

CHAPTER 4

COURTS

HOUSE BILL 05-1065

BY REPRESENTATIVE(S) Judd, Larson, McFadyen, and McGihon;
also SENATOR(S) Dyer.

AN ACT**CONCERNING CHANGES TO THE REQUIREMENTS FOR LEGALLY CHANGING A PERSON'S NAME.**

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

SECTION 1. 13-15-101 (1) (a) and (2) (c), Colorado Revised Statutes, are amended, and the said 13-15-101 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

13-15-101. Petition - proceedings. (1) (a) (I) Every person desiring to change his or her 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, ~~The petition shall include the petitioner's full name; the new name desired; for persons under nineteen years of age, the caption of any proceeding in which a Colorado court has ordered child support, allocation of parental responsibilities, or parenting time regarding that person; for persons fourteen years of age or older, the results of certified, fingerprint-based criminal history record checks conducted pursuant to paragraph (c) of this subsection (1) within ninety days prior to the date of the filing of the petition; and a concise statement of the reason for the desired name change.~~ EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (a.5) OF THIS SUBSECTION (1). THE PETITION SHALL INCLUDE:

- (A) THE PETITIONER'S FULL NAME;
- (B) THE NEW NAME DESIRED; AND
- (C) A CONCISE STATEMENT OF THE REASON FOR THE NAME CHANGE.

(II) IF THE PETITIONER IS OVER FOURTEEN YEARS OF AGE, THE PETITION SHALL ALSO INCLUDE THE RESULTS OF A CERTIFIED, FINGERPRINT-BASED CRIMINAL HISTORY

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

RECORD CHECK CONDUCTED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (1) WITHIN NINETY DAYS PRIOR TO THE DATE OF THE FILING OF THE PETITION.

(III) IF THE PETITIONER IS UNDER NINETEEN YEARS OF AGE, THE PETITION SHALL ALSO INCLUDE THE CAPTION OF ANY PROCEEDING IN WHICH A COURT HAS ORDERED CHILD SUPPORT, ALLOCATION OF PARENTAL RESPONSIBILITIES, OR PARENTING TIME REGARDING THE PETITIONER.

(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, THEN THE PETITION FOR NAME CHANGE SHALL BE FILED IN THE COURT HAVING JURISDICTION OVER THE ACTION CONCERNING CHILD SUPPORT, ALLOCATION OF PARENTAL RESPONSIBILITIES, OR PARENTING TIME.

(2) (c) ~~A court shall not grant a petition for a name change if the court finds the petitioner is under the age of nineteen years and is the subject of an action concerning child support, allocation of parental responsibilities, or parenting time, unless the court considering the petition for a name change has jurisdiction over the action concerning child support, allocation of parental responsibilities, or parenting time.~~

SECTION 2. 13-15-102 (1), Colorado Revised Statutes, is amended to read:

13-15-102. Publication of change. (1) Public notice of ~~such~~ A change of name shall be given at least three times ~~in a newspaper published in the county where such person is residing~~ within ~~twenty~~ TWENTY-ONE days after the court orders publication pursuant to section 13-15-101 (1.5). THE PERSON CHANGING HIS OR HER NAME SHALL CAUSE SUCH PUBLIC NOTICE TO BE GIVEN IN A NEWSPAPER PUBLISHED IN THE COUNTY IN WHICH THE PERSON RESIDES. If no newspaper is published in that county, such notice shall be published in a newspaper in such county as the court directs.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: February 23, 2005