

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
3.30.21

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LLS NO. 21-0910.01 Conrad Imel x2313

COMMITTEE BILL

Joint Budget Committee

**BILL TOPIC:** "Office Of Public Guardianship Extension"

**A BILL FOR AN ACT**

101 CONCERNING THE EXTENSION OF THE OFFICE OF PUBLIC  
102 GUARDIANSHIP.

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** In 2019, the general assembly extended the office of public guardianship (office) until 2023. The bill corrects 2 dates that should have been extended. If the office is not further extended, it will need additional time to wind up its affairs. The repeal of the article creating the office is extended to June 30, 2024, to allow time for the office to wind up its affairs.

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

The general assembly increased certain court fees to fund the office. The bill requires the office, if it is not further extended, to notify the joint budget committee that those fees can be reduced.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-94-102, **amend**  
3 (2)(b) as follows:

4 **13-94-102. Legislative declaration.** (2) In establishing the office  
5 of public guardianship, the general assembly intends:

6 (b) That the office is a pilot program, to be evaluated and then  
7 continued, discontinued, or expanded at the discretion of the general  
8 assembly in ~~2021~~ 2023.

9 **SECTION 2.** In Colorado Revised Statutes, 13-94-108, **amend**  
10 (2) as follows:

11 **13-94-108. Office of public guardianship cash fund - created.**

12 (2) The money in the fund is annually appropriated to the judicial  
13 department to pay the expenses of the office. All interest and income  
14 derived from the investment and deposit of money in the fund is credited  
15 to the fund. Any unexpended and unencumbered money remaining in the  
16 fund at the end of a fiscal year must remain in the fund and not be  
17 credited or transferred to the general fund or any other fund; except that  
18 any money remaining in the fund on June 30, ~~2021~~ 2024, shall be  
19 transferred to the general fund.

20 **SECTION 3.** In Colorado Revised Statutes, **amend** 13-94-111 as  
21 follows:

22 **13-94-111. Repeal - wind-up.** (1) This article 94 is repealed,  
23 effective ~~December 31, 2023~~ JUNE 30, 2024. Prior to such repeal, the  
24 general assembly, after reviewing the report submitted by the director

1 pursuant to section 13-94-105 (4), shall consider whether to enact  
2 legislation to continue, discontinue, or expand the office.

3 (2) If the general assembly has adjourned the legislative session  
4 beginning in January of 2023 sine die without enacting legislation to  
5 continue or expand the office, the office shall NOTIFY THE JOINT BUDGET  
6 COMMITTEE THAT THE OFFICE WILL NOT BE CONTINUED AND THAT COURT  
7 FEES MAY BE REDUCED BY THE AMOUNT DEPOSITED TO THE OFFICE OF  
8 PUBLIC GUARDIANSHIP CASH FUND, implement its discontinuation plan  
9 developed pursuant to section 13-94-105, and wind-up its affairs prior to  
10 the repeal of this article 94.

11 **SECTION 4. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, or safety.