

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0088.03 Jacob Baus x2173

HOUSE BILL 26-1309

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HOUSE SPONSORSHIP

Froelich and Story,

SENATE SPONSORSHIP

Wallace,

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING MEASURES RELATED TO FORMS OF ABUSE IN CASES  
102 REGARDING A SEPARATION OF A RELATIONSHIP.

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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, the court is required to determine the allocation of parental responsibilities, including parenting time and decision-making responsibilities, based on the best interests of the child.

The bill requires that prior to allocating parental responsibilities and prior to considering the best interests of the child factors, the court shall determine whether a party has committed domestic violence. If the

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.

court determines by a preponderance of the evidence that a party has committed domestic violence, there is a presumption that it is not in the best interests of the child to allocate parental responsibilities to that parent.

The bill requires the court to make specific written findings and require conditions if the court awards parental responsibilities to a party found to have committed domestic violence.

Under current law, prior to a court ordering a party accused of domestic violence or child abuse to take steps to improve a relationship with a protected party, a mental health professional who is approved by the domestic violence offender management board must verify the accused party's behavior. Instead, the bill requires that the accused party participate in individual therapeutic treatment with a mental health professional who holds a master's or doctoral degree and a certain mental health license type, has specialized training and expertise in treating survivors of domestic violence and its effects, and has completed a 52-week domestic violence abuser intervention program.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds that:

4 (a) Colorado has led the United States in enacting family court  
5 reforms;

6 (b) In recent years, a series of bills have been enacted that seek to  
7 protect parents and children from domestic violence and child abuse when  
8 a family court is determining custody. These bills have required training  
9 in domestic violence and child abuse, created protections for coercive  
10 control and its insidious permutations, and brought many survivors to the  
11 Colorado capitol to share their stories.

12 (c) Despite efforts to protect victims and survivors, family courts  
13 still award unsupervised custody, order court-ordered reunification,  
14 remove protection orders, and dismiss the realities of various forms of  
15 abuse;

16 (d) In 2025, the domestic violence fatality review board reported

1 a record number of domestic violence fatalities. At least 7 domestic  
2 violence fatalities directly involved domestic relations cases between the  
3 victim and the perpetrator, 2 of which closed prior to the fatality and 5 of  
4 which were still open. The 5 open cases involved child custody litigation,  
5 and 4 of the 5 open cases involved multiple victims, resulting in 9  
6 homicides and one attempted homicide.

7 (e) Over 62% of Colorado's child domestic violence fatality  
8 victims were killed during child custody litigation. Of the 8 child  
9 domestic violence fatality victims in 2024, 5 children were involved in  
10 their parents' custody disputes.

11 (f) Studies suggest that one parent using repeated court actions  
12 against the other parent is a pervasive, multifaceted, and effective tactic  
13 to further coercive control. Parents who are abusive may misuse the legal  
14 system by repeatedly bringing groundless motions for modification and  
15 enforcement, and even false reports of child abuse.

16 (g) Seventy-three percent of domestic relations litigants appear in  
17 family court without a lawyer;

18 (h) Seventy-two percent of all murder-suicides involve an intimate  
19 partner, and 94% of the murder victims in murder-suicides are female;

20 (i) Lethality often escalates following separation;

21 (j) Parents who are abused face an increased risk of serious and  
22 lethal violence when separating from the parent who is abusive;

23 (k) As of 2018, all states and the District of Columbia required  
24 domestic violence to be considered in the best interests of the child  
25 analysis, with 26 states and D.C. giving domestic violence extra weight.  
26 Twenty-eight states and D.C. provide a statutory presumption against  
27 awarding custody to a perpetrator of domestic violence.

1 (1) An extensive body of research suggests that exposure to  
2 domestic violence places children at risk of adverse developmental,  
3 behavioral, physical, and mental health consequences, including  
4 depression, anxiety, poor coping mechanisms, suicidal ideations,  
5 self-harm, substance abuse, and chronic pain.

