

## CHAPTER 67

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**CHILDREN AND DOMESTIC MATTERS**


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## HOUSE BILL 23-1172

BY REPRESENTATIVE(S) Parenti, Boesenecker, Brown, Duran, English, Jodeh, Lindsay, Michaelson Jenet, Ricks, Velasco;  
also SENATOR(S) Jaquez Lewis, Buckner, Cutter, Danielson, Exum, Hinrichsen, Moreno, Winter F.

**AN ACT****CONCERNING CHANGES TO CHILD WELFARE PROCEEDINGS.**

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

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

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

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

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

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*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.*

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

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

**13-15-101. Petition - proceedings - applicability.** (1) (a) (I) Every person desiring to change ~~his or her~~ THE PERSON'S OWN name may present a petition to that effect, verified by affidavit, to the district or county court in the county of the petitioner's residence, except as otherwise provided in ~~paragraph (a.5) of this subsection~~ ~~(1)~~ SUBSECTION (1)(a.5) OF THIS SECTION. The petition ~~shall~~ MUST include:

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

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

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

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

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

Approved: April 12, 2023