

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 23, 2026
Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB26-1100 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend the Judiciary Committee Report, dated April 1, 2026, page 1,
2 strike line 5 and substitute "and (10.3) as follows:".
- 3 Page 2, lines 7 and 8, strike "PROTECTIVE ARRANGEMENT OR SERVICES,".
- 4 Page 2, line 16, strike "GUARDIAN." and substitute "GUARDIAN AND THAT
5 MAY BE ESTABLISHED FOR A SPECIFIED PERIOD OF TIME TO INCLUDE THE
6 DATE ON WHICH THE GUARDIANSHIP EXPIRES.".
- 7 Page 2, strike lines 36 through 39.
- 8 Page 3, line 12, strike "RESPECTS" and substitute "PRIORITIZES".
- 9 Page 3, strike lines 15 through 20.
- 10 Reletter succeeding paragraphs accordingly.
- 11 Page 3, line 21, strike "FULLY PARTICIPATE, TO THE EXTENT POSSIBLE,"
12 and substitute "PARTICIPATE".
- 13 Page 3, line 29, strike "FULLY PARTICIPATE, TO THE EXTENT POSSIBLE,"
14 and substitute "PARTICIPATE".
- 15 Page 3, line 39, strike "LAWYER" and substitute "LAWYER, OR A GUARDIAN
16 AD LITEM IF THE COURT FINDS A GUARDIAN AD LITEM APPROPRIATE,
17 UNLESS A LAWYER IS REQUESTED BY THE RESPONDENT,".
- 18 Page 3, line 40, strike "WANTS;" and substitute "WANTS OR FOR THE

1 ADULT'S BEST INTEREST;".

2 Page 4, strike lines 4 through 6 and substitute:

3 "(s) IF A QUESTION ARISES ABOUT THEIR CAPACITY TO EXERCISE A
4 SPECIFIC RIGHT, HAVE A COURT REVIEW AND DETERMINE IF AN
5 EVALUATION IS NECESSARY TO HAVE SOME OR ALL OF THEIR RIGHTS
6 RESTORED;".

7 Page 4, strike lines 14 and 15 and substitute "ADULT SUBJECT TO
8 GUARDIANSHIP;".

9 Page 4, after line 29 insert:

10 "(4) NOTHING IN THIS SECTION ALTERS, LIMITS, OR AFFECTS THE
11 COURT'S AUTHORITY OR THE STANDARDS AND PROCEDURES FOR
12 APPOINTING A GUARDIAN, DETERMINING THE SCOPE OF GUARDIANSHIP
13 POWERS, OR MODIFYING OR TERMINATING A GUARDIANSHIP PURSUANT TO
14 THIS ARTICLE 14. THE RIGHTS SET FORTH IN THIS SECTION ARE SUBJECT TO
15 ANY LIMITATIONS IMPOSED BY COURT ORDER."

16 Page 4, strike lines 39 through 43.

17 Page 5, strike lines 1 through 4 and substitute:

18 "(I) THE RESPONDENT IS UNABLE TO EFFECTIVELY RECEIVE OR
19 EVALUATE INFORMATION OR MAKE OR COMMUNICATE DECISIONS TO AN
20 EXTENT THAT THE RESPONDENT LACKS THE ABILITY TO SATISFY ESSENTIAL
21 REQUIREMENTS FOR PHYSICAL HEALTH, SAFETY, OR SELF-CARE, EVEN WITH
22 APPROPRIATE AND REASONABLY AVAILABLE TECHNOLOGICAL
23 ASSISTANCE; AND

24 "(II) THE RESPONDENT'S IDENTIFIED NEEDS CANNOT BE MET BY LESS
25 RESTRICTIVE MEANS, INCLUDING APPROPRIATE SUPPORTIVE SERVICES;
26 TECHNOLOGICAL ASSISTANCE; OR SUPPORTED DECISION-MAKING, AS
27 DESCRIBED IN PART 8 OF THIS ARTICLE 14; OR"

