

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 24-1350

BY REPRESENTATIVE(S) Froelich and Story, Bird, Lindsay, Sirota, Vigil, Weissman, Clifford, Hamrick, Joseph, McLachlan, Snyder; also SENATOR(S) Winter F. and Michaelson Jenet, Buckner, Cutter, Exum, Fields, Gardner, Hinrichsen, Jaquez Lewis, Kolker, Marchman, Priola, Sullivan.

CONCERNING STANDARDS RELATED TO COURT PROCEEDINGS FOR ALLOCATION OF PARENTAL RESPONSIBILITIES TO KEEP CHILDREN SAFE.

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

**SECTION 1. Legislative declaration.** (1) The general assembly finds that:

(a) The general assembly, along with other state legislatures, the United States congress, and the United Nations, has identified that family court reform is necessary to prevent the common occurrence of awarding parental responsibilities for minor children to perpetrators of violence, including perpetrators of intimate partner violence, child abuse, and child sexual abuse;

*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) United Nations experts have described the issue of protecting victims of abuse in custody disputes, particularly women and children, as an international crisis;

(c) Recently, the general assembly passed House Bill 21-1228 and House Bill 23-1178. Among other things, these bills require certain court personnel who are involved in parental responsibility proceedings to complete training with evidence-based and peer-reviewed curricula in domestic violence, child abuse, and child sexual abuse. The bills also require court findings related to domestic violence, child abuse, and child sexual abuse when determining parental responsibilities, and they require certain court-appointed expert witnesses in parental responsibilities proceedings to have appropriate qualifications. Finally, the bills limit the use of reunification treatment when a claim of domestic violence, child abuse, or child sexual abuse has been made, and they conform with the provisions of the federal "Keeping Children Safe from Family Violence Act", or "Kayden's Law". Additional clarification and protections for children and former partners are needed to build upon House Bill 21-1228 and House Bill 23-1178.

(d) Additionally, the general assembly recently passed House Bill 23-1108. The bill addressed the important and difficult work of child and family investigators and parental responsibilities evaluators and their roles in making courts safer and more accessible for domestic violence survivors. It is imperative that judges understand the work of these critical court personnel and both the positive effect or the negative consequences it may have depending upon training. The recommendations made by the task force to study victim and survivor awareness and responsiveness training requirements for judicial personnel, created pursuant to House Bill 23-1108, recognized the need to expand expertise and knowledge regarding the effect of domestic violence exposure on children, power dynamics following partner separation, the reliability of information presented to the court, and the role of the court in protecting children. Implementing these recommendations is critical to help judges work effectively with child and family investigators and parental responsibilities evaluators to improve support of domestic violence survivors.

(2) (a) Therefore, the general assembly declares it is necessary to expand opportunities to ensure a child's opinions are entered into the record and considered by the court when determining parental responsibilities, to

consider coercive control by perpetrators of violence, and to clarify and expand the state's role and responsibilities to ensure these standards are upheld.

(b) Furthermore, the general assembly declares that it is encouraged by the recommendations made by the task force to study victim and survivor awareness and responsiveness training requirements for judicial personnel, created pursuant to House Bill 23-1108. The general assembly looks forward to the judicial department's implementation of these recommendations, including actions necessary to comply with the federal "Keeping Children Safe from Family Violence Act", or "Kayden's Law".

**SECTION 2.** In Colorado Revised Statutes, 14-10-116.5, **amend** (2)(b) and (2)(f); and **add** (2)(b.3), (2)(b.7), (2.7), and (5) as follows:

**14-10-116.5. Appointment in domestic relations cases - child and family investigator - disclosure - background check - definition.**

(2) (b) The child and family investigator shall make independent and informed recommendations to the court, in the form of a written report, ~~with the court,~~ unless otherwise ordered by the court. ~~While the child and family investigator shall consider the wishes of the child, the child and family investigator need not adopt such wishes in making his or her recommendations to the court, unless they serve the best interests of the child, as described in section 14-10-124~~ IN THE WRITTEN REPORT, THE CHILD AND FAMILY INVESTIGATOR SHALL PROVIDE OPTIONS THAT SERVE THE BEST INTERESTS OF THE CHILD TO THE COURT FOR THE COURT TO CONSIDER. The child's wishes, if expressed, must be disclosed in the child and family investigator's written report. The court shall consider the entirety of the report, as well as any testimony by the child and family investigator, the parties, and any other professionals, before adopting any recommendations made by the child and family investigator.

(b.3) (I) THE CHILD AND FAMILY INVESTIGATOR SHALL INCLUDE IN THE WRITTEN REPORT ALL INFORMATION ACQUIRED DURING THE INVESTIGATION CONCERNING DOMESTIC VIOLENCE AND CHILD ABUSE, INCLUDING:

(A) CHILD SEXUAL ABUSE;

(B) PHYSICAL ABUSE;

(C) EMOTIONAL ABUSE;

(D) COERCIVE CONTROL;

(E) TRAUMA; AND

(F) VICTIM AND PERPETRATOR BEHAVIORAL PATTERNS AND RELATIONSHIP DYNAMICS.

(II) THE CHILD AND FAMILY INVESTIGATOR SHALL INCLUDE IN THE WRITTEN REPORT ALL INFORMATION PURSUANT TO SUBSECTION (2)(b.3)(I) OF THIS SECTION, REGARDLESS OF:

(A) THE MANNER IN WHICH THE INFORMATION WAS ACQUIRED, INCLUDING BY ACCUSATION; EVIDENCE OF A CRIMINAL CHARGE, PLEA, DEFERRED JUDGMENT, OR CONVICTION; OR EVIDENCE OF A PROTECTION ORDER; OR

(B) WHO PRESENTED THE INFORMATION, INCLUDING A CHILD.

