

STATE OF COLORADO

Colorado General Assembly

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MEMORANDUM

TO: Lori Gimelshteyn and Erin Lee
FROM: Legislative Council Staff and Office of Legislative Legal Services
DATE: January 16, 2024
SUBJECT: Proposed Initiative Measure 2023-2024 #141, concerning parental consent for health care treatment of a child.

Section 1-40-105 (1), Colorado Revised Statutes, requires the directors of the Colorado Legislative Council and the Office of Legislative Legal Services to "review and comment" on initiative petitions for proposed laws and amendments to the Colorado Constitution. We hereby submit our comments to you regarding the appended proposed initiative.

The purpose of this statutory requirement of the directors of Legislative Council and the Office of Legislative Legal Services is to provide comments intended to aid proponents in determining the language of their proposal and to avail the public of knowledge of the contents of the proposal. Our first objective is to be sure we understand your intent and your objective in proposing the amendment. We hope that the statements and questions contained in this memorandum will provide a basis for discussion and understanding of the proposal.

This initiative was submitted with proposed initiative 2023-2024 #140. The comments and questions raised in this memorandum will not include comments and questions that are addressed in the memorandum for proposed initiative 2023-2024 #140, except as necessary to fully understand the issues raised by this proposed initiative. Comments and questions addressed in the memorandum for proposed initiative 2023-2024 #140 may also be relevant, and those questions and comments are hereby incorporated by reference in this memorandum.

Purpose

The major purpose of the proposed amendment to the Colorado Revised Statutes appears to be to prohibit a mental or medical health care provider, practitioner, or facility from providing, soliciting, or arranging treatment for a child without first consulting, and obtaining written or documented consent from, the child's parent.

Substantive Comments and Questions

1. Article V, section 1 (5.5) of the Colorado Constitution requires all proposed initiatives to have a single subject. What is the single subject of the proposed initiative?

Technical Comments

There are no new technical comments.