

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

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 22-0952.01 Michael Dohr x4347

**HOUSE BILL 22-1319**

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**HOUSE SPONSORSHIP**

**Gonzales-Gutierrez and Jodeh,**

**SENATE SPONSORSHIP**

**Gonzales,**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING DEPENDENCY ORDERS FOR AN UNACCOMPANIED CHILD**  
102 **IN FEDERAL CUSTODY IN COLORADO.**

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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 provides juvenile court jurisdiction over an unaccompanied child in the custody of the federal office of refugee resettlement in a facility in Colorado who has been subjected to parental abuse or neglect. A child may file a petition asking the court to determine that the child is dependant on the court. The petition must:

- Set forth the facts that bring the child under the court's

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.*

HOUSE  
2nd Reading Unamended  
April 19, 2022



1 COURT'S JURISDICTION PURSUANT TO SUBSECTION (1) OF THIS SECTION;

2 (II) STATE THE CHILD'S NAME, AGE, AND COUNTRY OF BIRTH; AND

3 (III) IDENTIFY THE FACILITY IN COLORADO WHERE THE CHILD IS  
4 HOUSED IN THE CUSTODY OF THE FEDERAL OFFICE OF REFUGEE  
5 RESETTLEMENT.

6 (b) THE STATEMENTS IN THE PETITION MAY BE MADE UPON  
7 INFORMATION AND BELIEF.

8 (c) THE PETITION MUST NOT NAME THE CHILD'S PARENT AS A  
9 RESPONDENT. THE PETITION MUST STATE CLEARLY THAT PARENTAL  
10 RIGHTS MAY NOT BE TERMINATED THROUGH PROCEEDINGS UNDER THIS  
11 SECTION.

12 (3) THE COURT SHALL SCHEDULE A HEARING WITHIN THIRTY-FIVE  
13 DAYS AFTER THE PETITION IS FILED, UNLESS A MOTION IS MADE FOR A  
14 FORTHWITH HEARING BECAUSE THE CHILD IS APPROACHING EIGHTEEN  
15 YEARS OF AGE OR OTHER EMERGENT CIRCUMSTANCES, IN WHICH CASE THE  
16 COURT SHALL SCHEDULE THE HEARING WITHIN SEVEN DAYS. IF THE COURT  
17 FINDS THE STATEMENTS IN THE PETITION ARE SUPPORTED BY A  
18 PREPONDERANCE OF THE EVIDENCE, THE COURT SHALL DECLARE THE  
19 CHILD DEPENDENT ON THE COURT. A CHILD DECLARED DEPENDENT  
20 PURSUANT TO THIS SECTION IS ELIGIBLE FOR OVERSIGHT AND SERVICES BY  
21 THE OFFICE OF THE CHILD PROTECTION OMBUDSMAN PURSUANT TO  
22 SECTION 19-3.3-103 (1)(a.5). UPON REQUEST, THE COURT MAY ALSO ISSUE  
23 AN ORDER ESTABLISHING THE CHILD'S ELIGIBILITY FOR CLASSIFICATION AS  
24 A SPECIAL IMMIGRANT JUVENILE UNDER FEDERAL LAW. THE ORDER MAY  
25 BE ENTERED AT ANY TIME FOLLOWING THE FILING OF THE PETITION OR AT  
26 THE HEARING.

27 (4) THE COURT SHALL NOT ALTER THE CHILD'S CUSTODY STATUS

1 OR PLACEMENT UNLESS THE FEDERAL DEPARTMENT OF HEALTH AND  
2 HUMAN SERVICES PROVIDES SPECIFIC CONSENT.

3 (5) THE COURT MAY RETAIN JURISDICTION OVER THE CHILD UNTIL  
4 THE CHILD REACHES EIGHTEEN YEARS OF AGE OR UNTIL FURTHER ORDER  
5 OF THE COURT.

6 (6) FOR PURPOSES OF THIS SECTION, "DEPENDENT ON THE COURT"  
7 MEANS A YOUTH IS UNDER THE JUVENILE COURT'S JURISDICTION; THE  
8 YOUTH WAS AT ANY TIME ADJUDICATED DEPENDENT OR NEGLECTED, AS  
9 DESCRIBED IN SECTION 19-3-102, OR THAT THE COURT HAS FOUND  
10 SUFFICIENT EVIDENCE THAT THE YOUTH HAS BEEN SUBJECTED TO CHILD  
11 ABUSE OR NEGLECT, AS DEFINED IN SECTION 19-1-103 (1)(a); AND THE  
12 YOUTH IS IN NEED OF OVERSIGHT AND SUPPORTIVE SERVICES AS  
13 DETERMINED BY THE COURT.

14 **SECTION 2. Safety clause.** The general assembly hereby finds,  
15 determines, and declares that this act is necessary for the immediate  
16 preservation of the public peace, health, or safety.