

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0026.02 Jane Ritter x4342

**HOUSE BILL 22-1271**

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**HOUSE SPONSORSHIP**

**Ransom,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Public & Behavioral Health & Human Services  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING ENSURING PERSONAL RIGHTS OF PROTECTED PERSONS**  
102 **THROUGH REQUIRED DUTIES OF GUARDIANS.**

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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 establishes certain rights for a person who is protected through a legal guardianship relationship (protected person) and duties of a guardian or conservator (guardian). With certain exceptions, a guardian shall notify within 7 days one or more of the protected person's close family members and any person designated by the protected person when the protected person:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

- Changes place of residence;
- Resides at a location other than the protected person's residence for more than 48 hours;
- Is admitted to a medical facility for acute care or emergency care; or
- Dies.

The guardian, in conjunction with the protected person and any close family members, shall develop an initial care plan, to be updated annually. The care plan must include why the guardianship is necessary, any necessary restrictions placed on visitation or access to reporting, how the protected person's finances will be handled, and how the protected person and close family members can obtain answers to questions that arise.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-94-104, **add** (5)  
 3 as follows:

4 **13-94-104. Public guardianship commission created - office of**  
 5 **public guardianship created - appointment of director -**  
 6 **memorandum of understanding.** (5) (a) THE COMMISSION SHALL  
 7 CREATE A WORKING GROUP TO STUDY ISSUES RELATED TO PROTECTED  
 8 PERSONS. THE WORKING GROUP SHALL STUDY AND MAKE  
 9 RECOMMENDATIONS RELATED TO:

10 (I) PROVIDING NOTIFICATION TO A PROTECTED PERSON'S CLOSE  
 11 FAMILY OR A PERSON DESIGNATED BY THE PROTECTED PERSON WHEN THE  
 12 PROTECTED PERSON:

13 (A) CHANGES PLACE OF RESIDENCE;

14 (B) RESIDES AT A LOCATION OTHER THAN THE PROTECTED  
 15 PERSON'S RESIDENCE FOR MORE THAN FORTY-EIGHT HOURS;

16 (C) IS ADMITTED TO A MEDICAL FACILITY FOR ACUTE OR  
 17 EMERGENCY CARE;

18 (D) DIES; AND

1 (E) OTHER CIRCUMSTANCES WHEN NOTIFICATION MAY BE  
2 APPROPRIATE;

3 (II) APPROPRIATE PARAMETERS FOR VISITATION OF THE  
4 PROTECTED PERSON; AND

5 (III) DEVELOPMENT OF A CARE PLAN FOR THE PROTECTED PERSON  
6 THAT INCLUDES WHY THE GUARDIANSHIP IS NECESSARY, ANY NECESSARY  
7 RESTRICTIONS PLACED ON VISITATION OR ACCESS TO REPORTING, HOW THE  
8 PROTECTED PERSON'S OR WARD'S FINANCES ARE TO BE HANDLED, AND HOW  
9 THE PROTECTED PERSON OR WARD AND CLOSE FAMILY MEMBERS CAN  
10 OBTAIN ANSWERS IF QUESTIONS ARISE.

11 (b) THE WORKING GROUP SHALL REPORT ITS FINDINGS AND  
12 RECOMMENDATIONS TO THE HOUSE OF REPRESENTATIVES PUBLIC AND  
13 BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE AND THE SENATE  
14 HEALTH AND HUMAN SERVICES COMMITTEE, OR THEIR SUCCESSOR  
15 COMMITTEES, BY DECEMBER 1, 2022.

16 **SECTION 2. Act subject to petition - effective date.** This act  
17 takes effect at 12:01 a.m. on the day following the expiration of the  
18 ninety-day period after final adjournment of the general assembly; except  
19 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
20 of the state constitution against this act or an item, section, or part of this  
21 act within such period, then the act, item, section, or part will not take  
22 effect unless approved by the people at the general election to be held in  
23 November 2022 and, in such case, will take effect on the date of the  
24 official declaration of the vote thereon by the governor.