

CHAPTER 114

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 26-1218

BY REPRESENTATIVE(S) Espenoza and Luck, Bradley, Carter;
also SENATOR(S) Catlin and Ball, Coleman.

AN ACT

CONCERNING CLARIFYING THE VALIDITY OF COMMON LAW MARRIAGE BY RESTORING A
PREVIOUSLY REPEALED PROVISION.

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

SECTION 1. In Colorado Revised Statutes, 14-2-104, **recreate and reenact, with amendments, (3)** as follows:

14-2-104. Formalities.

(3) THIS SECTION DOES NOT REPEAL OR INVALIDATE ANY OTHERWISE VALID COMMON LAW MARRIAGE:

(a) ENTERED INTO PRIOR TO SEPTEMBER 1, 2006; OR

(b) ENTERED INTO ON OR AFTER SEPTEMBER 1, 2006, AND COMPLIES WITH SECTION 14-2-109.5.

SECTION 2. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: May 5, 2026

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.