6 (2) Therefore, the general assembly declares that:

7 (a) In order to protect parents and children from domestic  
8 violence, Colorado must prioritize safety during family court proceedings;

9 (b) Safety must be prioritized before contact;

10 (c) Courts need clear guidance and standards to address domestic  
11 violence in determinations concerning the allocation of parental  
12 responsibilities to ensure consistent application and protection of victims  
13 and children; and

14 (d) It is necessary to presume that, if a parent has committed  
15 domestic violence, it is not in the best interests of the child to allocate  
16 parental responsibilities to that parent. This presumption is necessary to  
17 allow courts the ability to consider individual circumstances while  
18 maintaining a strong and protective stance against allocating parental  
19 responsibilities to an abusive parent.

20 **SECTION 2.** In Colorado Revised Statutes, 14-10-103, **amend**  
21 (1.5)(a) and (1.5)(b); and **add** (1.5)(c.2), (1.5)(c.4), (1.5)(c.6), and  
22 (1.5)(c.8) as follows:

23 **14-10-103. Definitions and interpretations of terms.**

24 (1.5) As used in this article 10, unless the context otherwise  
25 requires:

26 (a) "Coercive control" ~~has the same meaning as set forth in~~  
27 ~~section 14-10-124 (1.3)~~ MEANS A PATTERN OF THREATENING,

1 HUMILIATING, OR INTIMIDATING ACTIONS, INCLUDING ASSAULTS OR OTHER  
2 ABUSE, THAT IS USED TO HARM, PUNISH, OR FRIGHTEN AN INDIVIDUAL.  
3 "COERCIVE CONTROL" INCLUDES A PATTERN OF BEHAVIOR THAT TAKES  
4 AWAY THE INDIVIDUAL'S LIBERTY OR FREEDOM AND STRIPS AWAY THE  
5 INDIVIDUAL'S SENSE OF SELF, INCLUDING THE INDIVIDUAL'S BODILY  
6 INTEGRITY AND HUMAN RIGHTS. "COERCIVE CONTROL" INCLUDES  
7 ISOLATING THE INDIVIDUAL FROM SUPPORT, EXPLOITING THE INDIVIDUAL,  
8 DEPRIVING THE INDIVIDUAL OF INDEPENDENCE, AND REGULATING THE  
9 INDIVIDUAL'S EVERYDAY BEHAVIOR. "COERCIVE CONTROL" INCLUDES,  
10 BUT IS NOT LIMITED TO, ANY OF THE FOLLOWING:

11 (I) ISOLATING THE INDIVIDUAL FROM FRIENDS AND FAMILY;

12 (II) MONITORING, SURVEILLING, REGULATING, OR CONTROLLING  
13 THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S,  
14 FINANCES, ECONOMIC RESOURCES, OR ACCESS TO SERVICES;

15 (III) MONITORING, SURVEILLING, REGULATING, OR CONTROLLING  
16 THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S,  
17 ACTIVITIES, COMMUNICATIONS, OR MOVEMENTS, INCLUDING THROUGH  
18 TECHNOLOGY;

19 (IV) NAME-CALLING, DEGRADING, OR DEMEANING THE  
20 INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, ON A FREQUENT  
21 BASIS;

22 (V) THREATENING TO HARM OR KILL THE INDIVIDUAL, OR THE  
23 INDIVIDUAL'S CHILD OR RELATIVE, INCLUDING WEARING, ACCESSING,  
24 DISPLAYING, USING, OR CLEANING A WEAPON IN AN INTIMIDATING OR  
25 THREATENING MANNER;

26 (VI) THREATENING TO COMMIT SUICIDE OR OTHERWISE HARM  
27 ONE'S OWN PERSON WHEN USED AS A METHOD OF COERCION, CONTROL,

1 PUNISHMENT, INTIMIDATION, OR RETALIATION AGAINST THE PERSON;

2 (VII) THREATENING TO HARM OR KILL AN ANIMAL WITH WHICH  
3 THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, HAS AN  
4 EMOTIONAL BOND;

