

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 26-0441.01 Shelby Ross x4510

HOUSE BILL 26-1227

HOUSE SPONSORSHIP

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House Committees

Health & Human Services
Appropriations

Senate Committees

Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING AFFIRMING THE RIGHTS OF CHILDREN AND YOUTH IN**
102 **DEPENDENCY AND NEGLECT PROCEEDINGS.**

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>.)

Current law states that a child or youth named in a petition related to dependency and neglect proceedings is a party to the proceedings and has a right to attend and fully participate in all hearings related to the case. The bill affirms that as a party to the proceedings, the child or youth has legal standing regarding all matters related to the child's or youth's interests and the right to have the child's or youth's interests fully

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.

SENATE
3rd Reading Unamended
May 6, 2026

SENATE
2nd Reading Unamended
May 5, 2026

HOUSE
3rd Reading Unamended
April 21, 2026

HOUSE
Amended 2nd Reading
April 17, 2026

represented by the guardian ad litem or counsel for youth throughout the proceedings, including appeals.


Once a petition is filed, ordered, or authorized for a dependency and neglect proceeding, if a county department of human or social services seeks dismissal of the petition prior to the adjudicatory hearing and the child or youth, through the child's or youth's guardian ad litem or counsel for youth, objects to the dismissal, the child has a right to a determination by the court as to whether the child or youth is dependent or neglected.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-3-502, **amend**
3 (4.5); and **add** (4.7) as follows:

4 **19-3-502. Petition form and content - limitations on claims in**
5 **dependency or neglect actions.**

6 (4.5) A child OR YOUTH named in the petition shall be a party to
7 the proceedings and have the right to attend and fully participate in all
8 hearings related to the child's OR YOUTH'S case. AS A PARTY TO THE
9 PROCEEDINGS, A CHILD OR YOUTH HAS LEGAL STANDING REGARDING ALL
10 MATTERS RELATED TO THE CHILD'S OR YOUTH'S INTERESTS AND THE RIGHT
11 TO HAVE THE CHILD'S OR YOUTH'S INTERESTS FULLY REPRESENTED BY THE
12 GUARDIAN AD LITEM OR COUNSEL FOR YOUTH THROUGHOUT THE
13 PROCEEDINGS, INCLUDING APPEALS. The child's OR YOUTH'S guardian ad
14 litem or counsel for youth shall provide developmentally appropriate
15 notice to the child OR YOUTH of all hearings related to the child's OR
16 YOUTH'S case.

17 

18 (4.7) (a) IF A COUNTY DEPARTMENT OF HUMAN OR SOCIAL
19 SERVICES SEEKS DISMISSAL OF A PETITION FILED PURSUANT TO SECTION
20 19-3-501 PRIOR TO THE ADJUDICATORY HEARING HELD PURSUANT TO

1 SECTION 19-3-505, AND THE CHILD OR YOUTH, THROUGH THE CHILD'S OR
2 YOUTH'S GUARDIAN AD LITEM OR COUNSEL FOR YOUTH, OBJECTS TO THE
3 DISMISSAL AND ARTICULATES A BASIS UPON WHICH THE CHILD IS ABUSED
4 OR NEGLECTED PURSUANT TO SECTION 19-1-103 (1)(a), THE COURT SHALL
5 SET A HEARING TO DETERMINE WHETHER OR NOT THE COUNTY
6 DEPARTMENT OF HUMAN OR SOCIAL SERVICES HAS A REASONABLE BASIS
7 TO DISMISS THE CASE. THE COURT MAY HEAR FROM THE PARTIES
8 REGARDING THE APPROPRIATENESS OF THE DISMISSAL. IF THE COURT
9 DETERMINES THE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES
10 SHOWS A REASONABLE BASIS FOR DISMISSAL, THE COURT SHALL DISMISS
11 THE PETITION, BUT IF THE COUNTY DEPARTMENT OF HUMAN OR SOCIAL
12 SERVICES DOES NOT SHOW REASONABLE BASIS TO DISMISS THE CASE, THE
13 COURT MUST ALLOW THE CASE TO PROCEED.

14 (b) THIS SUBSECTION (4.7) DOES NOT AUTHORIZE A CHILD OR
15 YOUTH TO FILE A PETITION ON THE CHILD'S OR YOUTH'S BEHALF.

16 (c) THIS SUBSECTION (4.7) DOES NOT LIMIT A PARTY'S RIGHT TO
17 DEMAND A JURY TRIAL PURSUANT TO SECTION 19-3-202.

18 **SECTION 2.** In Colorado Revised Statutes, 19-3-203, **amend** (6)
19 as follows:

20 **19-3-203. Right to guardian ad litem and counsel for youth.**

21 (6) A person appointed to serve as counsel for youth pursuant to
22 this section shall comply with the Colorado rules of professional conduct,
23 provisions set forth in a chief justice directive concerning the court
24 appointment of counsel for youth in this title 19, and subsequent chief
25 justice directives or practice standards established by rule or directive of
26 the chief justice pursuant to section 13-91-105 concerning the duties and
27 responsibilities of a guardian ad litem and counsel for youth in legal

1 matters affecting children or youth. Counsel for youth shall ~~ensure that~~
2 ~~the child or youth has representation through pending appeals~~
3 PARTICIPATE FULLY IN THE PROCEEDINGS TO THE DEGREE NECESSARY TO
4 REPRESENT THE YOUTH, INCLUDING APPEALING MATTERS TO THE COURT
5 OF APPEALS OR THE SUPREME COURT.

6

7 **SECTION 3. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2026 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.