

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0084.01 Shelby Ross x4510

HOUSE BILL 26-1024

HOUSE SPONSORSHIP

Keltie, Rydin

SENATE SPONSORSHIP

Frizell,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING RAISING THE AGE OF A CHILD WHO MAY BE**
102 **VOLUNTARILY RELINQUISHED FROM SEVENTY-TWO HOURS OLD**
103 **TO THIRTY DAYS OLD OR YOUNGER.**

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>.)

Under current law, a parent can voluntarily relinquish their child to a firefighter or hospital or community clinic emergency center staff member if the child is less than 72 hours old. The bill allows a parent to voluntarily relinquish their child if the child is 30 days old or younger.

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, 19-3-304.5, **amend**
3 **(1)(a); and add (5.5) as follows:**

4 **19-3-304.5. Emergency possession of certain relinquished**
5 **children - rules - legislative declaration - definitions.**

6 (1) If a parent voluntarily delivers a child to a firefighter, as
7 defined in section 18-3-201 (1.5), or a staff member who engages in the
8 admission, care, or treatment of patients at a hospital or community clinic
9 emergency center, as defined in subsection (9) of this section, when the
10 firefighter is at a fire station or the staff member is at a hospital or
11 community clinic emergency center, as defined in subsection (9) of this
12 section, the firefighter or staff member of the hospital or community
13 clinic emergency center shall, without a court order, take temporary
14 physical custody of the child if:

15 (a) The child is ~~seventy-two hours~~ THIRTY DAYS old or younger;
16 and

17 **(5.5) THE DEPARTMENT SHALL ADOPT RULES ESTABLISHING A**
18 **PROCESS FOR A PARENT WHO VOLUNTARILY RELINQUISHED A CHILD**
19 **PURSUANT TO THIS SECTION TO REGAIN CUSTODY OF THE CHILD.**

20 **SECTION 2.** In Colorado Revised Statutes, 18-6-401, **amend**
21 **(9)(a) as follows:**

22 **18-6-401. Child abuse - definition.**

23 (9) (a) If a parent is charged with permitting a child to be
24 unreasonably placed in a situation that poses a threat of injury to the
25 child's life or health, pursuant to subsection (1)(a) of this section, and the
26 child was ~~seventy-two hours~~ THIRTY DAYS old or younger at the time of

1 the alleged offense, it is an affirmative defense to the charge that the
2 parent safely, reasonably, and knowingly handed the child over to a
3 firefighter, as defined in section 18-3-201 (1.5), or to a staff member who
4 engages in the admission, care, or treatment of patients at a hospital or
5 community clinic emergency center, as defined in subsection (9)(b) of
6 this section, when the firefighter is at a fire station, or the staff member
7 is at a hospital or community clinic emergency center, as defined in
8 subsection (9)(b) of this section.

9 **SECTION 3.** In Colorado Revised Statutes, 22-1-128, **amend**
10 (6)(j) as follows:

11 **22-1-128. Comprehensive human sexuality education -**
12 **guidelines and content standards - legislative declaration -**
13 **definitions.**

14 (6) Human sexuality instruction is not required. However, if a
15 school district, board of cooperative services, charter school, or institute
16 charter school offers human sexuality instruction, the instruction must be
17 comprehensive and meet the comprehensive human sexuality education
18 content requirements. These requirements must:

19 (j) Provide age-appropriate information concerning sections
20 18-6-401 (9) and 19-3-304.5, or any successor laws, referred to generally
21 as "safe haven laws", relating to the safe abandonment of a child to a
22 firefighter at a fire station or to a staff member at a hospital or a
23 community clinic emergency center within the first ~~seventy-two hours~~
24 THIRTY DAYS of the child's life.

25 **SECTION 4.** In Colorado Revised Statutes, 22-25-103, **amend**
26 (3)(n) as follows:

27 **22-25-103. Definitions.**

1 As used in this article 25, unless the context otherwise requires:

2 (3) "Comprehensive health education" means a planned,
3 sequential health program of learning experiences in preschool,
4 kindergarten, and grades one through twelve that must include, but is not
5 limited to, the following topics:

6 (n) If not included in other curricula or programs provided to
7 students, age-appropriate information concerning sections 18-6-401 (9)
8 and 19-3-304.5, or any successor laws, referred to generally as "safe
9 haven laws", relating to the safe abandonment of a child to a firefighter
10 at a fire station, or to a staff member at a hospital or a community clinic
11 emergency center, within the first ~~seventy-two hours~~ THIRTY DAYS of the
12 child's life.

13 **SECTION 5. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2026 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.