5 (VIII) THREATENING TO PUBLISH THE INDIVIDUAL'S, OR THE  
6 INDIVIDUAL'S CHILD'S OR RELATIVE'S, SENSITIVE PERSONAL INFORMATION,  
7 INCLUDING SEXUALLY EXPLICIT MATERIAL, OR MAKE REPORTS TO THE  
8 POLICE OR AUTHORITIES;

9 (IX) DAMAGING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S  
10 OR RELATIVE'S, PROPERTY OR HOUSEHOLD GOODS;

11 (X) THREATENING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD  
12 OR RELATIVE, WITH DEPORTATION OR CONTACTING AUTHORITIES BASED  
13 ON PERCEIVED OR ACTUAL IMMIGRATION STATUS, WITHHOLDING  
14 ESSENTIAL DOCUMENTS REQUIRED FOR IMMIGRATION, OR THREATENING  
15 TO WITHDRAW OR INTERFERE WITH AN ACTIVE IMMIGRATION APPLICATION  
16 OR PROCESS; OR

17 (XI) FORCING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR  
18 RELATIVE, TO TAKE PART IN CRIMINAL ACTIVITIES OR CHILD ABUSE.

19 (b) (I) "Domestic violence" ~~has the same meaning as set forth in~~  
20 ~~section 14-10-124 (1.3)~~ MEANS ONE OF THE FOLLOWING COMMITTED BY  
21 A PARTY, WHETHER OR NOT THE CONDUCT CONSTITUTES A CRIMINAL  
22 OFFENSE:

23 (A) AN ACT OR THREATENED ACT OF PHYSICAL ASSAULT OR  
24 BODILY HARM AGAINST THE OTHER PARENT OR A FAMILY OR HOUSEHOLD  
25 MEMBER, INCLUDING A CHILD;

26 (B) AN ACT OR THREATENED ACT OF DAMAGE TO PROPERTY  
27 BELONGING TO THE OTHER PARENT OR A FAMILY OR HOUSEHOLD MEMBER,

1 INCLUDING A CHILD;

2 (C) AN ACT OR THREATENED ACT OF PHYSICAL ASSAULT OR  
3 BODILY HARM AGAINST AN ANIMAL BELONGING TO THE OTHER PARENT OR  
4 A FAMILY OR HOUSEHOLD MEMBER, INCLUDING A CHILD;

5 (D) STALKING;

6 (E) SEXUAL ASSAULT;

7 (F) HEALTH-RELATED ABUSE;

8 (G) COERCIVE CONTROL;

9 (H) TECHNOLOGICAL ABUSE;

10 (I) ECONOMIC ABUSE; OR

11 (J) HUMAN TRAFFICKING.

12 (II) "DOMESTIC VIOLENCE" DOES NOT MEAN BEHAVIORS THAT ARE  
13 USED BY A PARENT TO PROTECT THEMSELF; A FAMILY OR HOUSEHOLD  
14 MEMBER, INCLUDING A CHILD; OR PROPERTY, INCLUDING AN ANIMAL,  
15 FROM THE HARM OR RISK OF HARM PRESENTED BY THE OTHER PARENT.

16 (c.2) "HEALTH-RELATED ABUSE" MEANS THE COMMISSION OF ONE  
17 OF THE FOLLOWING BY A PARENT AGAINST THE OTHER PARENT OR  
18 ANOTHER PERSON, INCLUDING A CHILD, THROUGH AN ACT OR THREATENED  
19 ACT OF PHYSICAL HARM, INTIMIDATION, OR COERCIVE CONTROL:

20 (I) INTERFERENCE WITH OR CONTROLLING OR PREVENTING ACCESS  
21 TO MEDICAL CARE, MEDICINE, MEDICAL DEVICES, HEALTH-RELATED  
22 SERVICES, OR PUBLIC OR PRIVATE HEALTH-CARE COVERAGE;

23 (II) INTERFERENCE WITH OR CONTROLLING OR PREVENTING  
24 ACCESS TO MENTAL OR BEHAVIORAL HEALTH CARE OR MEDICINE; OR

25 (III) INTERFERENCE WITH OR CONTROLLING OR PREVENTING  
26 ACCESS TO REPRODUCTIVE HEALTH CARE, INCLUDING CONTRACEPTIVE USE  
27 OR REPRODUCTIVE HEALTH-CARE INFORMATION, OR CONTROLLING OR

