

## CHAPTER 147

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**COURTS**

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**SENATE BILL 10-147**

BY SENATOR(S) Lundberg, Penry, King K., Sandoval;  
also REPRESENTATIVE(S) DelGrosso, Gardner B., Gerou, King S., Lambert, McNulty, Pace, Priola.

**AN ACT****CONCERNING EXEMPTING FROM EXECUTION BY CREDITORS CERTAIN ASSETS THAT ARE PAYABLE  
UPON DEATH.**

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

**SECTION 1.** 13-54-102 (1) (I) (A), Colorado Revised Statutes, is amended to read:

**13-54-102. Property exempt.** (1) The following property is exempt from levy and sale under writ of attachment or writ of execution:

(I) (I) (A) The cash surrender value of policies or certificates of life insurance to the extent of  ~~fifty~~ ONE HUNDRED thousand dollars for writs of attachment or writs of execution issued against the insured; except that there is no exemption for increases in cash value from moneys contributed to a policy or certificate of life insurance during the forty-eight months prior to the issuance of  ~~such~~ THE writ of attachment or writ of execution; and

**SECTION 2. Act subject to petition - specified effective date - applicability.**

(1) This act shall take effect September 1, 2010; 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 the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

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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.*

(2) The provisions of this act shall apply to writs of attachment or writs of execution issued on or after the applicable effective date of this act.

Approved: April 21, 2010