



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1314: FAMILY STABILITY & KINSHIP CARE

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Fiscal note status: This revised fiscal note reflects the bill as amended by the House Health and Human Services Committee.

Summary Information

Overview. The bill clarifies the definition of "grandparent" and "great-grandparents" for purposes of family time by including individuals whose child or grandchild is deceased.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

The bill clarifies the definition of “grandparent” and “great-grandparents” for purposes of family time by including individuals whose child or grandchild is deceased. The bill also establishes a presumption that the placement of a child or youth with a relative or kin is in the child or youth’s best interest. This presumption can be rebutted by a preponderance of the evidence, giving primary consideration to the child or youth’s mental, physical, or emotional needs.

Background

Under *In re The Parental Responsibilities Concerning Children K.M.S.*, the Colorado Supreme Court interpreted the statutory definition of “grandparent” to individuals who are presently the parent of a child’s mother or father. The court ruled that following adoption, adoptive parents become the child’s sole legal parents, and the parents of a deceased biological parent no longer meet the statutory definition of “grandparent.”

State Expenditures

The Colorado Department of Human Services (CDHS) may be required to update certain rules or guidance for counties related to kinship care and grandparents. Overall, any state impact is assumed to be minimal and no change in appropriations is required.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Child Welfare	Judicial
Counties	Public Safety
Human Services	

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).