1 ATTEMPTING TO CONTROL PREGNANCY OUTCOMES.

2 (c.4) "INTIMATE RELATIONSHIP" MEANS A RELATIONSHIP BETWEEN  
3 SPOUSES, FORMER SPOUSES, PAST OR PRESENT UNMARRIED COUPLES, OR  
4 PERSONS WHO ARE BOTH PARENTS OF THE SAME CHILD, REGARDLESS OF  
5 WHETHER THE PERSONS HAVE BEEN MARRIED OR HAVE LIVED TOGETHER  
6 AT ANY TIME.

7 (c.6) "SEXUAL ASSAULT" HAS THE MEANING SET FORTH IN SECTION  
8 19-1-103.

9 (c.8) "TECHNOLOGICAL ABUSE" MEANS AN ACT OR PATTERN OF  
10 BEHAVIOR BY A PARENT AGAINST THE OTHER PARENT OR ANOTHER  
11 PERSON THAT IS INTENDED TO HARM, THREATEN, INTIMIDATE, STALK,  
12 IMPERSONATE, EXPLOIT, OR EXTORT THROUGH THE USE OF TECHNOLOGY.  
13 "TECHNOLOGICAL ABUSE" INCLUDES, BUT IS NOT LIMITED TO, THE  
14 FOLLOWING:

15 (I) ELECTRONIC MONITORING OR SURVEILLANCE;

16 (II) DISCLOSURE OF INTIMATE OR SEXUALLY EXPLICIT MATERIAL  
17 THROUGH THE USE OF TECHNOLOGY; OR

18 (III) IMPERSONATION THROUGH THE USE OF TECHNOLOGY.

19 **SECTION 3.** In Colorado Revised Statutes, 14-10-124, **repeal**  
20 (1.3); and **add** (1.4) as follows:

21 **14-10-124. Best interests of the child.**

22 (1.3) ~~**Definitions.** For purposes of this section and section~~  
23 ~~14-10-129 (2)(c), unless the context otherwise requires:~~

24 ~~(a) "Coercive control" means a pattern of threatening,~~  
25 ~~humiliating, or intimidating actions, including assaults or other abuse,~~  
26 ~~that is used to harm, punish, or frighten an individual. "Coercive control"~~  
27 ~~includes a pattern of behavior that takes away the individual's liberty or~~

1 freedom and strips away the individual's sense of self, including the  
2 individual's bodily integrity and human rights. "Coercive control"  
3 includes isolating the individual from support, exploiting the individual,  
4 depriving the individual of independence, and regulating the individual's  
5 everyday behavior. "Coercive control" includes, but is not limited to, any  
6 of the following:

7 (I) Isolating the individual from friends and family;

8 (II) Monitoring, surveilling, regulating, or controlling the  
9 individual's, or the individual's child's or relative's, finances, economic  
10 resources, or access to services;

11 (III) Monitoring, surveilling, regulating, or controlling the  
12 individual's, or the individual's child's or relative's, activities,  
13 communications, or movements, including through technology;

14 (IV) Name-calling, degrading, or demeaning the individual, or the  
15 individual's child or relative, on a frequent basis;

16 (V) Threatening to harm or kill the individual or the individual's  
17 child or relative, including wearing, accessing, displaying, using, or  
18 cleaning a weapon in an intimidating or threatening manner;

19 (VI) Threatening to commit suicide or otherwise harm one's own  
20 person, when used as a method of coercion, control, punishment,  
21 intimidation, or retaliation against the person;

22 (VII) Threatening to harm or kill an animal with which the  
23 individual or the individual's child or relative has an emotional bond;

24 (VIII) Threatening to publish the individual's, or the individual's  
25 child's or relative's, sensitive personal information, including sexually  
26 explicit material, or make reports to the police or authorities;

