

**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. 26-0703.01 Anna Petrini x5497

**HOUSE BILL 26-1314**

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**HOUSE SPONSORSHIP**

**English,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Health & Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING INCREASING FAMILY STABILITY, AND, IN CONNECTION**  
102              **THEREWITH, PRIORITIZING KINSHIP PLACEMENTS IN CERTAIN**  
103              **CIRCUMSTANCES AND FACILITATING GRANDPARENT CONTACT.**

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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>.)*

In disputes concerning parenting time, the bill adds payment of a monetary penalty to the aggrieved party, community service, and the use of court-approved parenting time tracking or communication tools to the list of orders a court may issue to address noncompliance with an existing parenting time order. The bill clarifies that orders in these disputes must

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.*

be proportionate to the frequency and severity of intentional noncompliance.

The bill requires the state department of human services, in coordination with the county departments of human or social services (county departments) and their delegate child support enforcement units, to develop protocols for referring a noncustodial parent who is in compliance with a child support obligation to supervised or facilitated family-time services.

When a child or youth is removed from the home, the bill requires the court to prioritize the child's or youth's temporary placement with a relative or kin, unless the court finds by a preponderance of the evidence that temporary placement with the relative or kin is not in the best interests of the child. The bill authorizes modified safety and suitability assessments and a one-time placement stipend for approved emergency placement kinship caregivers under certain circumstances.

The bill requires a court, before entering a final adoption decree, to make written findings regarding any existing grandparent-grandchild relationship. The court may order a post-adoption contact agreement (agreement) granting reasonable contact or family time to the grandparent. The bill specifies procedures for the denial, modification, enforcement, or termination of the agreement.

The bill creates the foster care prevention services pilot program, which allows participating county departments to implement expedited kinship placement approval pathways, kinship navigator programs, one-time placement stipends for approved emergency placement kinship caregivers, and tools for tracking family time.

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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 and declares that:

4 (a) Placing a child or youth who has been removed from their  
5 home in safe kinship care settings promotes family stability, speeds  
6 permanency, and yields better long-term outcomes, which may include  
7 safe and timely reunification of a child or youth with their parent; and

8 (b) Kinship care providers play a critical role in securing child and  
9 youth well-being, contributing to a sense of continuity and normalcy.

10 Similarly, post-adoption contact between a child and a grandparent can

1 be an ongoing source of support, stability, and affection.

2 (2) The general assembly finds, therefore, that targeted legislative  
3 reforms to prioritize kinship placements and preserve  
4 grandparent-grandchild relationships will promote the stability, safety,  
5 and well-being of children, youth, and families throughout the state.

6 **SECTION 2.** In Colorado Revised Statutes, 14-10-124.4, **amend**  
7 (2)(a) and (2)(b) as follows:

8 **14-10-124.4. Family time for grandparents or**  
9 **great-grandparents - legislative declaration - definitions.**

10 (2) As used in this section, unless the context otherwise requires:

11 (a) "Grandparent" means a person who is OR, IF THE CHILD'S  
12 FATHER OR MOTHER IS DECEASED, WAS the parent of a child's father or  
13 mother, who is related to the child by blood, in whole or by half,  
14 adoption, or marriage; except that "grandparent" does not include the  
15 parent of a child's legal father or mother whose parental rights have been  
16 terminated in accordance with sections 19-5-101 and 19-1-104 (1)(d).

17 (b) "Great-grandparent" means a person who is OR, IF THE CHILD'S  
18 FATHER OR MOTHER OR GRANDPARENT IS DECEASED, WAS the grandparent  
19 of a child's father or mother, who is related to the child by blood, in whole  
20 or by half, adoption, or marriage; except that "great-grandparent" does not  
21 include the grandparent of a child's legal father or mother whose parental  
22 rights have been terminated in accordance with sections 19-5-101 and  
23 19-1-104 (1)(d). ■ ■

24 **SECTION 3.** In Colorado Revised Statutes, **repeal** 19-1-117.7.

25 **SECTION 4.** In Colorado Revised Statutes, 19-3-403, **amend**  
26 (3.6)(a)(IV) introductory portion and (3.6)(a)(V) as follows:

27 **19-3-403. Temporary custody - hearing - time limits -**


1 **restriction - rules.**

2 (3.6) (a) (IV) The court shall order a county department of human  
3 or social services to exercise due diligence AND DOCUMENT ITS DILIGENT  
4 EFFORTS to contact all grandparents and other adult relatives and  
5 identified kin within thirty days after the removal of the child or youth  
6 and to inform them about placement possibilities for the child or youth,  
7 unless the court determines there is good cause not to contact or good  
8 cause to delay contacting the child's or youth's relatives and kin,  
9 including, but not limited to, family or domestic violence.

10 (V) (A) The court shall give preference to giving temporary  
11 placement to a child's or youth's relative or kin who is capable, willing,  
12 and available for care. ~~giving primary consideration to the child's or~~  
13 ~~youth's mental, physical, and emotional needs, including the child's or~~  
14 ~~youth's preference regarding placement.~~ PLACEMENT OF THE CHILD OR  
15 YOUTH WITH THE RELATIVE OR KIN IS PRESUMED TO BE IN THE BEST  
16 INTERESTS OF THE CHILD OR YOUTH. THE PRESUMPTION MAY BE REBUTTED  
17 BY A PREPONDERANCE OF THE EVIDENCE, GIVING PRIMARY  
18 CONSIDERATION TO THE CHILD'S OR YOUTH'S MENTAL, PHYSICAL, AND  
19 EMOTIONAL NEEDS, INCLUDING THE CHILD'S OR YOUTH'S PREFERENCE  
20 REGARDING PLACEMENT. The court shall also find that there is no suitable  
21 birth or adoptive parent available, with due diligence having been  
22 exercised in attempting to locate ~~any such~~ THE birth or adoptive parent.  
23 A parent's objection to placement with a particular relative or kin is not  
24 alone sufficient to show that the proposed placement would hinder  
25 reunification. The court may place or continue custody with the county  
26 department of human or social services if the court is satisfied from the  
27 information presented at the hearing that ~~such~~ THE custody is appropriate

1 and in the child's or youth's best interests, or the court may enter ~~such~~  
2 other orders as ~~are~~ appropriate.

3 (B) The court may authorize the county department of human or  
4 social services with custody of a child or youth to place the child or youth  
5 with a relative or kin without the necessity for a hearing if a county  
6 department of human or social services locates a capable and willing  
7 relative or kin who is available to care for the child or youth and the  
8 guardian ad litem of the child or youth concurs that the placement is in  
9 the best interests of the child or youth. If the county department of human  
10 or social services places a child or youth with a relative or kin without a  
11 hearing pursuant to this ~~subsection (3.6)(a)(V)~~ SUBSECTION  
12 (3.6)(a)(V)(B), the county department of human or social services shall  
13 fully inform the court of the details concerning the child's or youth's  
14 placement on the record at the next hearing. If the court enters an order  
15 removing a child or youth from the home or continuing a child or youth  
16 in a placement out of the home, the court shall make the findings required  
17 pursuant to section 19-1-115 (6) if ~~such~~ THE findings are warranted by the  
18 evidence.

19   
20 **SECTION 5. Safety clause.** The general assembly finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, or safety or for appropriations for  
23 the support and maintenance of the departments of the state and state  
24 institutions.