28 Page 5, line 6, strike "A PROTECTIVE ARRANGEMENT OR OTHER" and
29 substitute "A".

30 Page 5, line 13, strike "GUARDIANSHIP, PROTECTIVE ARRANGEMENT," and
31 substitute "GUARDIANSHIP".

32 Page 5, strike lines 30 through 43.

33 Page 6, strike lines 1 through 21 and substitute:

34 "(b) THE NAME AND ADDRESS OF THE RESPONDENT'S SPOUSE OR

1 DOMESTIC PARTNER, ADULT CHILDREN, PARENTS, ADULT SIBLINGS, OR ANY
2 ADULT WITH WHOM THE RESPONDENT HAS SHARED HOUSEHOLD
3 RESPONSIBILITIES FOR MORE THAN SIX MONTHS IN THE TWELVE-MONTH
4 PERIOD IMMEDIATELY BEFORE THE FILING OF THE PETITION;
5 (c) THE NAME AND ADDRESS OF EACH OF THE FOLLOWING, IF
6 APPLICABLE:
7 (I) A PERSON RESPONSIBLE FOR THE CARE OF THE RESPONDENT;
8 (II) AN ATTORNEY CURRENTLY REPRESENTING THE RESPONDENT;
9 (III) A REPRESENTATIVE PAYEE;
10 (IV) A GUARDIAN OR CONSERVATOR ACTING FOR THE
11 RESPONDENT;
12 (V) AN AGENT DESIGNATED UNDER A POWER OF ATTORNEY FOR
13 THE HEALTH CARE OR FINANCES OF THE RESPONDENT;
14 (VI) A PERSON NOMINATED AS GUARDIAN BY THE RESPONDENT;
15 (VII) A PERSON NOMINATED AS GUARDIAN BY THE RESPONDENT'S
16 PARENT OR SPOUSE OR DOMESTIC PARTNER IN A WILL OR OTHER SIGNED
17 RECORD;
18 (VIII) A PROPOSED GUARDIAN AND THE REASON FOR SELECTING
19 THE PROPOSED GUARDIAN; AND
20 (IX) A MEMBER OF THE RESPONDENT'S SUPPORTIVE COMMUNITY;".

21 Page 6, strike lines 25 and 26 and substitute "A LIMITED GUARDIANSHIP OR
22 SUPPORTED DECISION-MAKING AGREEMENT, AS DEFINED IN SECTION
23 15-14-802, INSTEAD OF FULL GUARDIANSHIP IS NOT APPROPRIATE;".

24 Page 6, line 28, strike "GUARDIAN;" and substitute "GUARDIAN AND THE
25 DATE THAT THE GUARDIANSHIP EXPIRES;".

26 Page 7, strike line 2 and substitute "(b) LESS RESTRICTIVE".

27 Page 7, line 5, strike "PROTECTIVE ARRANGEMENT OR OTHER".

28 Page 7, line 8, strike "PROTECTIVE ARRANGEMENT OR OTHER".

29 Page 7, line 28, after "ATTORNEY" insert "OR GUARDIAN AD LITEM".

30 Page 7, line 32, after "ATTORNEY" insert "OR GUARDIAN AD LITEM".

31 Page 7, line 33, after "ATTORNEY" insert "OR GUARDIAN AD LITEM".

32 Page 8, line 1, strike "GUARDIAN OR ORDERING A PROTECTIVE
33 ARRANGEMENT." and substitute "GUARDIAN."

1 Page 8, strike lines 22 through 26 and substitute "APPOINT A QUALIFIED
2 VISITOR, AS DETERMINED BY THE COURT."

3 Page 9, lines 30 and 31, strike "PROTECTIVE ARRANGEMENT OR OTHER".

4 Page 9, line 36, strike "GUARDIAN;" and substitute "GUARDIAN AND THE
5 DATE THAT THE GUARDIANSHIP EXPIRES;"

6 Page 10, line 9, after "**attorney**" insert "**or guardian ad litem**".

7 Page 10, strike lines 10 through 27 and substitute:

8 "(1) THE COURT SHALL APPOINT AN ATTORNEY OR GUARDIAN AD
9 LITEM TO REPRESENT THE RESPONDENT IN A PROCEEDING FOR THE
10 APPOINTMENT OF A GUARDIAN FOR THE RESPONDENT UPON
11 RECOMMENDATIONS FROM THE COURT VISITOR, UPON REQUEST OF THE
12 RESPONDENT, OR AT THE COURT'S DISCRETION. THE COURT VISITOR MUST
13 MAKE A RECOMMENDATION IN WRITING ON THE COMPLETED COURT
14 VISITOR REPORT UPON THE APPOINTMENT OF AN ATTORNEY OR GUARDIAN
15 AD LITEM FOR THE RESPONDENT. IF THE RESPONDENT REQUESTS AN
16 ATTORNEY, THE COURT MUST APPOINT AN ATTORNEY FOR THE
17 RESPONDENT.