27 (IX) Damaging the individual's, or the individual's child's or

1 relative's, property or household goods;

2 ~~(X) Threatening the individual, or the individual's child or~~  
3 ~~relative, with deportation or contacting authorities based on perceived or~~  
4 ~~actual immigration status, withholding essential documents required for~~  
5 ~~immigration, or threatening to withdraw or interfere with an active~~  
6 ~~immigration application or process; or~~

7 ~~(XI) Forcing the individual, or the individual's child or relative,~~  
8 ~~to take part in criminal activities or child abuse.~~

9 ~~(b) "Domestic violence" means an act of violence or a threatened~~  
10 ~~act of violence upon a person with whom the actor is or has been~~  
11 ~~involved in an intimate relationship, and may include any act or~~  
12 ~~threatened act against a person or against property, including an animal,~~  
13 ~~when used as a method of coercion, control, punishment, intimidation, or~~  
14 ~~revenge directed against a person with whom the actor is or has been~~  
15 ~~involved in an intimate relationship.~~

16 ~~(c) "Intimate relationship" means a relationship between spouses,~~  
17 ~~former spouses, past or present unmarried couples, or persons who are~~  
18 ~~both parents of the same child regardless of whether the persons have~~  
19 ~~been married or have lived together at any time.~~

20 ~~(d) "Sexual assault" has the same meaning as set forth in section~~  
21 ~~19-1-103.~~

22 (1.4) (a) (I) PRIOR TO CONSIDERING THE BEST INTERESTS OF THE  
23 CHILD PURSUANT TO SUBSECTION (1.5) OF THIS SECTION AND ALLOCATING  
24 PARENTING TIME OR SOLE OR JOINT DECISION-MAKING RESPONSIBILITY,  
25 THE COURT SHALL DETERMINE WHETHER, BY A PREPONDERANCE OF THE  
26 EVIDENCE, A PARTY HAS COMMITTED DOMESTIC VIOLENCE AND MAKE  
27 WRITTEN FINDINGS THAT STATE THE EVIDENCE THAT WAS RELIED ON IN

1 THE COURT'S DETERMINATION. THE FOLLOWING IS INSUFFICIENT FOR A  
2 COURT TO DETERMINE THAT DOMESTIC VIOLENCE HAS NOT OCCURRED:

- 3 (A) THE ABSENCE OF A CONVICTION;
- 4 (B) THE ABSENCE OF A PLEA OF GUILTY OR NOLO CONTENDERE  
5 RESULTING IN A DEFERRED SENTENCE;
- 6 (C) A DISMISSAL OF THE UNDERLYING CHARGE;
- 7 (D) A DISMISSAL OF A PREVIOUS PROTECTION ORDER; OR
- 8 (E) A FINDING OF INCONCLUSIVE OR UNFOUNDED REGARDING  
9 BEHAVIOR INVESTIGATED BY THE STATE DEPARTMENT OF HUMAN  
10 SERVICES, A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES, OR A  
11 CITY AND COUNTY.

12 (II) WHEN DETERMINING WHETHER DOMESTIC VIOLENCE HAS  
13 OCCURRED, THE COURT SHALL CONSIDER ANY RELEVANT AND ADMISSIBLE  
14 EVIDENCE OF DOMESTIC VIOLENCE. THE EVIDENCE MAY INCLUDE, BUT IS  
15 NOT LIMITED TO, THE FOLLOWING:

- 16 (A) A COURT RECORD DOCUMENTING THE CONVICTION FOR  
17 DOMESTIC VIOLENCE OR CONVICTION OF AN ACT IN WHICH THE  
18 UNDERLYING FACTUAL BASIS WAS DOMESTIC VIOLENCE;
- 19 (B) A POLICE REPORT OR ARREST RECORD CONCERNING THE  
20 DOMESTIC VIOLENCE;
- 21 (C) A MEDICAL RECORD;
- 22 (D) A RECORD FROM A LICENSED MENTAL HEALTH PROFESSIONAL  
23 OR VICTIM'S ADVOCATE;
- 24 (E) AN ACTIVE OR EXPIRED PROTECTION ORDER;
- 25 (F) A RECORD OF COMMUNICATION;
- 26 (G) WITNESS TESTIMONY;
- 27 (H) A PRIOR COURT'S OR ADMINISTRATIVE AGENCY'S RECORD OR

1 FINDINGS CONCERNING DOMESTIC VIOLENCE;

2 (I) A RECORD OR FINDING RELATED TO A PARTY'S PETITION OR  
3 STATUS PURSUANT TO THE FEDERAL "VIOLENCE AGAINST WOMEN ACT OF  
4 1994", 18 U.S.C. SEC. 2265;

5 (J) A RECORD OR FINDING RELATED TO A PARTY'S PETITION OR  
6 STATUS FOR A U VISA PURSUANT TO THE FEDERAL "VICTIMS OF  
7 TRAFFICKING AND VIOLENCE PROTECTION ACT OF 2000", 22 U.S.C. SEC.  
8 7101 ET SEQ.; OR

9 (K) A RECORD OR FINDING RELATED TO A PARTY'S APPLICATION  
10 OR STATUS FOR A BENEFIT OR ASSISTANCE PROGRAM WITH ELIGIBILITY  
11 FOR VICTIMS OF DOMESTIC VIOLENCE.

12 (b) IF A COURT DETERMINES BY A PREPONDERANCE OF THE  
13 EVIDENCE THAT A PARTY HAS COMMITTED DOMESTIC VIOLENCE, THERE IS  
14 A REBUTTABLE PRESUMPTION THAT IT IS NOT IN THE BEST INTERESTS OF  
15 THE CHILD TO ALLOCATE PARENTING TIME OR SOLE OR MUTUAL  
16 DECISION-MAKING AUTHORITY TO THE PARTY FOUND TO HAVE  
17 COMMITTED DOMESTIC VIOLENCE.

18 (c) IN EVERY CASE, THE COURT SHALL MAKE SPECIFIC WRITTEN  
19 FINDINGS IN AN ORDER CONCERNING WHETHER OR NOT THE COURT  
20 DETERMINED BY A PREPONDERANCE OF EVIDENCE THAT A PARTY HAS  
21 COMMITTED DOMESTIC VIOLENCE. IF A COURT ALLOCATES PARENTING  
22 TIME OR SOLE OR MUTUAL DECISION-MAKING AUTHORITY TO A PARTY  
23 WHO THE COURT DETERMINED BY A PREPONDERANCE OF THE EVIDENCE  
24 HAS COMMITTED DOMESTIC VIOLENCE, THE COURT SHALL:

25 (I) MAKE SPECIFIC, WRITTEN FINDINGS IN ITS ORDER THAT:

26 (A) STATE THE EVIDENCE THAT WAS RELIED ON IN THE COURT'S  
27 DETERMINATION TO ALLOCATE PARENTING TIME OR SOLE OR MUTUAL

1 DECISION-MAKING AUTHORITY TO A PARTY WHO THE COURT DETERMINED  
2 BY A PREPONDERANCE OF THE EVIDENCE HAS COMMITTED DOMESTIC  
3 VIOLENCE;

4 (B) EXPLAIN HOW THE ORDER PROMOTES THE CHILD'S SAFETY AND  
5 PHYSICAL, MENTAL, AND EMOTIONAL WELL-BEING, WITH SPECIFIC  
6 REFERENCE TO NECESSARY PROTECTIVE MEASURES;

7 (C) EXPLAIN HOW THE ORDER PROTECTS THE ABUSED PARTY AND  
8 THE CHILD FROM FURTHER HARM, WITH SPECIFIC REFERENCE TO  
9 NECESSARY PROTECTIVE MEASURES; AND

10 (D) DEMONSTRATE THAT THE COURT CONDUCTED THE BEST  
11 INTEREST OF THE CHILD ANALYSIS REQUIRED PURSUANT TO SUBSECTION  
12 (1.5) OF THIS SECTION, WITH CONSIDERATION OF DOMESTIC VIOLENCE TO  
13 EACH FACTOR; AND

