

## Removing Cohabitation from Criminal Offenses

*Bill Sponsors: Senator Hinrichsen, Representative Zokaie*

Current Colorado Statute states that an individual who is married or in a partner in a civil union commits bigamy if they cohabit—*or live with*—another individual. Bigamy is a Class 2 Misdemeanor.

Colorado families do not look the same, and not everyone can access the legal process for a divorce. This bill offers a simple fix by removing “cohabitation” from criminal bigamy statutes. It does not allow people to have legal marriages or civil unions with multiple individuals. It simply makes it so that Colorado’s bigamy law does what most Coloradoans understand it to do.

### **Why is cohabitation a problem as a criminal offense?**

Polyamorous and non-monogamous adults should still be able to access the benefits and responsibilities of legal marriage or civil unions without fear of criminal prosecution solely because they cohabit with another partner.

Victims, including of mass tragedies such as the attack on Club Q, have been afraid to access assistance through traditional means in fear that their family may be targeted by a criminal investigation.

Divorce can be expensive. Many couples may choose to end their marriage but cannot legally enter the process of divorce while transitioning into separate households.

Many survivors of intimate partner violence do not file for divorce because the process means that they will have more contact with the person who abused them. Some abusers demand that a marriage is maintained as a bargaining chip with the people they have harmed.

None of these Coloradoans should live in fear of prosecution.

**This bill provides a simple update to Colorado law that assures residents that they will not be targeted by criminal investigations for private and personal decisions. It protects survivors of many kinds of violence.**