18 (2) THE COURT MAY RELY ON RECOMMENDATIONS IN THE
19 VISITOR'S REPORT PURSUANT TO SECTION 15-14-303.

20 (3) IF THE COURT DETERMINES THAT THE RESPONDENT LACKS THE
21 CAPACITY TO FORM AN ATTORNEY-CLIENT RELATIONSHIP, THE COURT MAY
22 APPOINT A GUARDIAN AD LITEM TO REPRESENT THE RESPONDENT."

23 Renumber succeeding subsection accordingly.

24 Page 10, strike lines 39 through 43.

25 Page 11, strike line 1 and substitute:

26 "(1) IF, AT OR BEFORE A HEARING ON A PETITION FOR
27 GUARDIANSHIP FOR AN ADULT, THE COURT FINDS THAT ADDITIONAL
28 INFORMATION MAY ASSIST THE COURT IN DETERMINING THE RESPONDENT'S
29 NEEDS AND ABILITIES, THE COURT MAY ORDER NO MORE THAN ONE
30 PROFESSIONAL EVALUATION OF THE RESPONDENT, UNLESS THE
31 RESPONDENT REQUESTS AN ADDITIONAL PROFESSIONAL EVALUATION OR
32 THE COURT FINDS THAT AN ADDITIONAL EVALUATION IS NECESSARY DUE
33 TO A MATERIAL CHANGE IN THE RESPONDENT'S CIRCUMSTANCES OR TO
34 RESOLVE A MATERIAL DISPUTE IN THE EXISTING EVIDENCE."

35 Page 11, strike lines 14 through 16 and substitute "LIMITATIONS. THE

- 1 INDIVIDUAL CONDUCTING THE EVALUATION".
- 2 Page 11, after line 27 insert:
3 "(4) THE COURT SHALL ORDER ADDITIONAL PROFESSIONAL
4 EVALUATIONS ONLY UPON THE FINDINGS REQUIRED IN SUBSECTION (1) OF
5 THIS SECTION."
- 6 Page 11, line 28, strike "(4)" and substitute "(5)".
- 7 Page 12, line 15, after "ATTORNEY" insert "OR GUARDIAN AD LITEM".
- 8 Page 12, line 16, after "COURT-APPOINTED ATTORNEY" insert "OR
9 GUARDIAN AD LITEM" and before "OF" insert "OR GUARDIAN AD LITEM".
- 10 Page 14, line 24, strike "GUARDIAN." and substitute "GUARDIAN AND THE
11 DATE THAT THE GUARDIANSHIP EXPIRES."
- 12 Page 16, strike lines 20 through 26 and substitute:
13 "(d) BE NOTIFIED AT LEAST THIRTY DAYS BEFORE A CHANGE, IF
14 POSSIBLE, IN THE ADULT'S PRIMARY DWELLING OR PERMANENT MOVE TO
15 A NURSING FACILITY, MENTAL HEALTH INSTITUTION, OR OTHER FACILITY
16 THAT PLACES RESTRICTIONS ON THE INDIVIDUAL'S ABILITY TO LEAVE OR
17 HAVE VISITORS, TO THE EXTENT REASONABLY FEASIBLE, UNLESS THE
18 CHANGE OR MOVE IS PROPOSED BY THE GUARDIAN'S PLAN, PURSUANT TO
19 SECTION 15-14-316, OR AUTHORIZED BY THE COURT BY SPECIFIC ORDER."
- 20 Page 16, line 28, after "OBJECTING;" insert "AND".
- 21 Page 16, line 36, after "INTERACTIONS;" insert "OR".
- 22 Page 16, line 37, strike "OR PROTECTIVE ARRANGEMENT".
- 23 Page 16, line 38, strike "PERSON; OR" and substitute "PERSON."
- 24 Page 16, strike lines 39 through 43.
- 25 Page 17, strike lines 1 through 13.
- 26 Page 17, line 27, strike "SIXTY" and substitute "NINETY".
- 27 Page 17, line 30, strike "SIXTY" and substitute "NINETY".
- 28 Page 17, line 32, strike "CONTINUE." and substitute "CONTINUE AND