14 (II) PLACE CONDITIONS ON PARENTING TIME THAT ENSURE THE  
15 SAFETY OF THE CHILD AND ABUSED PARTY, GIVING PARAMOUNT  
16 CONSIDERATION TO THE SAFETY AND THE PHYSICAL, MENTAL, AND  
17 EMOTIONAL WELL-BEING AND NEEDS OF THE CHILD. THE REQUIRED  
18 CONDITIONS MAY INCLUDE AN ORDER THAT IMPOSES ANY OTHER  
19 CONDITION ON ONE OR MORE PARTIES THAT THE COURT DETERMINES IS  
20 NECESSARY TO PROTECT THE CHILD, ABUSED PARTY, OR ANY OTHER  
21 FAMILY OR HOUSEHOLD MEMBER OF THE ABUSED PARTY.

22 **SECTION 4.** In Colorado Revised Statutes, 14-10-127.5, **amend**  
23 (3)(c) as follows:

24 **14-10-127.5. Domestic violence training for court personnel**  
25 **- expert testimony - child placement decisions - legislative declaration**  
26 **- definitions.**

27 (3) (c) If a court issues an order to remediate the resistance of a

1 child to have contact with ~~an accused~~ A party FOUND BY THE COURT TO  
2 HAVE COMMITTED DOMESTIC VIOLENCE OR CHILD ABUSE, the order must  
3 ~~primarily address the behavior of the accused party, who shall accept~~  
4 ~~responsibility for the accused party's actions that negatively affected the~~  
5 ~~accused party's relationship with the child, and a mental health~~  
6 ~~professional approved by the domestic violence offender management~~  
7 ~~board shall verify the accused party's behavior before the court orders a~~  
8 ~~protective party to take steps to improve the relationship with the accused~~  
9 ~~party~~ ADDRESS THE PARTY'S BEHAVIOR. IN ORDER FOR A COURT TO ISSUE  
10 AN ORDER PURSUANT TO THIS SUBSECTION (3)(c), THE PARTY FOUND BY  
11 THE COURT TO HAVE COMMITTED DOMESTIC VIOLENCE OR CHILD ABUSE  
12 MUST:

13 (I) DEMONSTRATE GENUINE ACCOUNTABILITY FOR COMMISSION  
14 OF DOMESTIC VIOLENCE AND ITS EFFECT ON THE OTHER PARENT OR  
15 ANOTHER PERSON, INCLUDING A CHILD;

16 (II) DEMONSTRATE SUSTAINED BEHAVIORAL CHANGES THAT  
17 ADDRESS UNDERLYING PATTERNS OF POWER AND CONTROL;

18 (III) COMPLY WITH THE COURT'S ORDER REGARDING INDIVIDUAL  
19 THERAPY IN ORDER TO EXERCISE PARENTING TIME, INCLUDING PROVIDING  
20 PERIODIC PROOF OF COMPLIANCE OF THE TREATMENT IF PROOF OF  
21 COMPLIANCE IS ORDERED BY THE COURT. INDIVIDUAL THERAPEUTIC  
22 TREATMENT MUST BE WITH A MENTAL HEALTH PROFESSIONAL WHO HAS:

23 (A) A MASTER'S OR DOCTORAL DEGREE AND IS LICENSED  
24 PURSUANT TO ARTICLE 245 OF TITLE 12; AND

25 (B) SPECIALIZED TRAINING AND EXPERTISE IN TREATING  
26 SURVIVORS AND PERPETRATORS OF DOMESTIC VIOLENCE AND CHILD  
27 ABUSE, AND THE EFFECTS OF DOMESTIC VIOLENCE AND CHILD ABUSE ON

1 ADULTS AND CHILDREN; AND

2 (IV) COMPLETE A FIFTY-TWO-WEEK DOMESTIC VIOLENCE ABUSER  
3 INTERVENTION PROGRAM THAT MEETS EITHER IN-PERSON OR IN REAL-TIME  
4 IF REMOTELY. A PROGRAM DOES NOT MEET THE REQUIREMENTS OF THIS  
5 SUBSECTION (3)(c) IF IT IS NOT IN REAL-TIME, IS SELF-DIRECTED, OR IS AN  
6 ANGER MANAGEMENT COURSE.

