

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**REVISED**

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

LLS NO. 23-0776.01 Amber Paoloemilio x5497

**HOUSE BILL 23-1172**

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**HOUSE SPONSORSHIP**

**Parenti,** Boesenecker, Brown, Duran, English, Jodeh, Lindsay, Michaelson Jenet, Ricks, Velasco

**SENATE SPONSORSHIP**

**Jaquez Lewis,**

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**House Committees**

Public & Behavioral Health & Human Services

**Senate Committees**

Judiciary

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**A BILL FOR AN ACT**

101 **CONCERNING CHANGES TO CHILD WELFARE PROCEEDINGS.**

**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 courts jurisdiction to enter permanent allocations of parental responsibilities without requiring a full adjudication of a child as dependent or neglected as to each parent in certain circumstances.

Current law grants concurrent jurisdiction to district and county courts to order name changes for children or youth who appear in dependency and neglect and foster youth in transition cases. The bill grants juvenile courts the same jurisdiction.

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

SENATE  
2nd Reading Unamended  
March 16, 2023

HOUSE  
3rd Reading Unamended  
February 28, 2023

HOUSE  
2nd Reading Unamended  
February 27, 2023

The bill eliminates the requirement to give public notice of name changes through publication for a child or youth adjudicated dependent or neglected or subject to a continued adjudication.

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

2           **SECTION 1.** In Colorado Revised Statutes, 19-1-104, **amend** (6)  
3 as follows:

4           **19-1-104. Jurisdiction.** (6) (a) When ~~the~~ A DISTRICT COURT IN  
5 THIS STATE DOES NOT HAVE CONTINUING JURISDICTION OVER A CHILD  
6 CUSTODY PROCEEDING CONCERNING THE CHILD, OR A juvenile court IN  
7 THIS STATE maintains jurisdiction ~~in a case involving a child who is~~  
8 ~~dependent or neglected and no child custody action or action for the~~  
9 ~~allocation of parental responsibilities concerning the same child is~~  
10 ~~pending in a district court in this state, upon the petition of a party to the~~  
11 ~~dependency or neglect case, the juvenile court may enter an~~ PURSUANT TO  
12 SUBSECTION (5) OF THIS SECTION AND THE "UNIFORM CHILD-CUSTODY  
13 JURISDICTION AND ENFORCEMENT ACT", ARTICLE 13 OF TITLE 14, THE  
14 JUVENILE COURT HAS JURISDICTION TO ENTER A PERMANENT order  
15 allocating parental responsibilities and addressing parenting time and  
16 child support matters UPON THE PETITION OF A PARTY IF:

17           (I) ALL PARENTS, LEGAL GUARDIANS, AND LEGAL CUSTODIANS  
18 HAVE AN ADJUDICATION PURSUANT TO SECTION 19-3-505 (7) OR  
19 CONTINUED ADJUDICATION PURSUANT TO SECTION 19-3-505 (5) ENTERED  
20 BY A COURT; OR

21           (II) AT LEAST ONE PARENT, LEGAL GUARDIAN, OR LEGAL  
22 CUSTODIAN HAS AN ADJUDICATION PURSUANT TO SECTION 19-3-505 (7) OR  
23 CONTINUED ADJUDICATION PURSUANT TO SECTION 19-3-505 (5) AND  
24 OTHER PARENTS, LEGAL GUARDIANS, OR LEGAL CUSTODIANS WHO DO NOT

1 HAVE AN ADJUDICATION OR CONTINUED ADJUDICATION CONSENT TO  
2 JURISDICTION.

3 (b) The parent or person other than a parent with whom the child  
4 resides the majority of the time pursuant to the juvenile court's order shall  
5 file a certified copy of the order in the district court in the county where  
6 the child is permanently resident. Such order ~~shall~~ MUST be treated in the  
7 district court as any other decree issued in a proceeding concerning the  
8 allocation of parental responsibilities.

9 **SECTION 2.** In Colorado Revised Statutes, 13-15-101, **amend**  
10 (1)(a)(I) introductory portion and (1)(a.5) as follows:

11 **13-15-101. Petition - proceedings - applicability.**

12 (1) (a) (I) Every person desiring to change ~~his or her~~ THE PERSON'S OWN  
13 name may present a petition to that effect, verified by affidavit, to the  
14 district or county court in the county of the petitioner's residence, except  
15 as otherwise provided in ~~paragraph (a.5) of this subsection (1)~~  
16 SUBSECTION (1)(a.5) OF THIS SECTION. The petition ~~shall~~ MUST include:

17 (a.5) If the petitioner is under nineteen years of age and is the  
18 subject of an action concerning child support, allocation of parental  
19 responsibilities, ~~or~~ parenting time, OR DEPENDENCY AND NEGLECT, then  
20 the petition for name change ~~shall~~ MUST be filed in the court having  
21 jurisdiction over the action concerning child support, allocation of  
22 parental responsibilities, ~~or~~ parenting time, OR DEPENDENCY AND  
23 NEGLECT. IF THE PETITIONER IS UNDER TWENTY-ONE YEARS OF AGE AND  
24 A PARTICIPATING YOUTH IN COLORADO'S FOSTER YOUTH IN TRANSITION  
25 PROGRAM PURSUANT TO PART 3 OF ARTICLE 7 OF TITLE 19, THEN THE  
26 PETITION FOR NAME CHANGE MAY BE FILED IN THE COURT HAVING  
27 JURISDICTION OVER THE ACTION CONCERNING THE FOSTER YOUTH IN

1       TRANSITION CASE.

2               **SECTION 3.** In Colorado Revised Statutes, 13-15-102, **amend**  
3       (2) introductory portion; and **add** (2)(d) as follows:

4               **13-15-102. Publication of change.** (2) Public notice of such  
5       name change through publication as required in subsection (1) of this  
6       section ~~shall~~ IS not ~~be~~ required if the petitioner has been:

7               (d) A CHILD OR YOUTH ADJUDICATED DEPENDENT OR NEGLECTED  
8       PURSUANT TO ARTICLE 3 OF TITLE 19 OR SUBJECT TO A CONTINUED  
9       ADJUDICATION PURSUANT TO SECTION 19-3-505 (4).

10              **SECTION 4. Act subject to petition - effective date.** This act  
11       takes effect at 12:01 a.m. on the day following the expiration of the  
12       ninety-day period after final adjournment of the general assembly; except  
13       that, if a referendum petition is filed pursuant to section 1 (3) of article V  
14       of the state constitution against this act or an item, section, or part of this  
15       act within such period, then the act, item, section, or part will not take  
16       effect unless approved by the people at the general election to be held in  
17       November 2024 and, in such case, will take effect on the date of the  
18       official declaration of the vote thereon by the governor.