- 1 UNLESS FURTHER EXTENSION IS AUTHORIZED BY THE COURT UPON A
2 FINDING OF GOOD CAUSE.".
- 3 Page 18, strike lines 5 through 11 and substitute "HEARING, THE COURT
4 MUST HOLD A HEARING ON THE APPROPRIATENESS OF THE".
- 5 Page 18, line 12, strike "SEVEN" and substitute "FOURTEEN".
- 6 Page 18, strike lines 13 through 15 and substitute "UPON REQUEST OF THE
7 RESPONDENT OR THE RESPONDENT'S ATTORNEY.".
- 8 Page 19, line 11, strike "OR A PROTECTIVE ARRANGEMENT".
- 9 Page 19, line 24, strike "A QUARTERLY" and substitute "AN ANNUAL".
- 10 Page 22, line 9, strike "DAYS" and substitute "DAYS, IF POSSIBLE,".
- 11 Page 22, strike lines 16 through 27 and substitute:
12 "(6) (a) IN EXERCISING THE GUARDIAN'S POWER PURSUANT TO
13 SUBSECTION (1)(b) OF THIS SECTION TO ESTABLISH THE ADULT'S
14 PERMANENT PLACE OF DWELLING, IF THE GUARDIAN SELECTS A MORE
15 RESTRICTIVE OUT-OF-HOME PLACEMENT, SUCH AS A NURSING FACILITY,
16 GROUP HOME, OR OTHER OUT-OF-HOME PLACEMENT, THE COURT MUST
17 HOLD A HEARING IF THE ADULT OR THE ADULT'S GUARDIAN AD LITEM
18 OBJECTS TO THE PLACEMENT. THE ADULT SUBJECT TO GUARDIANSHIP
19 MUST ATTEND THE HEARING. IN ORDER FOR THE GUARDIAN TO PROCEED
20 WITH PLACEMENT ARRANGEMENTS FOR OUT-OF-HOME PLACEMENT, THE
21 COURT MUST FIND BY CLEAR AND CONVINCING EVIDENCE THAT THE
22 PLACEMENT IS NECESSARY FOR THE ADULT'S SAFETY, HEALTH, OR
23 WELFARE AND THAT NO LESS RESTRICTIVE ALTERNATIVE OR IN-HOME
24 PLACEMENT WOULD PROVIDE THE SAME SAFEGUARDS FOR THE ADULT.
25 (b) THIS SUBSECTION (6) DOES NOT APPLY IF THE COURT
26 AUTHORIZES A HIGHER LEVEL OF CARE FOR THE ADULT AT THE INITIAL
27 APPOINTMENT OF THE GUARDIAN AND THIS PLACEMENT ARRANGEMENT IS
28 CONSISTENT WITH THAT INITIAL PLACEMENT.".
- 29 Page 24, line 5, strike "OR A PROTECTIVE ARRANGEMENT".
- 30 Page 24, strike lines 10 through 17 and substitute "FINANCIAL HARM TO
31 THE ADULT.".
- 32 Page 24, line 22, strike "SIXTY" and substitute "NINETY".

1 Page 24, line 41, after "VISITATION" insert "WHO HAS NOT BEEN
2 CONVICTED ON CHARGES OF EXPLOITATION OR ABUSE".

3 Page 25, strike lines 19 through 21 and substitute "(3) AN ADULT
4 SUBJECT TO GUARDIANSHIP MAY OBJECT TO THE PLAN."

5 Page 27, line 37, after "ATTORNEY" insert "OR GUARDIAN AD LITEM".

6 Page 29, line 5, strike "ATTORNEY," and substitute "ATTORNEY OR
7 GUARDIAN AD LITEM PURSUANT TO THE SAME CONDITIONS DETAILED IN
8 SECTION 15-14-305,".

9 Page 29, line 40, strike "SIX MONTHS;" and substitute "TWELVE MONTHS
10 UNLESS THERE IS GOOD CAUSE TO BELIEVE A HEARING IS NECESSARY
11 BECAUSE THE FACTS DEMONSTRATE POTENTIAL RISK OF SIGNIFICANT
12 PHYSICAL, PSYCHOLOGICAL, OR FINANCIAL HARM TO THE ADULT SUBJECT
13 TO GUARDIANSHIP."