7 **SECTION 5.** In Colorado Revised Statutes, 14-10-128.1, **amend**  
8 (2)(b) as follows:

9 **14-10-128.1. Appointment of parenting coordinator -**  
10 **disclosure.**

11 (2) (b) In addition to making the findings required pursuant to  
12 subsection (2)(a) of this section, prior to appointing a parenting  
13 coordinator, the court may consider the effect of any claim or  
14 documented evidence of domestic violence ~~as defined in section~~  
15 ~~14-10-124~~, by the other party on the parties' ability to engage in parent  
16 coordination.

17 **SECTION 6.** In Colorado Revised Statutes, 14-10-129, **amend**  
18 (2) introductory portion and (2)(c) introductory portion as follows:

19 **14-10-129. Modification of parenting time.**

20 (2) The court shall not modify a prior order concerning parenting  
21 time that substantially changes the parenting time, as well as changes the  
22 party with whom the child resides a majority of the time, unless it finds,  
23 upon the basis of facts that have arisen since the prior decree or that were  
24 unknown to the court at the time of the prior decree, that a change has  
25 occurred in the circumstances of the child or the party with whom the  
26 child resides the majority of the time and that the modification is  
27 necessary to serve the best interests of the child. In applying these

1 standards, the court shall retain the parenting time schedule established  
2 in the prior decree unless:

3 (c) The party with whom the child resides a majority of the time  
4 is intending to relocate with the child to a residence that substantially  
5 changes the geographical ties between the child and the other party. A  
6 court hearing on any modification of parenting time due to an intent to  
7 relocate shall be given a priority on the court's docket. In determining  
8 whether the modification of parenting time is in the best interests of the  
9 child, the court shall take into account all relevant factors, including  
10 whether a party has committed an act of domestic violence, has engaged  
11 in a pattern of domestic violence, or has a history of domestic violence,  
12 ~~as that term is defined in section 14-10-124 (1.3)~~; which factor shall  
13 MUST be supported by a preponderance of the evidence, and shall  
14 consider ~~such~~ THE domestic violence whether it occurred before or after  
15 the prior decree, and all other factors enumerated in section 14-10-124  
16 (1.5)(a) and:

17 **SECTION 7.** In Colorado Revised Statutes, 8-13.3-503, **amend**  
18 (6) as follows:

19 **8-13.3-503. Definitions.**

20 As used in this part 5, unless the context otherwise requires:

21 (6) "Domestic violence" means any conduct that constitutes  
22 "domestic violence" as set forth in section 18-6-800.3 (1) or ~~section~~  
23 ~~14-10-124~~ 14-10-103 or "domestic abuse" as set forth in section  
24 13-14-101 (2).

25 **SECTION 8.** In Colorado Revised Statutes, 13-80-103.6, **amend**  
26 (1) as follows:

27 **13-80-103.6. General limitation of actions - domestic violence**

1     **- six years - definition.**

2           (1) Notwithstanding any other statute of limitations specified in  
3     this article 80, or any other provision of law that can be construed to  
4     reduce the statutory period set forth in this section, any civil action to  
5     recover damages caused by an act of domestic violence, as defined in  
6     ~~section 14-10-124~~ SECTION 14-10-103, must be commenced within six  
7     years after a disability has been removed for a person under disability, as  
8     ~~such~~ THE term is defined in subsection (2) of this section, or within six  
9     years after a cause of action accrues, whichever occurs later, and not  
10    thereafter; except that in no event may any ~~such~~ civil action ~~be~~  
11    ~~commenced~~ COMMENCE more than twenty years after the cause of action  
12    accrues.

13           **SECTION 9. Safety clause.** The general assembly finds,  
14    determines, and declares that this act is necessary for the immediate  
15    preservation of the public peace, health, or safety or for appropriations  
16    for the support and maintenance of the departments of the state and state  
17    institutions.