum petition is filed pursuant to section 1 (3) of article V of the
4 state constitution against this act or an item, section, or part of this act
5 within such period, then the act, item, section, or part will not take effect
6 unless approved by the people at the general election to be held in
7 November 2026 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.