



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

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<b>Drafting Number:</b>	LLS 21-0057	<b>Date:</b>	February 22, 2021
<b>Prime Sponsors:</b>	Rep. Froelich Sen. Ginal	<b>Bill Status:</b>	House Health & Insurance
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**Bill Topic:** SURROGACY AGREEMENTS

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**Summary of Fiscal Impact:**

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill creates the Colorado Surrogacy Agreement Act to govern surrogacy agreements. Starting in FY 2021-22, the bill will increase state workload on an ongoing basis.

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**Appropriation Summary:** No appropriation is required.

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**Fiscal Note Status:** This fiscal note reflects the introduced bill.

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## Summary of Legislation

This bill creates the Colorado Surrogacy Agreement Act to govern surrogacy agreements. Specifically, the act:

- creates eligibility requirements to execute an agreement;
- defines the duties for parties of the agreement;
- specifies the process for creating a surrogacy agreement, the content of such agreements, and parties' right to legal representation;
- establishes how agreements may be changed as a result of death or a change in marital status;
- outlines the process and obligation of parties when terminating an agreement; and
- authorizes the court to issue orders recognizing or enforcing surrogacy agreements, and to determine parentage

## State Expenditures

The bill will increase workload for several state departments beginning in FY 2021-22. The trial courts in the Judicial Department will have a minimal increase in workload to hear any cases related to surrogacy agreements. The Department of Regulatory Agencies will conduct outreach and education to medical professionals. The Child Support Services Division in the Department of Human Services

will update rules, desk aids, and training material to address the changes implemented through this legislation. This bill will also increase workload for the Colorado Department of Public Health and Environment to update birth certificates with the names of the intended parents. None of these increases are expected to require additional appropriations.

## Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## State and Local Government Contacts

Judicial  
Information Technology

Counties  
Public Health and Environment

Human Services  
Regulatory Agencies