(b.7) THE CHILD AND FAMILY INVESTIGATOR SHALL STRIVE TO ENSURE THAT THE WRITTEN REPORT DOES NOT INCLUDE INFORMATION OR RECOMMENDATIONS THAT ARE BIASED, INCLUDING A BIAS REGARDING RELIGION, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, CULTURE, RACE, ETHNICITY, NATIONAL ORIGIN, OR DISABILITY.

(f) (I) The court shall not appoint a person from the eligibility registry to be a child and family investigator for a case pursuant to this section unless the court finds that the person is qualified as competent by training and experience in, at a minimum, domestic violence and its effects on children, adults, and families; COERCIVE CONTROL; child abuse; and child sexual abuse in accordance with section 14-10-127.5. The person's training and experience must be provided by recognized sources with expertise in domestic violence, COERCIVE CONTROL, and the traumatic effects of domestic violence in accordance with section 14-10-127.5. ~~As of January 1, 2024, initial~~ INITIAL and ongoing training must include, at a minimum:

~~(f) Ten initial hours of training on domestic violence, including coercive control, and its traumatic effects on children, adults, and families;~~

~~(H) Ten initial hours of training on child abuse and child sexual abuse and its traumatic effects; and~~

~~(HH) Fifteen subsequent hours of training every five years on domestic violence, including coercive control, child abuse, and child sexual abuse, and the traumatic effects on children, adults, and families.~~

(A) NO LESS THAN TWENTY HOURS OF INITIAL TRAINING, REQUIRED PURSUANT TO SECTION 14-10-127.5 (5)(a)(I); AND

(B) NO LESS THAN FIFTEEN HOURS OF ONGOING TRAINING EVERY FIVE YEARS, REQUIRED PURSUANT TO SECTION 14-10-127.5 (5)(a)(I).

(II) NOTWITHSTANDING SUBSECTION (2)(f)(I) OF THIS SECTION, A CHILD AND FAMILY INVESTIGATOR WHO COMPLETED THE INITIAL TRAINING REQUIRED PURSUANT TO SECTION 14-10-127.5 (5)(a)(I) ON OR BEFORE JANUARY 1, 2025, IS NOT REQUIRED TO COMPLETE SUPPLEMENTAL TRAINING OR THE ENTIRE TRAINING AGAIN FOR THE PURPOSE OF COMPLETING INTERVIEWING AND FORENSIC REPORT WRITING TRAINING REQUIRED PURSUANT TO SECTION 14-10-127.5 (5)(b)(IX) AND (5)(b)(X).

(2.7) (a) PRIOR TO PERFORMING ANY DUTIES, A CHILD AND FAMILY INVESTIGATOR APPOINTED BY THE COURT SHALL PROVIDE A WRITTEN DISCLOSURE TO EACH PARTY AND EACH PARTY'S ATTORNEY, IF APPLICABLE. AT A MINIMUM, THE WRITTEN DISCLOSURE MUST INCLUDE:

(I) A DESCRIPTION OF THE CHILD AND FAMILY INVESTIGATOR'S SPECIFIC DUTIES, RESPONSIBILITIES, AND LIMITATIONS, WHICH MUST BE CONSISTENT WITH THIS ARTICLE 10;

(II) AN ACKNOWLEDGMENT THAT THE CHILD AND FAMILY INVESTIGATOR WILL COMPLY WITH APPLICABLE STATE AND FEDERAL LAWS IN ACTING AS A CHILD AND FAMILY INVESTIGATOR, INCLUDING ALL LAWS PURSUANT TO THIS ARTICLE 10;

(III) AN ACKNOWLEDGMENT THAT THE CHILD AND FAMILY INVESTIGATOR IS COMPLIANT WITH TRAINING REQUIREMENTS PURSUANT TO SECTION 14-10-127.5 (5); AND

(IV) INFORMATION ON FILING A COMPLAINT PURSUANT TO

SUBSECTION (2)(e) OF THIS SECTION AND WITH THE STATE COURT ADMINISTRATOR REGARDING THE CHILD AND FAMILY COURT INVESTIGATOR PURSUANT TO SECTION 13-3-101 (3.5), INCLUDING THE CURRENT CONTACT INFORMATION FOR THE STATE COURT ADMINISTRATOR.

(b) PURSUANT TO A CHIEF JUSTICE DIRECTIVE, THE COURT MAY CAP A CHILD AND FAMILY INVESTIGATOR'S FEES AND ALLOCATE RESPONSIBILITY FOR COSTS.

(5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "COERCIVE CONTROL" MEANS A PATTERN OF THREATENING, HUMILIATING, OR INTIMIDATING ACTIONS, INCLUDING ASSAULTS OR OTHER ABUSE, THAT IS USED TO HARM, PUNISH, OR FRIGHTEN AN INDIVIDUAL. "COERCIVE CONTROL" INCLUDES A PATTERN OF BEHAVIOR THAT TAKES AWAY THE INDIVIDUAL'S LIBERTY OR FREEDOM AND STRIPS AWAY THE INDIVIDUAL'S SENSE OF SELF, INCLUDING THE INDIVIDUAL'S BODILY INTEGRITY AND HUMAN RIGHTS. "COERCIVE CONTROL" INCLUDES ISOLATING THE INDIVIDUAL FROM SUPPORT, EXPLOITING THE INDIVIDUAL, DEPRIVING THE INDIVIDUAL OF INDEPENDENCE, AND REGULATING THE INDIVIDUAL'S EVERYDAY BEHAVIOR. "COERCIVE CONTROL" INCLUDES, BUT IS NOT LIMITED TO, ANY OF THE FOLLOWING:

(a) ISOLATING THE INDIVIDUAL FROM FRIENDS AND FAMILY;

(b) MONITORING, SURVEILLING, REGULATING, OR CONTROLLING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, FINANCES, ECONOMIC RESOURCES, OR ACCESS TO SERVICES;

(c) MONITORING, SURVEILLING, REGULATING, OR CONTROLLING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, ACTIVITIES, COMMUNICATIONS, OR MOVEMENTS, INCLUDING THROUGH TECHNOLOGY;

