

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

January 23, 2008
Date

Committee on Health and Human Services.

After consideration on the merits, the Committee recommends the following:

HB08-1006 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

- 1 Amend reengrossed bill, page 2, line 8, strike "FOR";
- 2 line 13, strike "FOR";
- 3 strike line 20 and substitute the following:

4 "DOCUMENT ITS REASONS FOR MAKING THE DETERMINATION. IN
5 DETERMINING WHETHER A REQUESTED VISIT WOULD BE IN THE BEST
6 INTERESTS OF ONE OR BOTH OF THE SIBLINGS, THE COUNTY DEPARTMENT
7 SHALL ASCERTAIN WHETHER THERE IS PENDING IN ANY JURISDICTION A
8 CRIMINAL ACTION IN WHICH EITHER OF THE SIBLINGS IS EITHER A VICTIM
9 OR A WITNESS. IF SUCH A CRIMINAL ACTION IS PENDING, THE COUNTY
10 DEPARTMENT, BEFORE ARRANGING ANY VISIT BETWEEN THE SIBLINGS,
11 SHALL CONSULT WITH THE DISTRICT ATTORNEY FOR THE JURISDICTION IN
12 WHICH THE CRIMINAL ACTION IS PENDING TO DETERMINE WHETHER THE
13 REQUESTED VISIT MAY HAVE A DETRIMENTAL EFFECT UPON THE
14 PROSECUTION OF THE PENDING CRIMINAL ACTION.

15 (4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE
16 OR PERMIT A COUNTY DEPARTMENT TO ARRANGE A SIBLING VISIT IF SUCH
17 VISIT WOULD VIOLATE AN EXISTING PROTECTION ORDER IN ANY CASE
18 PENDING IN THIS STATE OR ANY OTHER STATE.

1 (5) AS USED IN THIS SECTION, "SIBLING" MEANS:

2 (a) A SIBLING FROM BIRTH WHO IS DESCENDED FROM ONE OR TWO
3 MUTUAL PARENTS; OR

4 (b) A STEPBROTHER OR FORMER STEPBROTHER OR A STEPSISTER OR
5 FORMER STEPSISTER."

6 Renumber succeeding subsection accordingly.

7 Page 2, after line 23, insert the following:

8 "SECTION 2. 19-5-101, Colorado Revised Statutes, is amended
9 BY THE ADDITION OF A NEW SUBSECTION to read:

10 **19-5-101. Termination of the parent-child legal relationship.**

11 (3) A TERMINATION BY A COURT OF A PARENT-CHILD LEGAL
12 RELATIONSHIP PURSUANT TO PROCEEDINGS UNDER THIS SECTION OR ANY
13 SECTION DESCRIBED BY SUBSECTION (1) OF THIS SECTION SHALL NOT BE
14 DEEMED TO TERMINATE A SIBLING RELATIONSHIP BETWEEN SIBLING
15 CHILDREN WHO ARE PARTIES TO THE TERMINATION OF THE PARENT-CHILD
16 LEGAL RELATIONSHIP."

17 Renumber succeeding section accordingly.

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