

## CHAPTER 322

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**INSURANCE**

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**HOUSE BILL 05-1101**

BY REPRESENTATIVE(S) McGihon, Benefield, Butcher, Carroll M., Green, Hodge, Lindstrom, Madden, Merrifield, Paccione, Pommer, Vigil, Boyd, and Todd;  
also SENATOR(S) Shaffer, Fitz-Gerald, Groff, Hanna, Isgar, Tochtrop, Veiga, and Williams.

**AN ACT**

**CONCERNING HEALTH COVERAGE FOR A DEPENDENT CHILD NOT ENROLLED IN AN EDUCATIONAL INSTITUTION.**

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

**SECTION 1.** Part 1 of article 16 of title 10, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**10-16-104.3. Dependent health coverage for persons under twenty-five years of age.** (1) ALL INDIVIDUAL AND GROUP SICKNESS AND ACCIDENT INSURANCE POLICIES PROVIDING COVERAGE WITHIN THE STATE BY AN ENTITY SUBJECT TO THE PROVISIONS OF PART 2 OF THIS ARTICLE AND ALL GROUP HEALTH SERVICE CONTRACTS ISSUED BY AN ENTITY SUBJECT TO THE PROVISIONS OF PART 3 OR 4 OF THIS ARTICLE THAT OFFER DEPENDENT COVERAGE SHALL OFFER TO THE PARENT, FOR AN ADDITIONAL PREMIUM IF APPLICABLE, BY RIDER OR SUPPLEMENTAL POLICY PROVISION, THE SAME DEPENDENT COVERAGE FOR AN UNMARRIED CHILD WHO IS UNDER TWENTY-FIVE YEARS OF AGE, AND IS NOT A DEPENDENT AS DEFINED BY SECTION 10-16-102 IF SUCH CHILD:

- (a) HAS THE SAME LEGAL RESIDENCE AS THE PARENT; OR
- (b) IS FINANCIALLY DEPENDENT UPON THE PARENT.

(2) THE ADDITIONAL PREMIUM, IF APPLICABLE, FOR A RIDER OR SUPPLEMENTAL POLICY PROVISION OFFERED PURSUANT TO SUBSECTION (1) OF THIS SECTION, SHALL BE PAID BY THE PARENT OR THE POLICYHOLDER, AT THE DISCRETION OF THE POLICYHOLDER.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 2. Effective date - applicability.** (1) This act shall take effect January 1, 2006.

(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the 90-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever is later.

(3) The provisions of this act shall apply to health benefit plans issued or renewed on or after the applicable effective date of this act.

Became Law: June 9, 2005