(d) NAME-CALLING, DEGRADING, OR DEMEANING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, ON A FREQUENT BASIS;

(e) THREATENING TO HARM OR KILL THE INDIVIDUAL OR THE INDIVIDUAL'S CHILD OR RELATIVE, INCLUDING WEARING, ACCESSING, DISPLAYING, USING, OR CLEANING A WEAPON IN AN INTIMIDATING OR THREATENING MANNER;

(f) THREATENING TO COMMIT SUICIDE OR OTHERWISE HARM ONE'S OWN PERSON, WHEN USED AS A METHOD OF COERCION, CONTROL, PUNISHMENT, INTIMIDATION, OR RETALIATION AGAINST THE PERSON;

(g) THREATENING TO HARM OR KILL AN ANIMAL WITH WHICH THE INDIVIDUAL OR THE INDIVIDUAL'S CHILD OR RELATIVE HAS AN EMOTIONAL BOND;

(h) THREATENING TO PUBLISH THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, SENSITIVE PERSONAL INFORMATION, INCLUDING SEXUALLY EXPLICIT MATERIAL, OR MAKE REPORTS TO THE POLICE OR AUTHORITIES;

(i) DAMAGING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, PROPERTY OR HOUSEHOLD GOODS;

(j) THREATENING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, WITH DEPORTATION OR CONTACTING AUTHORITIES BASED ON PERCEIVED OR ACTUAL IMMIGRATION STATUS, WITHHOLDING ESSENTIAL DOCUMENTS REQUIRED FOR IMMIGRATION, OR THREATENING TO WITHDRAW OR INTERFERE WITH AN ACTIVE IMMIGRATION APPLICATION OR PROCESS; OR

(k) FORCING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, TO TAKE PART IN CRIMINAL ACTIVITIES OR CHILD ABUSE.

**SECTION 3.** In Colorado Revised Statutes, 14-10-124, **amend** (1.3) and (4)(e) introductory portion; and **add** (1.5)(a.5) and (9) as follows:

**14-10-124. Best interests of the child. (1.3) Definitions.** For purposes of this section and section 14-10-129 (2)(c), unless the context otherwise requires:

(a) "COERCIVE CONTROL" MEANS A PATTERN OF THREATENING, HUMILIATING, OR INTIMIDATING ACTIONS, INCLUDING ASSAULTS OR OTHER ABUSE, THAT IS USED TO HARM, PUNISH, OR FRIGHTEN AN INDIVIDUAL. "COERCIVE CONTROL" INCLUDES A PATTERN OF BEHAVIOR THAT TAKES AWAY THE INDIVIDUAL'S LIBERTY OR FREEDOM AND STRIPS AWAY THE INDIVIDUAL'S SENSE OF SELF, INCLUDING THE INDIVIDUAL'S BODILY INTEGRITY AND HUMAN RIGHTS. "COERCIVE CONTROL" INCLUDES ISOLATING THE INDIVIDUAL FROM SUPPORT, EXPLOITING THE INDIVIDUAL, DEPRIVING

THE INDIVIDUAL OF INDEPENDENCE, AND REGULATING THE INDIVIDUAL'S EVERYDAY BEHAVIOR. "COERCIVE CONTROL" INCLUDES, BUT IS NOT LIMITED TO, ANY OF THE FOLLOWING:

(I) ISOLATING THE INDIVIDUAL FROM FRIENDS AND FAMILY;

(II) MONITORING, SURVEILLING, REGULATING, OR CONTROLLING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, FINANCES, ECONOMIC RESOURCES, OR ACCESS TO SERVICES;

(III) MONITORING, SURVEILLING, REGULATING, OR CONTROLLING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, ACTIVITIES, COMMUNICATIONS, OR MOVEMENTS, INCLUDING THROUGH TECHNOLOGY;

(IV) NAME-CALLING, DEGRADING, OR DEMEANING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, ON A FREQUENT BASIS;

(V) THREATENING TO HARM OR KILL THE INDIVIDUAL OR THE INDIVIDUAL'S CHILD OR RELATIVE, INCLUDING WEARING, ACCESSING, DISPLAYING, USING, OR CLEANING A WEAPON IN AN INTIMIDATING OR THREATENING MANNER;

(VI) THREATENING TO COMMIT SUICIDE OR OTHERWISE HARM ONE'S OWN PERSON, WHEN USED AS A METHOD OF COERCION, CONTROL, PUNISHMENT, INTIMIDATION, OR RETALIATION AGAINST THE PERSON;

(VII) THREATENING TO HARM OR KILL AN ANIMAL WITH WHICH THE INDIVIDUAL OR THE INDIVIDUAL'S CHILD OR RELATIVE HAS AN EMOTIONAL BOND;

(VIII) THREATENING TO PUBLISH THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, SENSITIVE PERSONAL INFORMATION, INCLUDING SEXUALLY EXPLICIT MATERIAL, OR MAKE REPORTS TO THE POLICE OR AUTHORITIES;

(IX) DAMAGING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, PROPERTY OR HOUSEHOLD GOODS;

(X) THREATENING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, WITH DEPORTATION OR CONTACTING AUTHORITIES BASED ON



PERCEIVED OR ACTUAL IMMIGRATION STATUS, WITHHOLDING ESSENTIAL DOCUMENTS REQUIRED FOR IMMIGRATION, OR THREATENING TO WITHDRAW OR INTERFERE WITH AN ACTIVE IMMIGRATION APPLICATION OR PROCESS; OR

(XI) FORCING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, TO TAKE PART IN CRIMINAL ACTIVITIES OR CHILD ABUSE.

~~(a)~~ (b) "Domestic violence" means an act of violence or a threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship, and may include any act or threatened act against a person or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

~~(b)~~ (c) "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both parents of the same child regardless of whether the persons have been married or have lived together at any time.

~~(c)~~ (d) "Sexual assault" has the same meaning as set forth in section 19-1-103.

(1.5) **Allocation of parental responsibilities.** The court shall determine the allocation of parental responsibilities, including parenting time and decision-making responsibilities, in accordance with the best interests of the child, giving paramount consideration to the child's safety and the physical, mental, and emotional conditions and needs of the child as follows:

(a.5) IN DETERMINING THE BEST INTERESTS OF THE CHILD FOR PURPOSES OF PARENTING TIME, THE COURT SHALL STRIVE NOT TO CONSIDER AS A RELEVANT FACTOR INFORMATION OR RECOMMENDATIONS THAT ARE BIASED, INCLUDING BIAS REGARDING RELIGION, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, CULTURE, RACE, ETHNICITY, NATIONAL ORIGIN, OR DISABILITY.

(4)(e) When the court finds by a preponderance of the evidence that one of the parties has committed child abuse or neglect, domestic violence, or sexual assault resulting in the conception of the child, in formulating or

approving a parenting plan, the court shall consider conditions on parenting time that ensure the safety of the child and ~~of the~~ abused party, GIVING PARAMOUNT CONSIDERATION TO THE SAFETY, AND THE PHYSICAL, MENTAL, AND EMOTIONAL CONDITIONS AND NEEDS OF THE CHILD AND ABUSED PARTY. In addition to any provisions set forth in subsection (7) of this section that are appropriate, the parenting plan in these cases may include, but is not limited to, the following provisions:

(9) IF THE COURT ORDERS UNSUPERVISED PARENTING TIME FOR A PARENT, AND THERE IS ANY INFORMATION, INCLUDING AN ACCUSATION BY A CHILD, THAT THE PARENT HAS COMMITTED DOMESTIC VIOLENCE, CHILD ABUSE, OR CHILD SEXUAL ABUSE, OR IF THE PARENT IS ACCUSED BY THE CHILD OF DOMESTIC VIOLENCE, CHILD ABUSE, CHILD SEXUAL ABUSE, CHILD EMOTIONAL ABUSE, OR COERCIVE CONTROL, THE COURT SHALL MAKE A STATEMENT IN WRITING OR ORALLY ON THE PROCEEDING RECORD REGARDING WHY UNSUPERVISED PARENTING TIME FOR THE PARENT WAS DETERMINED TO BE IN THE BEST INTERESTS OF THE CHILD WITH PARAMOUNT CONSIDERATION GIVEN TO THE CHILD'S SAFETY AND THE PHYSICAL, MENTAL, AND EMOTIONAL CONDITIONS AND NEEDS OF THE CHILD.

**SECTION 4.** In Colorado Revised Statutes, **amend** 14-10-126 as follows:

**14-10-126. Interviews.** (1) ~~The~~ UPON A MOTION, THE court may interview the child in chambers to ascertain the child's wishes as to the allocation of parental responsibilities. The court may permit counsel to be present at the interview. The court shall cause a record of the interview to be made, and it ~~shall~~ MUST be made part of the record in the case. THE COURT SHALL MAKE FINDINGS IN ITS ORDER THAT EXPLAIN THE REASON WHY THE COURT GRANTED OR DENIED A REQUEST TO INTERVIEW THE CHILD IN CHAMBERS.

(2) ~~The court may seek the advice of professional personnel whether or not they are employed on a regular basis by the court. The advice given shall be in writing and shall be made available by the court to counsel of record, parties, and other expert witnesses upon request, but it shall otherwise be considered confidential and shall be sealed and shall not be open to inspection, except by consent of the court. Counsel may call for cross-examination any professional personnel consulted by the court~~ THE COURT SHALL GIVE PARAMOUNT CONSIDERATION TO CASES INVOLVING AN

ALLEGATION MADE BY A CHILD REGARDING DOMESTIC VIOLENCE, CHILD ABUSE OR NEGLECT, OR CHILD SEXUAL ABUSE IN DETERMINING WHETHER TO GRANT A REQUEST TO INTERVIEW A CHILD IN CHAMBERS.

(3) THE COURT MAY SEEK THE ADVICE OF PROFESSIONAL PERSONNEL WHETHER OR NOT THEY ARE EMPLOYED ON A REGULAR BASIS BY THE COURT. THE ADVICE GIVEN MUST BE IN WRITING AND MUST BE MADE AVAILABLE BY THE COURT TO COUNSEL OF RECORD, PARTIES, AND OTHER EXPERT WITNESSES UPON REQUEST, BUT IT MUST OTHERWISE BE CONFIDENTIAL AND MUST BE SEALED AND NOT BE OPEN TO INSPECTION, EXCEPT BY CONSENT OF THE COURT. COUNSEL MAY CALL FOR CROSS-EXAMINATION OF ANY PROFESSIONAL PERSONNEL CONSULTED BY THE COURT.

**SECTION 5.** In Colorado Revised Statutes, 14-10-127, **amend** (1)(a)(I)(A), (4) introductory portion, and (4)(a.5); and **add** (1.5), (7)(b.3), (7)(b.7), and (11) as follows:

**14-10-127. Evaluation and reports - training and qualifications of evaluators - disclosure - definitions.** (1) (a) (I) (A) In all proceedings concerning the allocation of parental responsibilities with respect to a child, the court may, upon motion of either party or upon its own motion, order any ~~county or district department of human or social services or a licensed mental health professional qualified pursuant to subsection (4) of this section and referred to in this section as an "evaluator"~~ EVALUATOR to perform an evaluation and file a written report concerning the disputed issues relating to the allocation of parental responsibilities for the child, unless the motion by either party is made for the purpose of delaying the proceedings. The purpose of the evaluation and report is to assist in determining the best interests of the child, with the child's safety always paramount. The evaluation and subsequent report must focus on the best interests of the child and the factors set forth in sections 14-10-124 and 14-10-129 in any post-decree or relocation case. In addition, the evaluator shall assess a party's parenting attributes as those attributes relate to the best interests of the child and consider any psychological needs of the child when making recommendations concerning decision-making and parenting time FOR THE WRITTEN REPORT. IN THE WRITTEN REPORT, THE EVALUATOR SHALL PROVIDE OPTIONS THAT SERVE THE BEST INTERESTS OF THE CHILD TO THE COURT FOR THE COURT TO CONSIDER.