14 Page 33, after line 28 insert:

15 "SECTION 7. In Colorado Revised Statutes, 13-32-101, add
16 (1.5) as follows:

17 **13-32-101. Docket fees in civil actions - judicial stabilization**
18 **cash fund - justice center cash fund - justice center maintenance fund**
19 **- equal justice fee collection - created - report - legislative declaration.**

20 (1.5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
21 COURT SHALL WAIVE ANY FILING FEE, DOCKET FEE, OR COURT COST
22 ASSOCIATED WITH A PETITION FILED BY OR ON BEHALF OF THE OFFICE OF
23 PUBLIC GUARDIANSHIP FOR:

- 24 (a) THE APPOINTMENT OF A GUARDIAN PURSUANT TO TITLE 15;
25 (b) THE APPOINTMENT OF AN EMERGENCY GUARDIAN OR
26 TEMPORARY GUARDIAN, APPOINTED PURSUANT TO SECTION 15-14-312; OR
27 (c) ANY SUBSEQUENT FILING NECESSARY TO CARRY OUT THE
28 DUTIES OF THE OFFICE OF PUBLIC GUARDIANSHIP IN AN ACTIVE
29 GUARDIANSHIP MATTER.

30 **SECTION 8.** In Colorado Revised Statutes, add 13-94-112 as
31 follows:

32 **13-94-112. Referrals for appointment of public guardian.**

33 (1) THE OFFICE MAY ACCEPT REFERRALS FOR THE APPOINTMENT OF
34 A PUBLIC GUARDIAN FROM ANY OF THE FOLLOWING ENTITIES WHEN THE
35 REFERRING ENTITY REASONABLY BELIEVES THAT THE INDIVIDUAL MAY
36 MEET THE CRITERIA FOR PUBLIC GUARDIANSHIP PURSUANT TO ARTICLE 14
37 OF TITLE 15:

- 38 (a) ADULT PROTECTIVE SERVICES;

1 (b) THE BRIDGES OF COLORADO PROGRAM, ESTABLISHED
2 PURSUANT TO SECTION 13-95-103; OR

3 (c) THE JUDICIAL DEPARTMENT OR A COURT OF COMPETENT
4 JURISDICTION.

5 (2) A REFERRAL DESCRIBED IN SUBSECTION (1) OF THIS SECTION
6 MAY CONSTITUTE SUFFICIENT INFORMATION FOR THE OFFICE TO INITIATE
7 PROCEEDINGS FOR THE APPOINTMENT OF A PUBLIC GUARDIAN PURSUANT
8 TO ARTICLE 14 OF TITLE 15 WHEN:

9 (a) THE INDIVIDUAL APPEARS TO MEET THE STATUTORY CRITERIA
10 FOR GUARDIANSHIP;

11 (b) NO WILLING AND APPROPRIATE FAMILY MEMBER, FRIEND, OR
12 PRIVATE GUARDIAN IS REASONABLY AVAILABLE TO SERVE; AND

13 (c) THE OFFICE DETERMINES THAT ACCEPTANCE OF THE CASE IS
14 CONSISTENT WITH ITS STATUTORY AUTHORITY AND AVAILABLE CAPACITY.

15 (3) UPON ACCEPTANCE OF A REFERRAL, THE OFFICE MAY FILE A
16 PETITION FOR APPOINTMENT OF A GUARDIAN PURSUANT TO SECTION
17 15-14-304 ON BEHALF OF THE INDIVIDUAL WHO IS THE SUBJECT OF THE
18 REFERRAL.

19 (4) A PETITION FILED BY THE OFFICE PURSUANT TO THIS SECTION
20 MAY BE FILED AS AN UNCONTESTED GUARDIANSHIP MATTER WHEN THE
21 OFFICE HAS MADE REASONABLE EFFORTS TO IDENTIFY AND NOTIFY
22 INTERESTED PERSONS AND NO OBJECTION HAS BEEN RAISED.

23 (5) NOTHING IN THIS SECTION LIMITS THE AUTHORITY OF THE
24 COURT TO REQUIRE ADDITIONAL INFORMATION OR DOCUMENTATION
25 NECESSARY TO DETERMINE WHETHER APPOINTMENT OF A GUARDIAN IS
26 APPROPRIATE PURSUANT TO ARTICLE 14 OF TITLE 15."

27 Renumber succeeding sections accordingly.

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