

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

**REVISED**

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

LLS NO. 26-0573.01 Chelsea Princell x4335

**HOUSE BILL 26-1100**

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**HOUSE SPONSORSHIP**

**Stewart R. and Espenoza**, Bacon, Boesenecker, Brown, Clifford, Duran, English, Froelich, Lieder, Lindsay, McCluskie, Nguyen, Ricks, Rutinel, Stewart K., Zokaie

**SENATE SPONSORSHIP**

**Snyder**,

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**House Committees**

Judiciary  
Finance  
Appropriations

**Senate Committees**

Finance

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**A BILL FOR AN ACT**

101 **CONCERNING UPDATES TO GUARDIANSHIP FOR INCAPACITATED**  
102 **ADULTS.**

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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>.)*

The bill repeals provisions related to the guardianship of an incapacitated person and enacts provisions related to the guardianship of an incapacitated person drafted by the uniform law commission as part of the "Uniform Guardianship and Protective Proceedings Act".

The bill provides guidance for guardians and clarifies how appointees must make decisions on behalf of a person under

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  
Amended 2nd Reading  
May 8, 2026

HOUSE  
Amended 3rd Reading  
May 6, 2026

HOUSE  
Amended 2nd Reading  
May 5, 2026

guardianship.

The bill encourages the use of protective arrangements and less restrictive alternatives instead of guardianship if a person's needs can be met with support services and technology.

The bill establishes a bill of rights for adults subject to guardianship and expands the procedural rights for respondents in guardianship proceedings.

The bill provides for visitation and communication rights for individuals subject to guardianship or conservatorship. This includes a limitation on a guardian's ability to prevent communication, visitation, or interactions between a person subject to guardianship and a third party.

The bill prohibits courts from establishing full guardianship if a limited guardianship would meet the respondent's needs, requires a petitioner seeking full guardianship to provide support to justify full guardianship, and requires courts to provide findings to support the imposition of full guardianship.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 15-14-103 as  
3 follows:

4 **15-14-103. Guardianship bill of rights.**

5 (1) A WARD HAS THE RIGHT TO:

6 (a) BE TREATED WITH DIGNITY AND RESPECT;

7 (b) BE FREE FROM ABUSE, NEGLECT, EXPLOITATION, AND  
8 DISCRIMINATION;

9 (c) REMAIN AS INDEPENDENT AS POSSIBLE;

10 (d) EXPRESS AND PRACTICE THEIR OWN RELIGIOUS PREFERENCES;

11 (e) PERSONAL PRIVACY;

12 (f) HUMANE, SAFE, AND SANITARY LIVING, LEARNING, AND  
13 WORKING ENVIRONMENTS;

14 (g) SEXUAL EXPRESSION AND RESPECT FOR THEIR GENDER  
15 IDENTITY;

16 (h) A COMPETENT GUARDIAN WHO ADVOCATES FOR THEIR GOALS,

1 NEEDS, AND PREFERENCES AND PRIORITIZES THEIR DESIRES, INCLUDING  
2 MEDICAL TREATMENT PREFERENCES, CULTURAL PRACTICES, AND  
3 RELIGIOUS BELIEFS;

4 (i) PARTICIPATE, TO THE EXTENT POSSIBLE, IN ALL DECISIONS,  
5 ESPECIALLY THOSE AFFECTING THEIR CARE, WHERE THEY LIVE, THEIR  
6 ACTIVITIES, AND THEIR SOCIAL INTERACTIONS, TO THE EXTENT THEY WISH  
7 TO BE INVOLVED AND ARE ABLE TO BE INVOLVED;

8 (j) RECEIVE NECESSARY SERVICES AND REHABILITATION, WITHIN  
9 AVAILABLE RESOURCES, THAT PROTECT THEIR PERSONAL LIBERTY AND  
10 ARE PROVIDED WITH THE LEAST RESTRICTIVE CONDITIONS;

11 (k) PRUDENT MANAGEMENT OF THEIR RESOURCES BY THEIR  
12 GUARDIAN;

13 (l) PARTICIPATE, TO THE EXTENT POSSIBLE, IN DECISIONS ABOUT  
14 HOW THEIR PROPERTY IS MANAGED, TO THE EXTENT THEY WISH TO BE  
15 INVOLVED AND ARE ABLE TO BE INVOLVED;

16 (m) CONFIDENTIALITY FOR THOSE MATTERS THAT THEY WISH TO  
17 KEEP CONFIDENTIAL, UNLESS THE INFORMATION IS NECESSARY TO OBTAIN  
18 SERVICES; TO PREVENT ABUSE, NEGLECT, OR EXPLOITATION; OR TO MODIFY  
19 THE GUARDIANSHIP ORDER OR OTHER ORDERS ENTERED PURSUANT TO THIS  
20 ARTICLE 14 OR ARTICLE 14.5 OF THIS TITLE 15;

21 (n) MAINTAIN ALL RIGHTS THAT THE COURT HAS NOT GRANTED TO  
22 THEIR GUARDIAN;

23 (o) A LAWYER WHO ADVOCATES FOR THE OUTCOME THE WARD  
24 WANTS;

25 (p) BE PRESENT AND PARTICIPATE IN ALL COURT HEARINGS;

26 (q) SHARE CONCERNS OR COMPLAINTS ABOUT THEIR  
27 GUARDIANSHIP WITH THE COURT;

1 (r) ASK THE COURT TO REVIEW THE NEED FOR THEIR  
2 GUARDIANSHIP TO CHANGE, CONTINUE, OR END AND WHETHER THEIR  
3 GUARDIAN IS AN APPROPRIATE FIT FOR THEM;

4 (s) IF A QUESTION ARISES ABOUT THEIR CAPACITY TO EXERCISE A  
5 SPECIFIC RIGHT, HAVE A COURT REVIEW AND DETERMINE IF AN  
6 EVALUATION IS NECESSARY IN ORDER TO DETERMINE THEIR CAPACITY TO  
7 EXERCISE THE RIGHT;

8 (t) THE SUPPORT AND ACCOMMODATIONS THEY NEED TO BE ABLE  
9 TO EFFECTIVELY COMMUNICATE WITH THE COURT AND TO UNDERSTAND  
10 THE COURT PROCEEDINGS; AND

11 (u) HAVE THEIR RIGHTS EXPLAINED TO THEM IN THEIR PREFERRED  
12 METHOD OF COMMUNICATION AND IN THE LANGUAGE THEY CHOOSE.

13 (2) THE COURT MAY AUTHORIZE A GUARDIAN \_\_\_\_\_ TO MAKE  
14 DECISIONS FOR THE FOLLOWING RIGHTS ON BEHALF OF THE WARD:

15 (a) TO DETERMINE THE WARD'S SOCIAL ENVIRONMENT AND THE  
16 SOCIAL ASPECTS OF THEIR PERSONAL LIFE;

17 (b) TO FILE AND DEFEND LAWSUITS;

18 (c) TO MAKE CONTRACTS;

19 (d) TO MAKE GIFTS OF THE WARD'S MONEY; AND

20 (e) TO MANAGE THE WARD'S MONEY AND PROPERTY.

21 (3) THE WARD RETAINS THE RIGHT TO VOTE, TO MAINTAIN THEIR  
22 REPRODUCTIVE HEALTH AND ABILITY TO PROCREATE, AND TO CHANGE  
23 THEIR MARITAL STATUS, UNLESS THE COURT RESTRICTS THOSE RIGHTS BY  
24 STATING THE RESTRICTIONS AND THE RELEVANT FINDINGS TO SUPPORT THE  
25 RESTRICTIONS IN THE ORDER APPOINTING THE GUARDIAN.

26 (4) NOTHING IN THIS SECTION ALTERS, LIMITS, OR AFFECTS THE  
27 COURT'S AUTHORITY OR THE STANDARDS AND PROCEDURES FOR

1 APPOINTING A GUARDIAN, DETERMINING THE SCOPE OF GUARDIANSHIP, OR  
2 MODIFYING OR TERMINATING A GUARDIANSHIP PURSUANT TO THIS ARTICLE  
3 14 OR ARTICLE 14.5 OF THIS TITLE 15. THE RIGHTS SET FORTH IN THIS  
4 SECTION ARE SUBJECT TO ANY LIMITATIONS IMPOSED BY COURT ORDER.

5 (5) THIS SECTION DOES NOT CREATE A NEW CAUSE OF ACTION OR  
6 AFFECT ANY EXISTING CAUSE OF ACTION OR REMEDY AVAILABLE TO A  
7 WARD.

8 **SECTION 2.** In Colorado Revised Statutes, 13-3-101, **add** (19)  
9 as follows:

10 **13-3-101. State court administrator - duties - report -**  
11 **definitions - repeal.**

12 (19) (a) ON NOVEMBER 1, 2027, AND NOVEMBER 1, 2028, THE  
13 STATE COURT ADMINISTRATOR'S OFFICE SHALL SUBMIT A REPORT TO THE  
14 JOINT BUDGET COMMITTEE, THE SENATE JUDICIARY COMMITTEE, AND THE  
15 HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE, OR THEIR SUCCESSOR  
16 COMMITTEES, DETAILING THE FISCAL IMPACT OF HOUSE BILL 26-1100 ON  
17 THE JUDICIAL DEPARTMENT. THE STATE COURT ADMINISTRATOR'S OFFICE  
18 SHALL USE EXISTING DATA SOURCES TO CREATE THE REPORT REQUIRED BY  
19 THIS SECTION.

20 (b) THIS SUBSECTION (19) IS REPEALED, EFFECTIVE JANUARY 1,  
21 2029.

22 **SECTION 3.** In Colorado Revised Statutes, 15-14-314, **amend**  
23 (2)(f) and (2)(g); and **add** (2)(h) as follows:

24 **15-14-314. Duties of guardian.**

25 (2) A guardian shall:

26 (f) Inform the court of ~~any~~ A change in the ward's custodial  
27 dwelling or address; and

1 (g) Immediately notify the court in writing of the ward's death;

2 AND

3 (h) NOTIFY, TO THE EXTENT REASONABLY FEASIBLE, THE COURT  
4 AND THE WARD, AT LEAST THIRTY DAYS BEFORE A CHANGE, IF POSSIBLE,  
5 AT THE WARD'S PRIMARY DWELLING, OF A FORTHCOMING PERMANENT  
6 MOVE TO A NURSING HOME, MENTAL HEALTH INSTITUTION, OR OTHER  
7 FACILITY THAT PLACES RESTRICTIONS ON THE WARD'S ABILITY TO LEAVE  
8 THE FACILITY OR HAVE VISITORS, UNLESS THE CHANGE OR MOVE IS  
9 PROPOSED IN THE GUARDIAN'S PLAN OR AUTHORIZED BY THE COURT BY  
10 SPECIFIC ORDER.

11 **SECTION 4. Act subject to petition - effective date.** This act  
12 takes effect at 12:01 a.m. on the day following the expiration of the  
13 ninety-day period after final adjournment of the general assembly (August  
14 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
15 referendum petition is filed pursuant to section 1 (3) of article V of the  
16 state constitution against this act or an item, section, or part of this act  
17 within such period, then the act, item, section, or part will not take effect  
18 unless approved by the people at the general election to be held in  
19 November 2026 and, in such case, will take effect on the date of the  
20 official declaration of the vote thereon by the governor.