(1.5) (a) PRIOR TO PERFORMING ANY DUTIES, AN EVALUATOR

APPOINTED BY THE COURT SHALL PROVIDE A WRITTEN DISCLOSURE TO EACH PARTY AND EACH PARTY'S ATTORNEY, IF APPLICABLE. AT A MINIMUM, THE WRITTEN DISCLOSURE MUST INCLUDE:

(I) A DESCRIPTION OF THE EVALUATOR'S SPECIFIC DUTIES, RESPONSIBILITIES, AND LIMITATIONS, WHICH MUST BE CONSISTENT WITH THIS ARTICLE 10;

(II) AN ACKNOWLEDGMENT THAT THE EVALUATOR WILL COMPLY WITH APPLICABLE STATE AND FEDERAL LAWS IN ACTING AS AN EVALUATOR, INCLUDING ALL LAWS PURSUANT TO THIS ARTICLE 10;

(III) AN ACKNOWLEDGMENT THAT THE EVALUATOR IS COMPLIANT WITH TRAINING REQUIREMENTS PURSUANT TO SECTION 14-10-127.5 (5);

(IV) A COMPREHENSIVE DESCRIPTION OF THE EVALUATOR'S FINANCIAL POLICIES, INCLUDING BILLING PRACTICES AND RATES FOR PERFORMANCE OF DUTIES, COSTS, FEES, AND DISBURSEMENTS; AND

(V) INFORMATION ON FILING A COMPLAINT PURSUANT TO SUBSECTION (9) OF THIS SECTION AND WITH THE STATE COURT ADMINISTRATOR REGARDING THE EVALUATOR PURSUANT TO SECTION 13-3-101 (3.5), INCLUDING THE CURRENT CONTACT INFORMATION FOR THE STATE COURT ADMINISTRATOR.

(b) PURSUANT TO A CHIEF JUSTICE DIRECTIVE, THE COURT MAY CAP AN EVALUATOR'S FEES AND ALLOCATE RESPONSIBILITY FOR COSTS.

(4) A person ~~is not allowed to~~ SHALL NOT testify as an expert witness regarding a parental responsibilities or parenting time evaluation that the person has performed pursuant to this section unless the court finds that the person is qualified as competent, by training and experience, in the areas of:

(a.5) (I) The effects of domestic violence on children, adults, and families, including the connection between domestic violence and trauma on children, coercive control, child abuse, and child sexual abuse in accordance with section 14-10-127.5. The person's training and experience must be provided by recognized sources with expertise in domestic violence and the traumatic effects of domestic violence AND COERCIVE CONTROL in

accordance with section 14-10-127.5. ~~As of January 1, 2024, initial~~ INITIAL and ongoing training must include, at a minimum:

~~(I) Ten initial hours of training on domestic violence, including coercive control, and its traumatic effects on children, adults, and families;~~

~~(II) Ten initial hours of training on child abuse and child sexual abuse and its traumatic effects; and~~

~~(III) Fifteen subsequent hours of training every five years on domestic violence, child abuse, and child sexual abuse and the traumatic effects on children, adults, and families.~~

(A) NO LESS THAN TWENTY HOURS OF INITIAL TRAINING, REQUIRED PURSUANT TO SECTION 14-10-127.5 (5)(a)(I); AND

(B) NO LESS THAN FIFTEEN HOURS OF ONGOING TRAINING EVERY FIVE YEARS, REQUIRED PURSUANT TO SECTION 14-10-127.5 (5)(a)(I).

(II) NOTWITHSTANDING SUBSECTION (4)(a.5)(I) OF THIS SECTION, AN EVALUATOR WHO COMPLETED THE INITIAL TRAINING REQUIRED PURSUANT TO SECTION 14-10-127.5 (5)(a)(I) ON OR BEFORE JANUARY 1, 2025, IS NOT REQUIRED TO COMPLETE SUPPLEMENTAL TRAINING OR THE ENTIRE TRAINING AGAIN FOR THE PURPOSE OF COMPLETING INTERVIEWING AND FORENSIC REPORT WRITING TRAINING REQUIRED PURSUANT TO SECTION 14-10-127.5 (5)(b)(IX) AND (5)(b)(X).

(7) (b.3) (I) THE EVALUATOR SHALL INCLUDE IN THE WRITTEN REPORT ALL INFORMATION ACQUIRED DURING THE EVALUATION CONCERNING DOMESTIC VIOLENCE AND CHILD ABUSE, INCLUDING:

(A) CHILD SEXUAL ABUSE;

(B) PHYSICAL ABUSE;

(C) EMOTIONAL ABUSE;

(D) COERCIVE CONTROL;

(E) TRAUMA; AND

(F) VICTIM AND PERPETRATOR BEHAVIORAL PATTERNS AND RELATIONSHIP DYNAMICS.

(II) THE EVALUATOR SHALL INCLUDE IN THE WRITTEN REPORT ALL INFORMATION PURSUANT TO SUBSECTION (7)(b.3)(I) OF THIS SECTION, REGARDLESS OF:

(A) THE MANNER IN WHICH THE INFORMATION WAS ACQUIRED, INCLUDING BY ACCUSATION; EVIDENCE OF A CRIMINAL CHARGE, PLEA, DEFERRED JUDGMENT, OR CONVICTION; OR EVIDENCE OF A PROTECTION ORDER; OR

(B) WHO PRESENTED THE INFORMATION, INCLUDING A CHILD.

