

An Act

HOUSE BILL 26-1024

BY REPRESENTATIVE(S) Keltie and Rydin, Barron, Bottoms, Bradley, Brooks, Caldwell, Camacho, DeGraaf, Duran, English, Feret, Flanell, Garcia Sander, Gonzalez R., Lieder, Lindsay, Luck, Richardson, Slaugh, Suckla, Weinberg;
also SENATOR(S) Frizell and Marchman, Carson, Cutter, Exum, Gonzales J., Hinrichsen, Jodeh, Kipp, Mullica, Pelton R., Zamora Wilson, Coleman.

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

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

SECTION 1. In Colorado Revised Statutes, 19-3-304.5, **amend** (1)(a); and **add** (5.5) as follows:

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

(1) If a parent voluntarily delivers a child to a firefighter, as defined in section 18-3-201 (1.5), or a staff member who engages in the admission,

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

care, or treatment of patients at a hospital or community clinic emergency center, as defined in subsection (9) of this section, when the firefighter is at a fire station or the staff member is at a hospital or community clinic emergency center, as defined in subsection (9) of this section, the firefighter or staff member of the hospital or community clinic emergency center shall, without a court order, take temporary physical custody of the child if:

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

(5.5) THE STATE DEPARTMENT SHALL ADOPT RULES ESTABLISHING A PROCESS FOR EITHER PARENT OF A CHILD WHO WAS SURRENDERED PURSUANT TO THIS SECTION TO REUNIFY WITH THE CHILD.

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

18-6-401. Child abuse - definition.

(9) (a) If a parent is charged with permitting a child to be unreasonably placed in a situation that poses a threat of injury to the child's life or health, pursuant to subsection (1)(a) of this section, and the child was ~~seventy-two hours~~ THIRTY DAYS old or younger at the time of the alleged offense, it is an affirmative defense to the charge that the parent safely, reasonably, and knowingly handed the child over to a firefighter, as defined in section 18-3-201 (1.5), or to a staff member who engages in the admission, care, or treatment of patients at a hospital or community clinic emergency center, as defined in subsection (9)(b) of this section, when the firefighter is at a fire station, or the staff member is at a hospital or community clinic emergency center, as defined in subsection (9)(b) of this section.

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

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

(6) Human sexuality instruction is not required. However, if a school district, board of cooperative services, charter school, or institute charter school offers human sexuality instruction, the instruction must be

comprehensive and meet the comprehensive human sexuality education content requirements. These requirements must:

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

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

22-25-103. Definitions.

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

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

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

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO