

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

May 5, 2026
Date

Committee on Appropriations.

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 of the Whole with favorable recommendation:

1 Strike the Finance Committee Report, dated April 23, 2026, and
2 substitute:

3 "Strike the Judiciary Committee Report, dated April 1, 2026, and
4 substitute:

5 "Amend printed bill, strike everything below the enacting clause and
6 substitute:

7 "SECTION 1. In Colorado Revised Statutes, **add** 15-14-103 as
8 follows:

9 **15-14-103. Guardianship bill of rights.**

10 (1) A WARD HAS THE RIGHT TO:

11 (a) BE TREATED WITH DIGNITY AND RESPECT;

12 (b) BE FREE FROM ABUSE, NEGLECT, EXPLOITATION, AND
13 DISCRIMINATION;

14 (c) REMAIN AS INDEPENDENT AS POSSIBLE;

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

16 (e) PERSONAL PRIVACY;

17 (f) HUMANE, SAFE, AND SANITARY LIVING, LEARNING, AND
18 WORKING ENVIRONMENTS;

19 (g) SEXUAL EXPRESSION AND RESPECT FOR THEIR GENDER
20 IDENTITY;

21 (h) A COMPETENT GUARDIAN WHO ADVOCATES FOR THEIR GOALS,
22 NEEDS, AND PREFERENCES AND PRIORITIZES THEIR DESIRES, INCLUDING
23 MEDICAL TREATMENT PREFERENCES, CULTURAL PRACTICES, AND
24 RELIGIOUS BELIEFS;

25 (i) PARTICIPATE, TO THE EXTENT POSSIBLE, IN ALL DECISIONS,

- 1 ESPECIALLY THOSE AFFECTING THEIR CARE, WHERE THEY LIVE, THEIR
2 ACTIVITIES, AND THEIR SOCIAL INTERACTIONS, TO THE EXTENT THEY WISH
3 TO BE INVOLVED AND ARE ABLE TO BE INVOLVED;
- 4 (j) RECEIVE NECESSARY SERVICES AND REHABILITATION, WITHIN
5 AVAILABLE RESOURCES, THAT PROTECT THEIR PERSONAL LIBERTY AND
6 ARE PROVIDED WITH THE LEAST RESTRICTIVE CONDITIONS;
- 7 (k) PRUDENT MANAGEMENT OF THEIR RESOURCES BY THEIR
8 GUARDIAN;
- 9 (l) PARTICIPATE, TO THE EXTENT POSSIBLE, IN DECISIONS ABOUT
10 HOW THEIR PROPERTY IS MANAGED, TO THE EXTENT THEY WISH TO BE
11 INVOLVED AND ARE ABLE TO BE INVOLVED;
- 12 (m) CONFIDENTIALITY FOR THOSE MATTERS THAT THEY WISH TO
13 KEEP CONFIDENTIAL, UNLESS THE INFORMATION IS NECESSARY TO OBTAIN
14 SERVICES; TO PREVENT ABUSE, NEGLECT, OR EXPLOITATION; OR TO MODIFY
15 THE GUARDIANSHIP ORDER OR OTHER ORDERS ENTERED PURSUANT TO THIS
16 ARTICLE 14 OR ARTICLE 14.5 OF THIS TITLE 15;
- 17 (n) MAINTAIN ALL RIGHTS THAT THE COURT HAS NOT GRANTED TO
18 THEIR GUARDIAN OR CONSERVATOR;
- 19 (o) A LAWYER WHO ADVOCATES FOR THE OUTCOME THE WARD
20 WANTS;
- 21 (p) BE PRESENT AND PARTICIPATE IN ALL COURT HEARINGS;
- 22 (q) SHARE CONCERNS OR COMPLAINTS ABOUT THEIR
23 GUARDIANSHIP WITH THE COURT;
- 24 (r) ASK THE COURT TO REVIEW THE NEED FOR THEIR
25 GUARDIANSHIP TO CHANGE, CONTINUE, OR END AND WHETHER THEIR
26 GUARDIAN IS AN APPROPRIATE FIT FOR THEM;
- 27 (s) IF A QUESTION ARISES ABOUT THEIR CAPACITY TO EXERCISE A
28 SPECIFIC RIGHT, HAVE A COURT REVIEW AND DETERMINE IF AN
29 EVALUATION IS NECESSARY IN ORDER TO DETERMINE THEIR CAPACITY TO
30 EXERCISE THE RIGHT;
- 31 (t) THE SUPPORT AND ACCOMMODATIONS THEY NEED TO BE ABLE
32 TO EFFECTIVELY COMMUNICATE WITH THE COURT AND TO UNDERSTAND
33 THE COURT PROCEEDINGS; AND
- 34 (u) HAVE THEIR RIGHTS EXPLAINED TO THEM IN THEIR PREFERRED
35 METHOD OF COMMUNICATION AND IN THE LANGUAGE THEY CHOOSE.
- 36 (2) THE COURT MAY AUTHORIZE A GUARDIAN OR CONSERVATOR
37 TO MAKE DECISIONS FOR THE FOLLOWING RIGHTS ON BEHALF OF THE
38 WARD:
- 39 (a) TO DETERMINE THE WARD'S SOCIAL ENVIRONMENT AND THE
40 SOCIAL ASPECTS OF THEIR PERSONAL LIFE;
- 41 (b) TO FILE AND DEFEND LAWSUITS;
- 42 (c) TO MAKE CONTRACTS;
- 43 (d) TO MAKE GIFTS OF THE WARD'S MONEY; AND

1 (e) TO MANAGE THE WARD'S MONEY AND PROPERTY.
2 (3) THE WARD RETAINS THE RIGHT TO VOTE, TO MAINTAIN THEIR
3 REPRODUCTIVE HEALTH AND ABILITY TO PROCREATE, AND TO CHANGE
4 THEIR MARITAL STATUS, UNLESS THE COURT RESTRICTS THOSE RIGHTS BY
5 STATING THE RESTRICTIONS AND THE RELEVANT FINDINGS TO SUPPORT THE
6 RESTRICTIONS IN THE ORDER APPOINTING THE GUARDIAN.

7 (4) NOTHING IN THIS SECTION ALTERS, LIMITS, OR AFFECTS THE
8 COURT'S AUTHORITY OR THE STANDARDS AND PROCEDURES FOR
9 APPOINTING A GUARDIAN, DETERMINING THE SCOPE OF GUARDIANSHIP, OR
10 MODIFYING OR TERMINATING A GUARDIANSHIP PURSUANT TO THIS ARTICLE
11 14 OR ARTICLE 14.5 OF THIS TITLE 15. THE RIGHTS SET FORTH IN THIS
12 SECTION ARE SUBJECT TO ANY LIMITATIONS IMPOSED BY COURT ORDER.

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

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

16 (2) A guardian shall:

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

19 (g) Immediately notify the court in writing of the ward's death;
20 AND

21 (h) NOTIFY, TO THE EXTENT REASONABLY FEASIBLE, THE COURT
22 AND THE WARD, AT LEAST THIRTY DAYS BEFORE A CHANGE, IF POSSIBLE,
23 AT THE WARD'S PRIMARY DWELLING, OF A FORTHCOMING PERMANENT
24 MOVE TO A NURSING HOME, MENTAL HEALTH INSTITUTION, OR OTHER
25 FACILITY THAT PLACES RESTRICTIONS ON THE WARD'S ABILITY TO LEAVE
26 THE FACILITY OR HAVE VISITORS, UNLESS THE CHANGE OR MOVE IS
27 PROPOSED IN THE GUARDIAN'S PLAN OR AUTHORIZED BY THE COURT BY
28 SPECIFIC ORDER.

29 **SECTION 3.** In Colorado Revised Statutes, 15-14-316, **add** (5)
30 as follows:

31 **15-14-316. Rights and immunities of guardian - limitations.**

32 (5) A GUARDIAN, IN EXERCISING THE GUARDIAN'S POWERS
33 PURSUANT TO SECTION 15-14-315, SHALL NOT CONSENT TO CARE OR
34 TREATMENT FOR THE WARD THAT IS AGAINST THE WARD'S WILL.

35 **SECTION 4. Act subject to petition - effective date.** This act
36 takes effect at 12:01 a.m. on the day following the expiration of the
37 ninety-day period after final adjournment of the general assembly (August
38 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
39 referendum petition is filed pursuant to section 1 (3) of article V of the
40 state constitution against this act or an item, section, or part of this act
41 within such period, then the act, item, section, or part will not take effect
42 unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor."."."

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