(b.7) THE EVALUATOR SHALL STRIVE TO ENSURE THAT THE WRITTEN REPORT DOES NOT INCLUDE INFORMATION OR RECOMMENDATIONS THAT ARE BIASED, INCLUDING A BIAS REGARDING RELIGION, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, CULTURE, RACE, ETHNICITY, NATIONAL ORIGIN, OR DISABILITY.

(11) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COERCIVE CONTROL" MEANS A PATTERN OF THREATENING, HUMILIATING, OR INTIMIDATING ACTIONS, INCLUDING ASSAULTS OR OTHER ABUSE, THAT IS USED TO HARM, PUNISH, OR FRIGHTEN AN INDIVIDUAL. "COERCIVE CONTROL" INCLUDES A PATTERN OF BEHAVIOR THAT TAKES AWAY THE INDIVIDUAL'S LIBERTY OR FREEDOM AND STRIPS AWAY THE INDIVIDUAL'S SENSE OF SELF, INCLUDING THE INDIVIDUAL'S BODILY INTEGRITY AND HUMAN RIGHTS. "COERCIVE CONTROL" INCLUDES ISOLATING THE INDIVIDUAL FROM SUPPORT, EXPLOITING THE INDIVIDUAL, DEPRIVING THE INDIVIDUAL OF INDEPENDENCE, AND REGULATING THE INDIVIDUAL'S EVERYDAY BEHAVIOR. "COERCIVE CONTROL" INCLUDES, BUT IS NOT LIMITED TO, ANY OF THE FOLLOWING:

(I) ISOLATING THE INDIVIDUAL FROM FRIENDS AND FAMILY;

(II) MONITORING, SURVEILLING, REGULATING, OR CONTROLLING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, FINANCES, ECONOMIC RESOURCES, OR ACCESS TO SERVICES;

(III) MONITORING, SURVEILLING, REGULATING, OR CONTROLLING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, ACTIVITIES, COMMUNICATIONS, OR MOVEMENTS, INCLUDING THROUGH TECHNOLOGY;

(IV) NAME-CALLING, DEGRADING, OR DEMEANING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, ON A FREQUENT BASIS;

(V) THREATENING TO HARM OR KILL THE INDIVIDUAL OR THE INDIVIDUAL'S CHILD OR RELATIVE, INCLUDING WEARING, ACCESSING, DISPLAYING, USING, OR CLEANING A WEAPON IN AN INTIMIDATING OR THREATENING MANNER;

(VI) THREATENING TO COMMIT SUICIDE OR OTHERWISE HARM ONE'S OWN PERSON, WHEN USED AS A METHOD OF COERCION, CONTROL, PUNISHMENT, INTIMIDATION, OR RETALIATION AGAINST THE PERSON;

(VII) THREATENING TO HARM OR KILL AN ANIMAL WITH WHICH THE INDIVIDUAL OR THE INDIVIDUAL'S CHILD OR RELATIVE HAS AN EMOTIONAL BOND;

(VIII) THREATENING TO PUBLISH THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, SENSITIVE PERSONAL INFORMATION, INCLUDING SEXUALLY EXPLICIT MATERIAL, OR MAKE REPORTS TO THE POLICE OR AUTHORITIES;

(IX) DAMAGING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, PROPERTY OR HOUSEHOLD GOODS;

(X) THREATENING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, WITH DEPORTATION OR CONTACTING AUTHORITIES BASED ON PERCEIVED OR ACTUAL IMMIGRATION STATUS, WITHHOLDING ESSENTIAL DOCUMENTS REQUIRED FOR IMMIGRATION, OR THREATENING TO WITHDRAW OR INTERFERE WITH AN ACTIVE IMMIGRATION APPLICATION OR PROCESS; OR

(XI) FORCING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, TO TAKE PART IN CRIMINAL ACTIVITIES OR CHILD ABUSE.

(b) "EVALUATOR" MEANS ANY COUNTY OR DISTRICT DEPARTMENT OF HUMAN OR SOCIAL SERVICES OR A LICENSED MENTAL HEALTH PROFESSIONAL QUALIFIED PURSUANT TO SUBSECTION (4) OF THIS SECTION.

**SECTION 6.** In Colorado Revised Statutes, 14-10-127.5, **amend** (3)(a)(I), (3)(a)(II)(D), and (6)(c)(I); and **add** (2)(a.3), (3)(a)(III), (3.5), (5)(b)(IX), (5)(b)(X), (5)(b.1), (5)(b.5), and (6)(d) as follows:

**14-10-127.5. Domestic violence training for court personnel - expert testimony - child placement decisions - legislative declaration - definitions.** (2) As used in this section, unless the context otherwise requires:

(a.3) "COERCIVE CONTROL" MEANS A PATTERN OF THREATENING, HUMILIATING, OR INTIMIDATING ACTIONS, INCLUDING ASSAULTS OR OTHER ABUSE THAT IS USED TO HARM, PUNISH, OR FRIGHTEN AN INDIVIDUAL. "COERCIVE CONTROL" INCLUDES A PATTERN OF BEHAVIOR THAT TAKES AWAY THE INDIVIDUAL'S LIBERTY OR FREEDOM AND STRIPS AWAY THE INDIVIDUAL'S SENSE OF SELF, INCLUDING THE INDIVIDUAL'S BODILY INTEGRITY AND HUMAN RIGHTS. "COERCIVE CONTROL" INCLUDES ISOLATING THE INDIVIDUAL FROM SUPPORT, EXPLOITING THE INDIVIDUAL, DEPRIVING THE INDIVIDUAL OF INDEPENDENCE, AND REGULATING THE INDIVIDUAL'S EVERYDAY BEHAVIOR. "COERCIVE CONTROL" INCLUDES, BUT IS NOT LIMITED TO, ANY OF THE FOLLOWING:

(I) ISOLATING THE INDIVIDUAL FROM FRIENDS AND FAMILY;

(II) MONITORING, SURVEILLING, REGULATING, OR CONTROLLING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, FINANCES, ECONOMIC RESOURCES, OR ACCESS TO SERVICES;

