

CHAPTER 152

GOVERNMENT - STATE

HOUSE BILL 06-1357

BY REPRESENTATIVE(S) Ragsdale, Crane, and Todd;
also SENATOR(S) Isgar.

AN ACT

CONCERNING A PROHIBITION ON THE INSPECTION OF APPLICATIONS FOR MARRIAGE LICENSES.

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

SECTION 1. 24-72-204 (3) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal.
(3) (a) The custodian shall deny the right of inspection of the following records, unless otherwise provided by law; except that any of the following records, other than letters of reference concerning employment, licensing, or issuance of permits, shall be available to the person in interest under this subsection (3):

(XIX) (A) EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPHS (B) AND (C) OF THIS SUBPARAGRAPH (XIX), APPLICATIONS FOR A MARRIAGE LICENSE SUBMITTED PURSUANT TO SECTION 14-2-106, C.R.S. A PERSON IN INTEREST UNDER THIS SUBPARAGRAPH (XIX) INCLUDES AN IMMEDIATE FAMILY MEMBER OF EITHER PARTY TO THE MARRIAGE APPLICATION. AS USED IN THIS SUBPARAGRAPH (XIX), "IMMEDIATE FAMILY MEMBER" MEANS A PERSON WHO IS RELATED BY BLOOD, MARRIAGE, OR ADOPTION. NOTHING IN THIS SUBPARAGRAPH (XIX) SHALL BE CONSTRUED TO PROHIBIT THE INSPECTION OF MARRIAGE LICENSES OR MARRIAGE CERTIFICATES OR TO OTHERWISE CHANGE THE STATUS OF THOSE LICENSES OR CERTIFICATES AS PUBLIC RECORDS.

(B) ANY RECORD OF AN APPLICATION FOR A MARRIAGE LICENSE SUBMITTED PURSUANT TO SECTION 14-2-106, C.R.S., SHALL BE MADE AVAILABLE FOR PUBLIC INSPECTION FIFTY YEARS AFTER THE DATE THAT RECORD WAS CREATED.

(C) UPON APPLICATION BY ANY PERSON TO THE DISTRICT COURT IN THE DISTRICT

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

WHEREIN A RECORD OF AN APPLICATION FOR A MARRIAGE LICENSE IS FOUND, THE DISTRICT COURT MAY, IN ITS DISCRETION AND UPON GOOD CAUSE SHOWN, ORDER THE CUSTODIAN TO PERMIT THE INSPECTION OF SUCH RECORD.

SECTION 2. 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: April 24, 2006