(III) MONITORING, SURVEILLING, REGULATING, OR CONTROLLING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, ACTIVITIES, COMMUNICATIONS, OR MOVEMENTS, INCLUDING THROUGH TECHNOLOGY;

(IV) NAME-CALLING, DEGRADING, OR DEMEANING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, ON A FREQUENT BASIS;

(V) THREATENING TO HARM OR KILL THE INDIVIDUAL OR THE INDIVIDUAL'S CHILD OR RELATIVE, INCLUDING WEARING, ACCESSING, DISPLAYING, USING, OR CLEANING A WEAPON IN AN INTIMIDATING OR THREATENING MANNER;

(VI) THREATENING TO COMMIT SUICIDE OR OTHERWISE HARM ONE'S



OWN PERSON, WHEN USED AS A METHOD OF COERCION, CONTROL, PUNISHMENT, INTIMIDATION, OR RETALIATION AGAINST THE PERSON;

(VII) THREATENING TO HARM OR KILL AN ANIMAL WITH WHICH THE INDIVIDUAL OR THE INDIVIDUAL'S CHILD OR RELATIVE HAS AN EMOTIONAL BOND;

(VIII) THREATENING TO PUBLISH THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, SENSITIVE PERSONAL INFORMATION, INCLUDING SEXUALLY EXPLICIT MATERIAL, OR MAKE REPORTS TO THE POLICE OR AUTHORITIES;

(IX) DAMAGING THE INDIVIDUAL'S, OR THE INDIVIDUAL'S CHILD'S OR RELATIVE'S, PROPERTY OR HOUSEHOLD GOODS;

(X) THREATENING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, WITH DEPORTATION OR CONTACTING AUTHORITIES BASED ON PERCEIVED OR ACTUAL IMMIGRATION STATUS, WITHHOLDING ESSENTIAL DOCUMENTS REQUIRED FOR IMMIGRATION, OR THREATENING TO WITHDRAW OR INTERFERE WITH AN ACTIVE IMMIGRATION APPLICATION OR PROCESS; OR

(XI) FORCING THE INDIVIDUAL, OR THE INDIVIDUAL'S CHILD OR RELATIVE, TO TAKE PART IN CRIMINAL ACTIVITIES OR CHILD ABUSE.

(3) (a) In all proceedings brought pursuant to this title 14 concerning the allocation of parental responsibilities with respect to a child in which a claim of domestic violence or child abuse, including child sexual abuse, has been made to the court, or the court has reason to believe that a party has committed domestic violence or child abuse, including child sexual abuse, the court shall:

(I) Consider the admission of expert testimony and evidence if the expert demonstrates expertise and experience working with victims of domestic violence or child abuse, including child sexual abuse, that is not solely forensic in nature; ~~and~~

(II) Consider evidence of past sexual or physical abuse committed by the accused party, including:

(D) Other documentation, including letters from a victim advocate

or victim service provider, if the victim has consented pursuant to section 13-90-107 (1)(k)(I); medical records; or a letter to a landlord to break a lease; AND

(III) CONSIDER EVIDENCE RELATED TO THE USE OF COERCIVE CONTROL BY A PARTY.

(3.5) IF ALLEGATIONS OF DOMESTIC VIOLENCE, CHILD ABUSE OR NEGLECT, OR CHILD SEXUAL ABUSE HAVE BEEN MADE, THE COURT SHALL GIVE STRONG CONSIDERATION TO A CHILD'S STATED PREFERENCE MADE TO THE COURT, CHILD AND FAMILY INVESTIGATOR, EVALUATOR, OR THE CHILD'S LEGAL ADVOCATE, IF THE STATED PREFERENCE IS CONSISTENT WITH THE PARAMOUNT CONSIDERATION GIVEN TO THE CHILD'S SAFETY AND THE PHYSICAL, MENTAL, AND EMOTIONAL CONDITIONS AND NEEDS OF THE CHILD.

(5) (b) The required training set forth in subsection (5)(a) of this section must focus on domestic violence and child abuse, including:

(IX) INTERVIEWING; AND

(X) FORENSIC REPORT WRITING.

(b.1) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (5) TO THE CONTRARY, A CHILD AND FAMILY INVESTIGATOR OR A PARENTAL RESPONSIBILITIES EVALUATOR WHO COMPLETED THE INITIAL TRAINING REQUIRED PURSUANT TO SUBSECTION (5)(a)(I) OF THIS SECTION ON OR BEFORE JANUARY 1, 2025, IS NOT REQUIRED TO COMPLETE SUPPLEMENTAL TRAINING OR THE ENTIRE TRAINING AGAIN FOR THE PURPOSE OF COMPLETING INTERVIEWING AND FORENSIC REPORT WRITING TRAINING REQUIRED PURSUANT TO SUBSECTION (5)(b)(IX) AND (5)(b)(X) OF THIS SECTION.

(b.5) THE REQUIRED TRAINING SET FORTH IN SUBSECTION (5)(a) OF THIS SECTION MUST BE CULTURALLY INFORMED AND MUST NOT INCLUDE INFORMATION THAT IS DISCRIMINATORY BECAUSE OF A CHILD'S OR PARENT'S DISABILITY, RACE, CREED, RELIGION, COLOR, SEX, SEXUAL ORIENTATION, GENDER, GENDER IDENTITY, GENDER EXPRESSION, CULTURE, NATIONAL ORIGIN, ANCESTRY, OR IMMIGRATION STATUS.

(6) (c) The required training must be designed to improve the ability of courts to:

(I) Recognize and respond to child physical abuse, child sexual abuse, domestic violence, COERCIVE CONTROL, and trauma in all family victims, particularly children; and

(d) A PROFESSIONAL TRAINER IS NOT REQUIRED TO BE AFFILIATED WITH A STATE AGENCY, INCLUDING THE OFFICE OF THE STATE COURT ADMINISTRATOR, IN ORDER TO DELIVER THE TRAINING REQUIREMENTS PURSUANT TO SUBSECTION (5) OF THIS SECTION AND THIS SUBSECTION (6).

**SECTION 7.** In Colorado Revised Statutes, 14-10-128.1, **amend** (2)(b) as follows:

**14-10-128.1. Appointment of parenting coordinator - disclosure.**

(2) (b) In addition to making the findings required pursuant to ~~paragraph (a) of this subsection~~ (2) SUBSECTION (2)(a) OF THIS SECTION, prior to appointing a parenting coordinator, the court may consider the effect of any claim or documented evidence of domestic violence, as defined in ~~section 14-10-124 (1.3)~~(a) SECTION 14-10-124, by the other party on the parties' ability to engage in parent coordination.

**SECTION 8.** In Colorado Revised Statutes, 13-3-101, **add** (3.5) as follows:

**13-3-101. State court administrator - duties - report - definitions - repeal.** (3.5) (a) AS REQUIRED BY A CHIEF JUSTICE DIRECTIVE, THE STATE COURT ADMINISTRATOR IS RESPONSIBLE FOR ACCEPTING COMPLAINTS REGARDING VIOLATIONS OF A CHIEF JUSTICE DIRECTIVE CONCERNING CHILD AND FAMILY INVESTIGATORS APPOINTED BY THE COURT PURSUANT TO SECTION 14-10-116.5 AND PARENTAL RESPONSIBILITIES EVALUATORS APPOINTED BY THE COURT PURSUANT TO SECTION 14-10-127 IN COURTS INVOLVED WITH THE ALLOCATION OF PARENTAL RESPONSIBILITIES PURSUANT TO DISSOLUTION OF MARRIAGE PROCEEDINGS. THE STATE COURT ADMINISTRATOR IS AUTHORIZED TO ADMINISTER APPROPRIATE SANCTIONS ESTABLISHED PURSUANT TO CHIEF JUSTICE DIRECTIVE. THE STATE COURT ADMINISTRATOR IS NOT RESPONSIBLE FOR ACCEPTING COMPLAINTS REGARDING CONDUCT THAT IS REGULATED BY A CHILD AND FAMILY INVESTIGATOR'S OR PARENTAL RESPONSIBILITIES EVALUATOR'S PROFESSIONAL REGULATORY AUTHORITY.

(b) AS A PART OF THE JUDICIAL DEPARTMENT'S "SMART ACT"

HEARING REQUIRED BY SECTION 2-7-203, DURING THE 2025 REGULAR LEGISLATIVE SESSION, AND EACH REGULAR LEGISLATIVE SESSION THEREAFTER, THE JUDICIAL DEPARTMENT SHALL REPORT ON THE TOTAL NUMBER OF CHILD AND FAMILY COURT INVESTIGATORS APPOINTED BY THE COURT PURSUANT TO SECTION 14-10-116.5 AND PARENTAL RESPONSIBILITIES EVALUATORS APPOINTED BY THE COURT PURSUANT TO SECTION 14-10-127, ELIGIBILITY ROSTERS ESTABLISHED PURSUANT TO A CHIEF JUSTICE DIRECTIVE, THE NUMBER OF COMPLAINTS RECEIVED BY THE STATE COURT ADMINISTRATOR IN THE PRECEDING CALENDAR YEAR REGARDING CHILD AND FAMILY COURT INVESTIGATORS AND PARENTAL RESPONSIBILITIES EVALUATORS, AND THE NUMBER OF FOUNDED COMPLAINTS AND SANCTIONS ISSUED AS A RESULT OF THOSE COMPLAINTS IN THE PRECEDING CALENDAR YEAR REGARDING CHILD AND FAMILY COURT INVESTIGATORS AND PARENTAL RESPONSIBILITIES EVALUATORS.

(c) THE STATE COURT ADMINISTRATOR SHALL PUBLISH AND ANNUALLY UPDATE ON THE JUDICIAL DEPARTMENT'S PUBLIC WEBSITE A SUMMARY OF THE ACTIONS TAKEN IN THE YEAR PRECEDING THE FIRST PUBLICATION, OR SINCE THE LATEST UPDATED PUBLICATION, CONCERNING ACTIONS TAKEN BY THE JUDICIAL DEPARTMENT TO COMPLY WITH RECOMMENDATIONS MADE BY THE TASK FORCE TO STUDY VICTIM AND SURVIVOR AWARENESS AND RESPONSIVENESS TRAINING REQUIREMENTS FOR JUDICIAL PERSONNEL, CREATED PURSUANT TO HOUSE BILL 23-1108.

**SECTION 9.** In Colorado Revised Statutes, 8-13.3-503, **amend** (6) as follows:

**8-13.3-503. Definitions.** As used in this part 5, unless the context otherwise requires:

(6) "Domestic violence" means any conduct that constitutes "domestic violence" as set forth in section 18-6-800.3 (1) or ~~section 14-10-124 (1.3)(a)~~ SECTION 14-10-124 or "domestic abuse" as set forth in section 13-14-101 (2).

**SECTION 10.** In Colorado Revised Statutes, 13-80-103.6, **amend** (1) as follows:

**13-80-103.6. General limitation of actions - domestic violence - six years - definition.** (1) Notwithstanding any other statute of limitations

specified in this article 80, or any other provision of law that can be construed to reduce the statutory period set forth in this section, any civil action to recover damages caused by an act of domestic violence, as defined in ~~section 14-10-124 (1.3)(a)~~ SECTION 14-10-124, must be commenced within six years after a disability has been removed for a person under disability, as such term is defined in subsection (2) of this section, or within six years after a cause of action accrues, whichever occurs later, and not thereafter; except that in no event may any such civil action be commenced more than twenty years after the cause of action accrues.

**SECTION 11. 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.

---

Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

---

Steve Fenberg  
PRESIDENT OF  
THE SENATE

---

Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

---

Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

---

Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO