

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 12-0036.02 Debbie Haskins x2045

SENATE BILL 12-002

SENATE SPONSORSHIP

Steadman, Guzman

HOUSE SPONSORSHIP

Ferrandino, Casso, Hullinghorst, Kagan, Kerr A., Levy, Miklosi, Schafer S., Singer, Young

Senate Committees

Judiciary
Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION OF CIVIL UNIONS, AND IN CONNECTION**
102 **THEREWITH, MAKING AN APPROPRIATION.**

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://www.leg.state.co.us/billsummaries>.)

The bill creates the "Colorado Civil Union Act" (Act) to authorize any 2 unmarried adults, regardless of gender, to enter into a civil union. Parties wanting to enter into a civil union apply to a county clerk and recorder for a civil union license. Certain persons may certify a civil union. After the civil union is certified, the officiant files the civil union

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
Amended 2nd Reading
April 25, 2012

certificate with the county clerk and recorder. A priest, minister, rabbi, or other official of a religious institution or denomination or an Indian nation or tribe is not required to certify a civil union in violation of his or her right to free exercise of religion. The criteria for a valid civil union are set forth in the bill.

The executive director of the department of public health and environment and the state registrar of vital statistics shall issue forms necessary to implement the Act. Each county clerk and recorder submits records of registered civil unions to the office of vital statistics. A county clerk and recorder collects a fee for a civil union license, which fee is credited to the vital statistics records cash fund. The state registrar of vital statistics is authorized to set and collect an additional fee for verification of civil unions, which fee is credited to the vital statistics records cash fund. A county clerk and recorder collects a \$20 fee to be credited to the Colorado domestic abuse program fund.

The legal benefits, protections, and responsibilities that are granted under the law to spouses apply in like manner to parties to a civil union, including the following:

- ! Responsibility for financial support of a party to a civil union;
- ! Rights and abilities concerning transfer of real or personal property to a party in a civil union;
- ! The ability to file a claim based on wrongful death, emotional distress, loss of consortium, dramshop, or other laws, whether common law or statutory, related to or dependent upon spousal status;
- ! Prohibitions against discrimination based upon spousal status;
- ! The ability to inherit real and personal property from a party in a civil union under the probate code;
- ! Priority for appointment as a conservator, guardian, or personal representative;
- ! Survivor benefits under and inclusion in workers' compensation laws;
- ! The ability to adopt a child of a party to a civil union;
- ! The ability to insure a party to a civil union under group benefit plans for state employees;
- ! The ability to designate a party in a civil union as a beneficiary under the state public employees retirement system;
- ! Survivor benefits under local government firefighter and police pensions;
- ! Protections and coverage under domestic abuse and domestic violence laws;
- ! Rights and protections under victims' compensation laws

- and victims and witness protection laws;
- ! Laws, policies, or procedures relating to emergency and nonemergency medical care and treatment and hospital visitation;
- ! Rights to visit a party in a civil union in a correctional facility, jail, or private contract prison or in a facility providing mental health treatment;
- ! The ability to file a complaint about the care or treatment of a party in a civil union in a nursing home;
- ! Rights relating to declarations concerning the administration, withholding, or withdrawing of medical treatment, proxy decision-makers and surrogate decision-makers, CPR directives, or directives concerning medical orders for scope of treatment forms with respect to a party to a civil union;
- ! Rights concerning the disposition of the last remains of a party to a civil union;
- ! The right to make decisions regarding anatomical gifts;
- ! Eligibility for family leave benefits;
- ! Eligibility for public assistance benefits;
- ! A privilege from providing compelled testimony against a party in a civil union and evidentiary privileges for parties to a civil union;
- ! The right to apply for emergency or involuntary commitment of a party to a civil union;
- ! The right to claim a homestead exemption;
- ! The ability to protect exempt property from attachment, execution, or garnishment;
- ! Dependent coverage under life insurance; and
- ! Dependent coverage under health insurance policies; except that this provision is effective for plans issued, delivered, or renewed on or after January 1, 2013.

The same processes that are provided in law for dissolution, legal separation, and declaration of invalidity of a marriage apply to dissolution, legal separation, and declaration of invalidity of a civil union. Any person who enters into a civil union in Colorado consents to the jurisdiction of the courts of Colorado for the purpose of any action relating to a civil union even if one or both parties cease to reside in the state. The courts are directed to follow the laws of Colorado in a matter filed in Colorado that is seeking a dissolution, legal separation, or invalidity of a civil union that was entered into in another state. The courts are authorized to collect docket fees for the dissolution of a civil union, legal separation of a civil union, and declaration of invalidity of a civil union.

The Act shall not be construed to create a marriage between the

parties to a civil union or alter the public policy of this state that recognizes only the union of one man and one woman as a marriage. Notwithstanding any provision of law to the contrary, the Act shall not be interpreted to require a child placement agency to place a child for adoption with parties to a civil union.

The Act includes a reciprocity and principle of comity section that states that a relationship between persons of the same sex that does not comply with section 31 of article II of the state constitution that is legally entered into in another jurisdiction is deemed in Colorado to be a civil union and that, under principles of comity, a civil union, domestic partnership, or a substantially similar legal relationship that is legally created in another jurisdiction is deemed to be a civil union for purposes of Colorado law.

A severability clause is included in the Act.

The executive director of the department of revenue is authorized to appoint a study commission to investigate and report on what changes in the law could be made to ensure equitable tax treatment and to allow parties to a civil union to file a joint state tax return without violating the federal tax laws. Until a statutory change is enacted to authorize the filing of a joint state tax return by parties to a civil union, the Act shall not be construed to permit the filing of a joint income tax return by the parties to a civil union.

A custodian of records is prohibited from allowing a person, other than the person in interest or an immediate family member of the person in interest, to inspect the application for a civil union license of any person; except that a district court may order the custodian to permit inspection of the license application for a civil union upon a showing of good cause.

A person who has entered into a designated beneficiary agreement under Colorado's designated beneficiary statute is precluded from entering into a civil union with a different person. If both parties to a designated beneficiary agreement are eligible to enter into a valid civil union and subsequently enter into a civil union, the civil union certificate constitutes a superseding legal document that supersedes and invalidates the prior designated beneficiary agreement.

The bill makes other conforming amendments.

The bill takes effect October 1, 2012; except that the provision relating to the inclusion of a partner in a civil union as a dependent on a health insurance policy takes effect January 1, 2013.

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

2 **SECTION 1. Legislative declaration.** The general assembly

1 declares that the public policy of this state, as set forth in section 31 of
2 article II of the state constitution, recognizes only the union of one man
3 and one woman as a marriage. The general assembly declares that the
4 purpose of the "Colorado Civil Union Act", article 15 of title 14,
5 Colorado Revised Statutes, is to provide eligible couples the opportunity
6 to obtain the benefits, protections, and responsibilities afforded by
7 Colorado law to spouses consistent with the principles of equality under
8 law and religious freedom embodied in both the United States
9 constitution and the constitution of this state. The general assembly
10 further finds that the general assembly, in the exercise of its plenary
11 power, has the authority to define other arrangements, such as a civil
12 union between two unmarried persons regardless of their gender, and to
13 set forth in statute any state-level benefits, rights, and protections to
14 which a couple is entitled by virtue of entering into a civil union. The
15 general assembly finds that the "Colorado Civil Union Act" does not alter
16 the public policy of this state, which recognizes only the union of one
17 man and one woman as a marriage. The general assembly also declares
18 that a second purpose in enacting the "Colorado Civil Union Act" is to
19 state that Colorado courts may offer same-sex couples the equal
20 protection of the law and to give full faith and credit to recognize
21 relationships legally created in other jurisdictions that are similar to civil
22 unions created by this Act and that are not otherwise recognized pursuant
23 to Colorado law.

24 **SECTION 2.** In Colorado Revised Statutes, **add** article 15 to title
25 14 as follows:

26 **ARTICLE 15**
27 **Colorado Civil Union Act**

1 **14-15-101. Short title.** THIS ARTICLE IS KNOWN AS THE
2 "COLORADO CIVIL UNION ACT".

3 **14-15-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
4 CONTEXT OTHERWISE REQUIRES:

5 (1) "CIVIL UNION" MEANS A RELATIONSHIP ESTABLISHED BY TWO
6 ELIGIBLE PERSONS PURSUANT TO THIS ARTICLE THAT ENTITLES THEM TO
7 RECEIVE THE BENEFITS AND PROTECTIONS AND BE SUBJECT TO THE
8 RESPONSIBILITIES OF SPOUSES.

9 (2) "CIVIL UNION CERTIFICATE" MEANS A DOCUMENT THAT
10 CERTIFIES THAT THE PERSONS NAMED IN THE CERTIFICATE HAVE
11 ESTABLISHED A CIVIL UNION IN THIS STATE IN COMPLIANCE WITH THIS
12 ARTICLE.

13 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
14 AND ENVIRONMENT.

15 (4) "MARRIAGE" MEANS THE LEGALLY RECOGNIZED UNION OF ONE
16 MAN AND ONE WOMAN.

17 (5) "PARTY TO A CIVIL UNION" OR "PARTNER IN A CIVIL UNION"
18 MEANS A PERSON WHO HAS ESTABLISHED A CIVIL UNION PURSUANT TO
19 THIS ARTICLE.

20 (6) "SPOUSES" MEANS TWO PERSONS WHO ARE MARRIED PURSUANT
21 TO THE PROVISIONS OF THE "UNIFORM MARRIAGE ACT", PART 1 OF
22 ARTICLE 2 OF THIS TITLE.

23 (7) "STATE REGISTRAR" MEANS THE STATE REGISTRAR OF VITAL
24 STATISTICS IN THE DEPARTMENT.

25 **14-15-103. Requisites of a valid civil union.** (1) TO ESTABLISH
26 A CIVIL UNION IN COLORADO, THE TWO PARTIES TO THE CIVIL UNION SHALL
27 SATISFY ALL OF THE FOLLOWING CRITERIA:

1 (a) BOTH PARTIES ARE ADULTS, REGARDLESS OF THE GENDER OF
2 EITHER PARTY;

3 (b) NEITHER PARTY IS A PARTY TO ANOTHER CIVIL UNION;

4 (c) NEITHER PARTY IS MARRIED TO ANOTHER PERSON.

5 **14-15-104. Individual shall not enter into a civil union with a**
6 **relative.** (1) AN INDIVIDUAL SHALL NOT ENTER INTO A CIVIL UNION WITH
7 AN ANCESTOR OR A DESCENDANT OR WITH A BROTHER OR A SISTER,
8 WHETHER THE RELATIONSHIP IS BY THE HALF OR THE WHOLE BLOOD.

9 (2) AN INDIVIDUAL SHALL NOT ENTER INTO A CIVIL UNION WITH AN
10 UNCLE OR AUNT OR WITH A NIECE OR NEPHEW, WHETHER THE
11 RELATIONSHIP IS BY THE HALF OR THE WHOLE BLOOD.

12 (3) A CIVIL UNION BETWEEN PERSONS PROHIBITED FROM ENTERING
13 INTO A CIVIL UNION BY SUBSECTION (1) OR (2) OF THIS SECTION IS VOID.

14 **14-15-105. Restrictions as to minors and wards.** (1) A COUNTY
15 CLERK AND RECORDER SHALL NOT ISSUE A CIVIL UNION LICENSE IF EITHER
16 PARTY TO THE INTENDED CIVIL UNION IS:

17 (a) UNDER EIGHTEEN YEARS OF AGE; OR

18 (b) EIGHTEEN YEARS OF AGE OR OLDER AND UNDER
19 GUARDIANSHIP, UNLESS THE PARTY UNDER GUARDIANSHIP HAS THE
20 WRITTEN CONSENT OF HIS OR HER GUARDIAN.

21 (2) A VIOLATION OF SUBSECTION (1) OF THIS SECTION MAKES THE
22 CIVIL UNION VOID.

23 **14-15-106. Rights, benefits, protections, duties, obligations,**
24 **responsibilities, and other incidents of parties to a civil union.** (1) **A**
25 **PARTY TO A CIVIL UNION HAS THE RIGHTS, BENEFITS, PROTECTIONS,**
26 **DUTIES, OBLIGATIONS, RESPONSIBILITIES, AND OTHER INCIDENTS UNDER**
27 **LAW AS ARE GRANTED TO OR IMPOSED UPON SPOUSES, WHETHER THOSE**

1 RIGHTS, BENEFITS, PROTECTIONS, DUTIES, OBLIGATIONS, RESPONSIBILITIES,
2 AND OTHER INCIDENTS DERIVE FROM STATUTE, ADMINISTRATIVE OR
3 COURT RULE, POLICY, COMMON LAW, OR ANY OTHER SOURCE OF LAW.

4 (2) A PARTY TO A CIVIL UNION IS INCLUDED IN ANY DEFINITION OR
5 USE OF THE TERMS "DEPENDENT", "FAMILY", "HEIR", "IMMEDIATE
6 FAMILY", "NEXT OF KIN", "SPOUSE", AND ANY OTHER TERM THAT DENOTES
7 THE FAMILIAL OR SPOUSAL RELATIONSHIP, AS THOSE TERMS ARE USED
8 THROUGHOUT THE COLORADO REVISED STATUTES.

9 (3) PARTIES TO A CIVIL UNION ARE RESPONSIBLE FOR THE
10 FINANCIAL SUPPORT OF ONE ANOTHER IN THE MANNER PRESCRIBED UNDER
11 LAW FOR SPOUSES.

12 (4) THE LAW OF DOMESTIC RELATIONS, INCLUDING BUT NOT
13 LIMITED TO DECLARATION OF INVALIDITY, LEGAL SEPARATION,
14 DISSOLUTION, CHILD CUSTODY, ALLOCATION OF PARENTAL
15 RESPONSIBILITIES, PARENTING TIME, CHILD SUPPORT, PROPERTY DIVISION,
16 MAINTENANCE, AND AWARD OF ATTORNEY FEES, APPLIES TO CIVIL UNIONS.

17 (5) RIGHTS, BENEFITS, PROTECTIONS, DUTIES, OBLIGATIONS,
18 RESPONSIBILITIES, AND OTHER INCIDENTS UNDER LAW AS ARE GRANTED TO
19 OR IMPOSED UPON SPOUSES, THAT APPLY IN LIKE MANNER TO PARTIES TO
20 A CIVIL UNION UNDER THIS SECTION, INCLUDE BUT ARE NOT LIMITED TO:

21 (a) LAWS RELATING TO TITLE, SURVIVORSHIP, OR OTHER
22 INCIDENTS OF OR PRESUMPTIONS WITH RESPECT TO THE ACQUISITION,
23 OWNERSHIP, OR TRANSFER, INTER VIVOS OR AT DEATH, OF REAL OR
24 PERSONAL PROPERTY;

25 (b) CAUSES OF ACTION RELATED TO OR DEPENDENT UPON SPOUSAL
26 STATUS, INCLUDING AN ACTION BASED ON WRONGFUL DEATH, EMOTIONAL
27 DISTRESS, LOSS OF CONSORTIUM, DRAMSHOP LAWS, OR OTHER TORTS OR

1 ACTIONS UNDER CONTRACTS RECITING, RELATED TO, OR DEPENDENT UPON
2 SPOUSAL STATUS;

3 (c) PROHIBITIONS AGAINST DISCRIMINATION BASED UPON SPOUSAL
4 STATUS;

5 (d) TITLE 15, C.R.S., INCLUDING BUT NOT LIMITED TO MATTERS
6 CONCERNING DECEDENTS' ESTATES, WILLS, TRUSTS, INTESTATE
7 SUCCESSION, NONPROBATE TRANSFERS, WARDS, PROTECTED PERSONS, AND
8 PRIORITY FOR APPOINTMENT AS A CONSERVATOR, GUARDIAN, OR
9 PERSONAL REPRESENTATIVE;

10 (e) WORKERS' COMPENSATION BENEFITS;

11 (f) ADOPTION LAW AND PROCEDURE;

12 (g) GROUP BENEFIT PLANS FOR STATE EMPLOYEES PURSUANT TO
13 PART 6 OF ARTICLE 50 OF TITLE 24, C.R.S.;

14 (h) THE RIGHT TO DESIGNATE A PARTY TO A CIVIL UNION AS A
15 BENEFICIARY UNDER THE STATE PUBLIC EMPLOYEES' RETIREMENT SYSTEM;

16 (i) SURVIVOR BENEFITS UNDER LOCAL GOVERNMENT FIREFIGHTER
17 AND POLICE PENSIONS;

18 (j) DOMESTIC ABUSE PROGRAMS PURSUANT TO ARTICLE 7.5 OF
19 TITLE 26, C.R.S., EMERGENCY PROTECTION ORDERS PURSUANT TO SECTION
20 13-14-103, C.R.S., AND THE RIGHT TO RECEIVE THE PROTECTIONS AND
21 PROGRAMS SPECIFIED IN PART 8 OF ARTICLE 6 OF TITLE 18, C.R.S.;

22 (k) RIGHTS TO APPLY FOR COMPENSATION AS A RELATIVE OF A
23 VICTIM UNDER THE "COLORADO CRIME VICTIM COMPENSATION ACT",
24 PURSUANT TO PART 1 OF ARTICLE 4.1 OF TITLE 24, C.R.S., RIGHTS TO
25 RECEIVE RESTITUTION UNDER PART 2 OF ARTICLE 4.1 OF TITLE 24, C.R.S.,
26 AND THE RIGHT TO BE INFORMED OF CRITICAL STAGES OF THE CRIMINAL
27 JUSTICE PROCESS AND TO BE ACCORDED THE RIGHTS AND PROTECTIONS OF

1 VICTIMS OF AND WITNESSES TO CRIMES UNDER PARTS 2 AND 3 OF ARTICLE
2 4.1 OF TITLE 24, C.R.S.;

3 (l) LAWS, POLICIES, OR PROCEDURES RELATING TO EMERGENCY
4 AND NONEMERGENCY MEDICAL CARE AND TREATMENT AND HOSPITAL
5 VISITATION AND NOTIFICATION, INCLUDING THE RIGHTS OF NURSING HOME
6 PATIENTS DESCRIBED IN SECTION 25-1-120, C.R.S.;

7 (m) LAWS OR RULES REGARDING THE RIGHT TO VISIT A PARTNER
8 WHO IS IN A CORRECTIONAL FACILITY, AS DEFINED IN SECTION 17-1-102
9 (1.7), C.R.S., A LOCAL JAIL, AS DEFINED IN SECTION 17-1-102 (7), C.R.S.,
10 OR A PRIVATE CONTRACT PRISON, AS DEFINED IN SECTION 17-1-102 (7.3),
11 C.R.S., OR WHO IS RECEIVING TREATMENT IN A PUBLIC HOSPITAL OR A
12 LICENSED PRIVATE HOSPITAL, CLINIC, COMMUNITY MENTAL HEALTH
13 CENTER OR CLINIC, OR ACUTE TREATMENT UNIT OR INSTITUTION THAT
14 PROVIDES TREATMENT FOR A PERSON WITH A MENTAL ILLNESS;

15 (n) LAWS RELATING TO:

16 (I) DECLARATIONS CONCERNING THE ADMINISTRATION,
17 WITHHOLDING, OR WITHDRAWING OF MEDICAL TREATMENT, WHICH
18 DECLARATIONS ARE MADE PURSUANT TO THE PROVISIONS OF THE
19 "COLORADO MEDICAL TREATMENT DECISION ACT", ARTICLE 18 OF TITLE
20 15, C.R.S.;

21 (II) PROXY DECISION-MAKERS FOR MEDICAL TREATMENT AND
22 SURROGATE DECISION-MAKERS FOR HEALTH CARE BENEFIT DECISIONS, AS
23 DESCRIBED IN ARTICLE 18.5 OF TITLE 15, C.R.S.;

24 (III) DIRECTIVES RELATING TO CARDIOPULMONARY
25 RESUSCITATION, AS DESCRIBED IN ARTICLE 18.6 OF TITLE 15, C.R.S.; AND

26 (IV) DIRECTIVES CONCERNING MEDICAL ORDERS FOR SCOPE OF
27 TREATMENT FORMS, AS DESCRIBED IN ARTICLE 18.7 OF TITLE 15, C.R.S.;

1 (o) RIGHTS CONCERNING DIRECTION OF THE DISPOSITION OF THE
2 LAST REMAINS OF A DECEASED PARTY TO A CIVIL UNION PURSUANT TO
3 ARTICLE 19 OF TITLE 15, C.R.S.;

4 (p) LAWS RELATING TO MAKING, REVOKING, AND OBJECTING TO
5 ANATOMICAL GIFTS BY OTHERS PURSUANT TO THE "REVISED UNIFORM
6 ANATOMICAL GIFT ACT", PART 1 OF ARTICLE 34 OF TITLE 12, C.R.S.;

7 (q) FAMILY LEAVE BENEFITS;

8 (r) PUBLIC ASSISTANCE BENEFITS PURSUANT TO STATE LAW;

9 (s) LAWS RELATING TO IMMUNITY FROM COMPELLED TESTIMONY
10 ANDEVIDENTIARY PRIVILEGES PURSUANT TO SECTION 13-90-107, C.R.S.;

11 (t) THE RIGHT TO APPLY FOR EMERGENCY OR INVOLUNTARY
12 COMMITMENT OF A PARTY TO A CIVIL UNION;

13 (u) THE HOMESTEAD RIGHTS OF A SPOUSE PURSUANT TO PART
14 2 OF ARTICLE 41 OF TITLE 38, C.R.S.;

15 (v) THE ABILITY TO PROTECT EXEMPT PROPERTY FROM
16 ATTACHMENT, EXECUTION, OR GARNISHMENT;

17 (w) (I) INSURANCE POLICIES FOR LIFE INSURANCE, INCLUDING THE
18 ABILITY TO COVER A PARTY TO A CIVIL UNION AS A DEPENDENT;

19 (II) THIS PARAGRAPH (w) IS EFFECTIVE FOR PLANS ISSUED,
20 DELIVERED, OR RENEWED ON OR AFTER JANUARY 1, 2013.

21 (x) (I) INSURANCE COVERAGE PROVIDED BY A HEALTH COVERAGE
22 PLAN, INCLUDING THE ABILITY TO COVER A PARTY TO A CIVIL UNION AS A
23 DEPENDENT.

24 (II) THIS PARAGRAPH (x) IS EFFECTIVE FOR PLANS ISSUED,
25 DELIVERED, OR RENEWED ON OR AFTER JANUARY 1, 2013.

26 (y) (I) OTHER INSURANCE POLICIES THAT PROVIDE JOINT
27 COVERAGE RELATING TO OWNERSHIP OF PROPERTY.

1 (II) THIS PARAGRAPH (y) IS EFFECTIVE FOR PLANS ISSUED,
2 DELIVERED, OR RENEWED ON OR AFTER JANUARY 1, 2013.

3 (6) THE RESPONSIBILITIES AND RIGHTS OF PARTIES TO A CIVIL
4 UNION WITH RESPECT TO THE BIOLOGICAL CHILD OF ONE OF THE PARTIES,
5 WHICH CHILD IS CONCEIVED DURING THE TERM OF THE CIVIL UNION, ARE
6 DETERMINED AS IF THE PARTIES WERE SPOUSES SUBJECT TO THE
7 PROVISIONS OF SECTION 19-4-105, C.R.S. A PARTY TO A CIVIL UNION HAS
8 THE RIGHT TO ADOPT THROUGH THE SAME PROCESS OUTLINED FOR A
9 STEPPARENT ADOPTION IN ACCORDANCE WITH SECTION 19-5-203, C.R.S.,
10 IF THE CHILD OF THE OTHER PARTY TO THE CIVIL UNION IS OTHERWISE
11 AVAILABLE FOR ADOPTION PURSUANT TO SECTION 19-5-203 (1) (d), C.R.S.

12 **14-15-107. Modification of civil union terms through an**
13 **agreement.** (1) PARTIES TO A CIVIL UNION MAY CREATE AGREEMENTS
14 MODIFYING THE TERMS, CONDITIONS, OR EFFECTS OF A CIVIL UNION IN THE
15 MANNER SPECIFIED IN PART 3 OF ARTICLE 2 OF THIS TITLE.

16 (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF
17 THIS SECTION, THE PROVISIONS OF THIS ARTICLE AND THE PROVISIONS OF
18 PART 3 OF ARTICLE 2 OF THIS TITLE DO NOT INVALIDATE OR AFFECT AN
19 OTHERWISE VALID DOMESTIC PARTNERSHIP AGREEMENT OR CIVIL
20 CONTRACT BETWEEN TWO INDIVIDUALS WHO ARE NOT MARRIED TO EACH
21 OTHER IN WHICH THE INDIVIDUALS SET FORTH AN AGREEMENT ABOUT THE
22 RIGHTS AND RESPONSIBILITIES REGARDING MATTERS SIMILAR TO THOSE
23 THAT MAY BE ADDRESSED BY A CONTRACT UNDER PART 3 OF ARTICLE 2 OF
24 THIS TITLE IF THE AGREEMENT OR CONTRACT WAS MADE PRIOR TO THE
25 EFFECTIVE DATE OF THIS ARTICLE OR, IF MADE ON OR AFTER THE
26 EFFECTIVE DATE OF THIS ARTICLE, THE AGREEMENT OR CONTRACT IS NOT
27 MADE IN CONTEMPLATION OF ENTERING INTO A CIVIL UNION UNDER THIS

1 ARTICLE.

2 **14-15-108. Dissolution, legal separation, and declaration of**
3 **invalidity of civil unions - jurisdiction - venue.** (1) ANY PERSON WHO
4 ENTERS INTO A CIVIL UNION IN COLORADO CONSENTS TO THE JURISDICTION
5 OF THE COURTS OF COLORADO FOR THE PURPOSE OF ANY ACTION
6 RELATING TO A CIVIL UNION EVEN IF ONE OR BOTH PARTIES CEASE TO
7 RESIDE IN THIS STATE.

8 (2) THE DISTRICT COURT HAS JURISDICTION OVER ALL
9 PROCEEDINGS RELATING TO THE DISSOLUTION OF A CIVIL UNION, LEGAL
10 SEPARATION OF A CIVIL UNION, OR THE DECLARATION OF INVALIDITY OF A
11 CIVIL UNION, REGARDLESS OF THE JURISDICTION WHERE THE CIVIL UNION
12 WAS ENTERED INTO. THE COURT SHALL FOLLOW THE PROCEDURES
13 SPECIFIED IN ARTICLE 10 OF THIS TITLE, INCLUDING THE SAME DOMICILE
14 REQUIREMENTS FOR A DISSOLUTION, LEGAL SEPARATION, OR DECLARATION
15 OF INVALIDITY FOR SUCH PROCEEDINGS.

16 (3) A PROCEEDING RELATING TO THE DISSOLUTION OF A CIVIL
17 UNION, LEGAL SEPARATION OF A CIVIL UNION, OR THE DECLARATION OF
18 INVALIDITY OF A CIVIL UNION MAY BE HELD IN THE COUNTY WHERE THE
19 PETITIONER OR RESPONDENT RESIDES OR WHERE THE PARTIES' CIVIL UNION
20 CERTIFICATE WAS ISSUED; EXCEPT THAT PROCESS MAY BE DIRECTED TO
21 ANY COUNTY IN THE STATE. A RESPONDENT'S OBJECTION TO VENUE IS
22 WAIVED IF NOT MADE WITHIN SUCH TIME AS THE RESPONDENT'S RESPONSE
23 IS DUE.

24 **14-15-109. Civil union license and certificate.** (1) THE
25 EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL PRESCRIBE THE FORM
26 FOR AN APPLICATION FOR A CIVIL UNION LICENSE, CONSISTING OF, AT A
27 MINIMUM, THE FOLLOWING INFORMATION:

1 (a) NAME, SEX, ADDRESS, SOCIAL SECURITY NUMBER, AND DATE
2 AND PLACE OF BIRTH OF EACH PARTY TO THE PROPOSED CIVIL UNION. FOR
3 SUCH PURPOSE, PROOF OF DATE OF BIRTH MAY BE OBTAINED FROM A BIRTH
4 CERTIFICATE, A DRIVER'S LICENSE, OR OTHER COMPARABLE EVIDENCE.

5 (b) IF EITHER PARTY HAS PREVIOUSLY BEEN MARRIED OR HAS
6 PREVIOUSLY BEEN A PARTY TO A CIVIL UNION, THE NAME OF THE SPOUSE
7 OR THE NAME OF THE OTHER PARTY AND THE DATE, PLACE, AND COURT IN
8 WHICH THE MARRIAGE OR CIVIL UNION WAS DISSOLVED OR DECLARED
9 INVALID OR THE DATE AND PLACE OF DEATH OF THE DECEASED SPOUSE OR
10 THE DECEASED PARTY TO A CIVIL UNION;

11 (c) NAME AND ADDRESS OF THE PARENTS OR GUARDIAN OF EACH
12 PARTY;

13 (d) WHETHER THE PARTIES ARE RELATED TO EACH OTHER AND, IF
14 SO, THEIR RELATIONSHIP.

15 (2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
16 PRESCRIBE THE FORMS FOR THE CIVIL UNION LICENSE AND THE CIVIL UNION
17 CERTIFICATE. THE DEPARTMENT SHALL PROVIDE THE FORMS TO THE
18 COUNTY CLERKS AND RECORDERS IN THE STATE.

19 **14-15-110. Issuance of a civil union license - certification - fee.**

20 (1) WHEN BOTH PARTIES TO A PROPOSED CIVIL UNION COMPLETE A CIVIL
21 UNION APPLICATION AND AT LEAST ONE PARTY APPEARS BEFORE THE
22 COUNTY CLERK AND RECORDER AND PAYS TO THE CLERK AND RECORDER
23 THE CIVIL UNION LICENSE FEE AND OTHER FEES DESCRIBED IN SUBSECTION
24 (2) OF THIS SECTION, AND THE COUNTY CLERK AND RECORDER
25 DETERMINES THAT THE PARTIES MEET THE CRITERIA SPECIFIED IN
26 SECTIONS 14-15-103, 14-15-104, AND 14-15-105, THE COUNTY CLERK AND
27 RECORDER SHALL ISSUE A CIVIL UNION LICENSE AND A CIVIL UNION

1 CERTIFICATE FORM. BOTH PARTIES TO THE PROPOSED CIVIL UNION SHALL
2 SIGN THE APPLICATION ATTESTING TO THE ACCURACY OF THE FACTS
3 STATED.

4 (2) THE CIVIL UNION LICENSE FEE IS SEVEN DOLLARS PLUS AN
5 ADDITIONAL AMOUNT ESTABLISHED PURSUANT TO SECTION 25-2-121,
6 C.R.S. THE COUNTY CLERK AND RECORDER SHALL FORWARD THE
7 ADDITIONAL AMOUNT TO THE STATE TREASURER WHO SHALL CREDIT IT TO
8 THE VITAL STATISTICS RECORDS CASH FUND PURSUANT TO SECTION
9 25-2-121, C.R.S. IN ADDITION, THE COUNTY CLERK AND RECORDER SHALL
10 COLLECT A FEE OF TWENTY DOLLARS TO BE TRANSMITTED BY THE COUNTY
11 CLERK AND RECORDER TO THE STATE TREASURER WHO SHALL CREDIT THE
12 SAME TO THE COLORADO DOMESTIC ABUSE PROGRAM FUND CREATED IN
13 SECTION 39-22-802 (1), C.R.S.

14 **14-15-111. When civil union licenses issued - validity.** THE
15 COUNTY CLERK AND RECORDER SHALL ISSUE A CIVIL UNION LICENSE ONLY
16 DURING THE HOURS THAT THE OFFICE OF THE COUNTY CLERK AND
17 RECORDER IS OPEN AS PRESCRIBED BY LAW AND AT NO OTHER TIME AND
18 SHALL SHOW THE EXACT DATE AND HOUR OF THE LICENSE'S ISSUE. A CIVIL
19 UNION LICENSE IS NOT VALID FOR USE OUTSIDE THE STATE OF COLORADO.
20 WITHIN THE STATE, A CIVIL UNION LICENSE IS NOT VALID FOR MORE THAN
21 THIRTY DAYS AFTER THE DATE OF ISSUE. IF A CIVIL UNION LICENSE IS NOT
22 USED WITHIN THIRTY DAYS, IT IS VOID AND ONE OF THE PARTIES SHALL
23 RETURN THE CIVIL UNION LICENSE TO THE COUNTY CLERK AND RECORDER
24 THAT ISSUED THE LICENSE FOR CANCELLATION.

25 **14-15-112. Persons authorized to certify civil unions -**
26 **registration - fee.** (1) A CIVIL UNION MAY BE CERTIFIED BY A JUDGE OF
27 A COURT, BY A DISTRICT COURT MAGISTRATE, BY A COUNTY COURT

1 MAGISTRATE, BY A RETIRED JUDGE OF A COURT, BY THE PARTIES TO THE
2 CIVIL UNION, OR IN ACCORDANCE WITH ANY MODE OF RECOGNITION OF A
3 CIVIL UNION BY ANY RELIGIOUS DENOMINATION OR INDIAN NATION OR
4 TRIBE.

5 (2) WITHIN SIXTY DAYS AFTER THE DATE ON WHICH THE CIVIL
6 UNION IS CERTIFIED, EITHER THE PERSON CERTIFYING THE CIVIL UNION OR,
7 IF NO INDIVIDUAL ACTING ALONE CERTIFIES THE CIVIL UNION, A PARTY TO
8 THE CIVIL UNION SHALL COMPLETE THE CIVIL UNION CERTIFICATE AND
9 RETURN THE CERTIFICATE TO THE COUNTY CLERK AND RECORDER'S OFFICE
10 THAT ISSUED THE LICENSE. A PERSON WHO FAILS TO RETURN THE CIVIL
11 UNION CERTIFICATE TO THE COUNTY CLERK AND RECORDER AS REQUIRED
12 BY THIS SECTION SHALL PAY TO THE COUNTY CLERK AND RECORDER A
13 LATE FEE IN AN AMOUNT NOT LESS THAN TWENTY DOLLARS. THE COUNTY
14 CLERK AND RECORDER MAY ASSESS AN ADDITIONAL FIVE-DOLLAR LATE
15 FEE FOR EACH ADDITIONAL DAY OF FAILURE TO COMPLY WITH THE RETURN
16 REQUIREMENTS OF THIS SUBSECTION (2), UP TO A MAXIMUM OF FIFTY
17 DOLLARS. FOR PURPOSES OF DETERMINING WHETHER TO ASSESS A LATE
18 FEE PURSUANT TO THIS SUBSECTION (2), THE DATE OF RETURN IS DEEMED
19 TO BE THE DATE OF POSTMARK.

20 (3) UPON RECEIVING THE CIVIL UNION CERTIFICATE, THE COUNTY
21 CLERK AND RECORDER SHALL REGISTER THE CIVIL UNION.

22 (4) A PRIEST, MINISTER, RABBI, OR OTHER OFFICIAL OF A RELIGIOUS
23 INSTITUTION OR DENOMINATION OR AN INDIAN NATION OR TRIBE SHALL
24 NOT BE REQUIRED TO CERTIFY A CIVIL UNION IN VIOLATION OF HIS OR HER
25 RIGHT TO THE FREE EXERCISE OF RELIGION GUARANTEED BY THE FIRST
26 AMENDMENT TO THE UNITED STATES CONSTITUTION AND BY SECTION 4 OF
27 ARTICLE II OF THE STATE CONSTITUTION.

1 **14-15-113. Civil union license required for certification.**

2 PERSONS AUTHORIZED BY SECTION 14-15-112 TO CERTIFY CIVIL UNIONS
3 SHALL REQUIRE A CIVIL UNION LICENSE FROM THE PARTIES BEFORE
4 CERTIFYING THE CIVIL UNION.

5 **14-15-114. Evidence of civil union.** A COPY OF THE CIVIL UNION
6 CERTIFICATE RECEIVED FROM THE COUNTY CLERK AND RECORDER OR A
7 RECORD OF THE CIVIL UNION RECEIVED FROM THE STATE REGISTRAR IS
8 PRESUMPTIVE EVIDENCE OF THE CIVIL UNION IN ALL COURTS.

9 **14-15-115. Reciprocity - principle of comity.** (1) A
10 RELATIONSHIP BETWEEN TWO PERSONS THAT DOES NOT COMPLY WITH
11 SECTION 31 OF ARTICLE II OF THE STATE CONSTITUTION BUT THAT WAS
12 LEGALLY ENTERED INTO IN ANOTHER JURISDICTION IS DEEMED IN
13 COLORADO TO BE A CIVIL UNION AS SET FORTH IN THIS ARTICLE.

14 (2) UNDER PRINCIPLES OF COMITY, A CIVIL UNION, DOMESTIC
15 PARTNERSHIP, OR SUBSTANTIALLY SIMILAR LEGAL RELATIONSHIP
16 BETWEEN TWO PERSONS THAT IS LEGALLY CREATED IN ANOTHER
17 JURISDICTION SHALL BE DEEMED TO BE A CIVIL UNION FOR PURPOSES OF
18 COLORADO LAW AS SET FORTH IN THIS ARTICLE.

19 **14-15-116. Tax equity - joint tax returns - ___ - construction**
20 **of article relating to tax returns.** (1) THE GENERAL ASSEMBLY FINDS
21 THAT CURRENT FEDERAL LAW PROHIBITS THE FILING OF A JOINT INCOME
22 TAX RETURN BY PARTIES WHO ARE NOT CONSIDERED LEGALLY MARRIED
23 UNDER FEDERAL LAW. SINCE COLORADO INCOME TAX FILINGS ARE TIED TO
24 THE FEDERAL INCOME TAX FORM BY REQUIRING TAXPAYERS TO PAY A
25 PERCENTAGE OF THEIR FEDERAL TAXABLE INCOME AS THEIR STATE
26 INCOME TAXES, THIS PREVENTS THE FILING BY THE PARTIES TO A CIVIL
27 UNION OF A JOINT STATE INCOME TAX RETURN.

1 (2) UNTIL A STATUTORY CHANGE IS ENACTED TO AUTHORIZE THE
2 FILING OF A JOINT STATE INCOME TAX RETURN BY PARTIES TO A CIVIL
3 UNION, THIS ARTICLE SHALL NOT BE CONSTRUED TO PERMIT THE FILING OF
4 A JOINT STATE INCOME TAX RETURN BY THE PARTIES TO A CIVIL UNION.

5 **14-15-117. Construction.** THE PROVISIONS OF THIS ARTICLE
6 SHALL NOT BE CONSTRUED TO CREATE A MARRIAGE BETWEEN THE PARTIES
7 TO A CIVIL UNION OR ALTER THE PUBLIC POLICY OF THIS STATE, WHICH
8 RECOGNIZES ONLY THE UNION OF ONE MAN AND ONE WOMAN AS A
9 MARRIAGE.

10 **14-15-118. Child placement agencies - conscience clause.**

11 (1) TO THE EXTENT ALLOWED BY FEDERAL LAW, A PRIVATE CHILD
12 PLACEMENT AGENCY SHALL NOT BE REQUIRED TO PERFORM, ASSIST,
13 COUNSEL, RECOMMEND, CONSENT TO, REFER, OR PARTICIPATE IN ANY
14 PLACEMENT OF A CHILD FOR FOSTER CARE OR ADOPTION WHEN THE
15 PROPOSED PLACEMENT OF A CHILD WITH PERSONS WHO HAVE ENTERED
16 INTO A CIVIL UNION WOULD VIOLATE THE AGENCY'S WRITTEN RELIGIOUS
17 OR MORAL CONVICTIONS OR POLICES.

18 (2) THE STATE DEPARTMENT OF HUMAN SERVICES SHALL NOT
19 DENY AN APPLICATION FOR AN INITIAL LICENSE OR RENEWAL OF A LICENSE
20 OR REVOKE THE LICENSE OF A PRIVATE CHILD PLACEMENT AGENCY
21 BECAUSE OF THE CHILD PLACEMENT AGENCY'S OBJECTION TO PERFORMING,
22 ASSISTING, COUNSELING, RECOMMENDING, CONSENTING TO, REFERRING,
23 OR PARTICIPATING IN A PLACEMENT WITH PARTNERS TO A CIVIL UNION
24 BECAUSE THAT VIOLATES THE AGENCY'S WRITTEN RELIGIOUS OR MORAL
25 CONVICTIONS OR POLICES.

26 (3) THE STATE DEPARTMENT OF HUMAN SERVICES OR A COUNTY
27 DEPARTMENT OF SOCIAL SERVICES SHALL NOT DENY A PRIVATE CHILD

1 PLACEMENT AGENCY ANY GRANT, CONTRACT, OR PARTICIPATION IN A
2 GOVERNMENT PROGRAM BECAUSE OF THE AGENCY'S OBJECTION TO
3 PERFORMING, ASSISTING, COUNSELING, RECOMMENDING, CONSENTING TO,
4 REFERRING, OR PARTICIPATING IN A PLACEMENT WITH PARTNERS TO A
5 CIVIL UNION BECAUSE THAT VIOLATES THE AGENCY'S WRITTEN RELIGIOUS
6 OR MORAL CONVICTIONS OR POLICIES.

7 (4) THE REFUSAL OF A PRIVATE CHILD PLACEMENT AGENCY TO
8 PERFORM, ASSIST, COUNSEL, RECOMMEND, CONSENT TO, REFER, OR
9 PARTICIPATE IN A PLACEMENT WITH PARTNERS TO A CIVIL UNION BECAUSE
10 THAT VIOLATES THE AGENCY'S WRITTEN RELIGIOUS OR MORAL
11 CONVICTIONS OR POLICIES SHALL NOT FORM THE BASIS OF ANY CLAIM FOR
12 DAMAGES.

13 **14-15-119. Severability.** IF ANY PROVISION OF THIS ARTICLE OR
14 THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD
15 INVALID, SUCH INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR
16 APPLICATIONS OF THIS ARTICLE THAT CAN BE GIVEN EFFECT WITHOUT THE
17 INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF
18 THIS ARTICLE ARE DECLARED TO BE SEVERABLE.

19 **SECTION 3.** In Colorado Revised Statutes, **amend** 25-2-105 as
20 follows:

21 **25-2-105. Vital statistics, reports, and certificates - forms and**
22 **information to be included.** (1) The state registrar shall prescribe,
23 furnish, and distribute such forms as are required by this article and shall
24 furnish and distribute such rules ~~and regulations~~ as are promulgated
25 pursuant to section 25-2-103. The state registrar may also prescribe such
26 other means for transmission of data as will accomplish the purpose of
27 complete and accurate reporting and registration.

1 (2) THE STATE REGISTRAR SHALL PRESCRIBE, FURNISH, AND
2 DISTRIBUTE SUCH FORMS AS ARE REQUIRED BY THIS ARTICLE WITH
3 RESPECT TO CIVIL UNION CERTIFICATES, AS DEFINED IN SECTION 14-15-102
4 (2), C.R.S.

5 **SECTION 4.** In Colorado Revised Statutes, **add** 25-2-106.5 and
6 25-2-107.5 as follows:

7 **25-2-106.5. Reports of civil unions.** EACH COUNTY CLERK AND
8 RECORDER SHALL PREPARE A REPORT CONTAINING SUCH INFORMATION
9 AND USING THE FORM AS PRESCRIBED AND FURNISHED BY THE STATE
10 REGISTRAR WITH RESPECT TO EVERY DULY EXECUTED CIVIL UNION
11 CERTIFICATE REGISTERED IN ACCORDANCE WITH SECTION 14-15-112,
12 C.R.S. ON OR BEFORE THE TENTH DAY OF EACH MONTH, OR MORE
13 FREQUENTLY IF REQUESTED BY THE STATE REGISTRAR, A COUNTY CLERK
14 AND RECORDER SHALL FORWARD TO THE STATE REGISTRAR ALL CIVIL
15 UNION REPORTS FOR ALL CIVIL UNION CERTIFICATES REGISTERED IN THE
16 PRECEDING PERIOD. A COUNTY CLERK AND RECORDER MAY ISSUE
17 CERTIFIED COPIES OF CIVIL UNION CERTIFICATES.

18 **25-2-107.5. Reports of dissolution of civil unions, legal**
19 **separation of civil unions, or declarations of invalidity of civil unions**
20 **- fee.** (1) THE CLERK OF EACH COURT SHALL PREPARE A REPORT
21 CONTAINING SUCH INFORMATION AND USING SUCH FORM AS MAY BE
22 PRESCRIBED AND FURNISHED BY THE STATE REGISTRAR WITH RESPECT TO
23 EVERY DECREE ENTERED BY THE COURT FOR THE DISSOLUTION OF A CIVIL
24 UNION, LEGAL SEPARATION OF A CIVIL UNION, OR DECLARATION OF
25 INVALIDITY OF A CIVIL UNION, AND EVERY DECREE AMENDING OR
26 NULLIFYING SUCH A DECREE. ON OR BEFORE THE TENTH DAY OF EACH
27 MONTH, OR MORE FREQUENTLY IF SO REQUESTED BY THE STATE

1 REGISTRAR, THE CLERK SHALL FORWARD TO THE STATE REGISTRAR THE
2 REPORTS FOR ALL SUCH DECREES ENTERED DURING THE PRECEDING
3 PERIOD.

4 (2) IN ORDER TO DEFRAY THE COSTS OF MAINTENANCE OF VITAL
5 STATISTICS RECORDS, THE CLERK OF THE COURT SHALL ASSESS A FEE OF
6 THREE DOLLARS UPON EACH ACTION FILED FOR A DISSOLUTION OF A CIVIL
7 UNION, LEGAL SEPARATION OF A CIVIL UNION, OR DECLARATION OF
8 INVALIDITY OF A CIVIL UNION THAT IS FILED IN THE OFFICE OF EACH CLERK
9 OF A COURT OF RECORD IN THIS STATE ON OR AFTER THE EFFECTIVE DATE
10 OF THIS SECTION. THE CLERK SHALL KEEP ANY FEES SO COLLECTED IN A
11 SEPARATE FUND AND EACH MONTH THE CLERK SHALL TRANSMIT THOSE
12 FEES COLLECTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME
13 TO THE VITAL STATISTICS RECORDS CASH FUND CREATED IN SECTION
14 25-2-121.

15 **SECTION 5.** In Colorado Revised Statutes, 25-2-117, **amend** (2)
16 (d) and (2) (e); and **add** (2) (f) as follows:

17 **25-2-117. Certified copies furnished - fee.** (2) An applicant
18 shall pay fees established pursuant to section 25-2-121 for each of the
19 following services:

- 20 (d) The verification of marriage or divorce; ~~and~~
- 21 (e) The reproduction of various vital statistics, publications,
22 reports, and data services; AND
- 23 (f) THE VERIFICATION OF A CIVIL UNION OR DISSOLUTION OF A
24 CIVIL UNION.

25 **SECTION 6.** In Colorado Revised Statutes, 2-4-101, **add** (1.3),
26 (1.4), (3.7), and (7.5), as follows:

27 **2-4-401. Definitions.** The following definitions apply to every

1 statute, unless the context otherwise requires:

2 (1.3) "CIVIL UNION" MEANS A RELATIONSHIP ESTABLISHED BY TWO
3 ELIGIBLE PERSONS PURSUANT TO THE REQUIREMENTS OF ARTICLE 15 OF
4 TITLE 14, C.R.S., THAT ENTITLES THEM TO RECEIVE THE BENEFITS AND
5 PROTECTIONS AND BE SUBJECT TO THE RESPONSIBILITIES OF SPOUSES.

6 (1.4) "CIVIL UNION CERTIFICATE" MEANS A DOCUMENT THAT
7 CERTIFIES THAT THE PERSONS NAMED IN THE CERTIFICATE HAVE
8 ESTABLISHED A CIVIL UNION IN THIS STATE IN COMPLIANCE WITH THE
9 PROVISIONS OF ARTICLE 15 OF TITLE 14, C.R.S.

10 (3.7) "IMMEDIATE FAMILY MEMBER" MEANS A PERSON WHO IS
11 RELATED BY BLOOD, MARRIAGE, CIVIL UNION, OR ADOPTION.

12 (7.5) "PARTY TO A CIVIL UNION" OR "PARTNER IN A CIVIL UNION"
13 MEANS A PERSON WHO HAS ENTERED INTO A CIVIL UNION IN ACCORDANCE
14 WITH THE REQUIREMENTS OF ARTICLE 15 OF TITLE 14, C.R.S.

15 **SECTION 7.** In Colorado Revised Statutes, 10-16-102, **amend**
16 (14) as follows:

17 **10-16-102. Definitions.** As used in this article, unless the context
18 otherwise requires:

19 (14) "Dependent" means a spouse, A PARTNER IN A CIVIL UNION,
20 an unmarried child under nineteen years of age, an unmarried child who
21 is a full-time student under twenty-four years of age and who is
22 financially dependent upon the parent, and an unmarried child of any age
23 who is medically certified as disabled and dependent upon the parent.
24 "Dependent" shall include a designated beneficiary, as defined in section
25 15-22-103 (1), C.R.S., if an employer elects to cover a designated
26 beneficiary as a dependent.

27 **SECTION 8.** In Colorado Revised Statutes, 13-32-101, **add** (1)

1 (a.5) and (1) (b.5) as follows:

2 **13-32-101. Docket fees in civil actions - judicial stabilization**
3 **cash fund - support registry fund created.** (1) At the time of first
4 appearance in all civil actions and special proceedings in all courts of
5 record, except in the supreme court and the court of appeals, and except
6 in the probate proceedings in the district court or probate court of the city
7 and county of Denver, and except as provided in subsection (3) of this
8 section and in sections 13-32-103 and 13-32-104, there shall be paid in
9 advance the total docket fees, as follows:

10 (a.5) ON AND AFTER OCTOBER 1, 2012, BY THE PETITIONER IN A
11 PROCEEDING FOR DISSOLUTION OF A CIVIL UNION, LEGAL SEPARATION OF
12 A CIVIL UNION, OR DECLARATION OF INVALIDITY OF A CIVIL UNION AND BY
13 THE PETITIONER IN AN ACTION FOR A DECLARATORY JUDGMENT
14 CONCERNING THE STATUS OF A CIVIL UNION, A FEE OF TWO HUNDRED
15 THIRTY DOLLARS;

16 (b.5) ON AND AFTER OCTOBER 1, 2012, BY THE RESPONDENT IN A
17 PROCEEDING FOR DISSOLUTION OF A CIVIL UNION, LEGAL SEPARATION OF
18 A CIVIL UNION, OR DECLARATION OF INVALIDITY OF A CIVIL UNION AND BY
19 THE RESPONDENT TO AN ACTION FOR A DECLARATORY JUDGMENT
20 CONCERNING THE STATUS OF A CIVIL UNION, A FEE OF ONE HUNDRED
21 SIXTEEN DOLLARS;

22 **SECTION 9.** In Colorado Revised Statutes, 13-32-101, **amend**
23 (5) (a) introductory portion, (5) (a) (VII), and (5) (b) introductory portion
24 as follows:

25 **13-32-101. Docket fees in civil actions - judicial stabilization**
26 **cash fund - support registry fund created.** (5) (a) Each fee collected
27 pursuant to paragraph (a) OR (a.5) of subsection (1) of this section shall

1 be transmitted to the state treasurer and divided as follows:

2 (VII) PURSUANT TO SECTION 25-2-107 (2) OR 25-2-107.5, C.R.S.,
3 three dollars shall be deposited in the vital statistics records cash fund
4 created in section 25-2-121, C.R.S.;

5 (b) Each fee collected pursuant to paragraph (b) OR (b.5) of
6 subsection (1) of this section shall be transmitted to the state treasurer and
7 divided as follows:

8 **SECTION 10.** In Colorado Revised Statutes, 13-90-107, **amend**
9 (1) (I) (II) (D); and **add** (1) (a.5) and (1) (I) (III) (C) as follows:

10 **13-90-107. Who may not testify without consent.** (1) There are
11 particular relations in which it is the policy of the law to encourage
12 confidence and to preserve it inviolate; therefore, a person shall not be
13 examined as a witness in the following cases:

14 (a.5) (I) EXCEPT AS OTHERWISE PROVIDED IN SECTION 14-13-310
15 (5), C.R.S., A PARTNER IN A CIVIL UNION SHALL NOT BE EXAMINED FOR OR
16 AGAINST THE OTHER PARTNER IN THE CIVIL UNION WITHOUT THE OTHER
17 PARTNER'S CONSENT, NOR DURING THE CIVIL UNION OR AFTERWARD SHALL
18 EITHER BE EXAMINED WITHOUT THE CONSENT OF THE OTHER AS TO ANY
19 COMMUNICATIONS MADE BY ONE TO THE OTHER DURING THE CIVIL UNION;
20 EXCEPT THAT THIS EXCEPTION DOES NOT APPLY TO A CIVIL ACTION OR
21 PROCEEDING BY ONE AGAINST THE OTHER, A CRIMINAL ACTION OR
22 PROCEEDING FOR A CRIME COMMITTED BY ONE AGAINST THE OTHER, OR A
23 CRIMINAL ACTION OR PROCEEDING AGAINST ONE OR BOTH PARTNERS WHEN
24 THE ALLEGED OFFENSE OCCURRED PRIOR TO THE DATE OF THE PARTIES'
25 CERTIFICATION OF THE CIVIL UNION. HOWEVER, THIS EXCEPTION SHALL
26 NOT ATTACH IF THE OTHERWISE PRIVILEGED INFORMATION IS
27 COMMUNICATED AFTER THE CERTIFICATION OF THE CIVIL UNION.

1 (II) THE PRIVILEGE DESCRIBED IN THIS PARAGRAPH (a.5) DOES NOT
2 APPLY TO CLASS 1, 2, OR 3 FELONIES AS DESCRIBED IN SECTION 18-1.3-401
3 (1) (a) (IV) AND (1) (a) (V), C.R.S. IN THIS INSTANCE, DURING THE CIVIL
4 UNION OR AFTERWARD, A PARTNER IN A CIVIL UNION SHALL NOT BE
5 EXAMINED FOR OR AGAINST THE OTHER PARTNER IN THE CIVIL UNION AS
6 TO ANY COMMUNICATIONS INTENDED TO BE MADE IN CONFIDENCE AND
7 MADE BY ONE TO THE OTHER DURING THE CIVIL UNION WITHOUT THE
8 OTHER PARTNER'S CONSENT.

9 (III) COMMUNICATIONS BETWEEN PARTNERS IN A CIVIL UNION ARE
10 NOT PRIVILEGED PURSUANT TO THIS PARAGRAPH (a.5) IF SUCH
11 COMMUNICATIONS ARE MADE FOR THE PURPOSE OF AIDING THE
12 COMMISSION OF A FUTURE CRIME OR OF A PRESENT CONTINUING CRIME.

13 (IV) THE BURDEN OF PROVING THE EXISTENCE OF A CIVIL UNION
14 FOR THE PURPOSES OF THIS PARAGRAPH (a.5) SHALL BE ON THE PARTY
15 ASSERTING THE CLAIM.

16 (V) NOTICE OF THE ASSERTION OF THE PRIVILEGE DESCRIBED IN
17 THIS PARAGRAPH (a.5) SHALL BE GIVEN AS SOON AS PRACTICABLE BUT NOT
18 LESS THAN TEN DAYS PRIOR TO ASSERTION AT ANY HEARING.

19 (VI) FOR THE PURPOSES OF THIS PARAGRAPH (a.5), "PARTNER IN
20 A CIVIL UNION" MEANS A PERSON WHO HAS ENTERED INTO A CIVIL UNION
21 ESTABLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 15 OF
22 TITLE 14, C.R.S.

23 (1) (II) This exception does not apply to:

24 (D) Any criminal action or proceeding in which a minor's parent
25 is charged with a crime committed against the communicating minor
26 child, the parent's spouse, THE PARENT'S PARTNER IN A CIVIL UNION, or a
27 minor child of either the parent or the parent's spouse OR THE PARENT'S

1 PARTNER IN A CIVIL UNION;

2 (III) For purposes of this paragraph (I):

3 (C) "PARTNER IN A CIVIL UNION" MEANS A PERSON WHO HAS
4 ENTERED INTO A CIVIL UNION IN ACCORDANCE WITH THE REQUIREMENTS
5 OF ARTICLE 15 OF TITLE 14, C.R.S.

6 **SECTION 11.** In Colorado Revised Statutes, **add** 14-2-307.5 as
7 follows:

8 **14-2-307.5. Applicability of article and case law to agreements**
9 **relating to civil unions.** PROSPECTIVE PARTIES TO A CIVIL UNION AND
10 PRESENT PARTIES IN A CIVIL UNION MAY CONTRACT TO MAKE AN
11 AGREEMENT RELATING TO THE CIVIL UNION THAT INCLUDES ANY OF THE
12 RIGHTS AND OBLIGATIONS THAT MAY BE INCLUDED IN A MARITAL
13 AGREEMENT PURSUANT TO SECTION 14-2-304, BUT ONLY IF THE
14 AGREEMENT IS SIGNED BY BOTH PARTIES PRIOR TO THE FILING OF AN
15 ACTION FOR LEGAL SEPARATION OF THE CIVIL UNION, DISSOLUTION OF THE
16 CIVIL UNION, OR FOR DECLARATION OF INVALIDITY OF THE CIVIL UNION.
17 THE PROVISIONS OF THIS ARTICLE AND ANY CASE LAW CONSTRUING THIS
18 ARTICLE APPLY TO ANY AGREEMENT MADE BY PROSPECTIVE PARTNERS TO
19 A CIVIL UNION OR BETWEEN PRESENT PARTNERS TO A CIVIL UNION.

20 **SECTION 12.** In Colorado Revised Statutes, 14-4-107, **amend**
21 (2) (a) and (4.5) as follows:

22 **14-4-107. Family violence justice fund - creation - grants from**
23 **fund.** (2) Grants from the fund shall be used to fund qualifying
24 organizations to provide legal advice, representation, and advocacy for
25 and on behalf of indigent clients who are victims of family violence.
26 Moneys from the fund may be provided for services that include, but are
27 not limited to:

1 (a) The provision of direct legal representation to victims of
2 family violence in resolving their civil legal matters and removing
3 impediments to the elimination of family violence. Such representation
4 may include, but need not be limited to, representation in any protection
5 order proceeding, action for dissolution of marriage, legal separation, or
6 declaration of invalidity of marriage, ACTION FOR DISSOLUTION OF A CIVIL
7 UNION, LEGAL SEPARATION, OR DECLARATION OF INVALIDITY OF A CIVIL
8 UNION, paternity action, child custody action, proceeding to establish or
9 enforce child support, administrative hearings, or any other judicial
10 actions in which family violence is an issue or in which legal
11 representation is necessary to protect the interests of a victim of family
12 violence.

13 (4.5) Notwithstanding any other provision of this section, the state
14 court administrator shall apply the moneys generated from fees collected
15 pursuant to section 13-32-101 ~~(1)(a) and (1)(b)~~ (1) (a), (1) (a.5), (1) (b),
16 AND (1) (b.5), C.R.S., and transferred pursuant to section 13-32-101 (5)
17 (a) (X) and (5) (b) (II), C.R.S., to grants to qualifying organizations that
18 provide services described in subsection (2) of this section for or on
19 behalf of indigent persons or their families, ~~who~~ WHICH PERSONS are
20 married, separated, or divorced OR PARTIES TO A CIVIL UNION OR AN
21 INVALIDATED, LEGALLY SEPARATED, OR DISSOLVED CIVIL UNION.

22 **SECTION 13.** In Colorado Revised Statutes, 14-10-105, **add**
23 (2.5) as follows:

24 **14-10-105. Application of Colorado rules of civil procedure.**

25 (2.5) A PROCEEDING FOR DISSOLUTION OF A CIVIL UNION, LEGAL
26 SEPARATION, OR DECLARATION OF INVALIDITY OF A CIVIL UNION SHALL BE
27 ENTITLED "IN RE THE CIVIL UNION OF AND".

1 **SECTION 14.** In Colorado Revised Statutes, **add** 14-10-106.5 as
2 follows:

3 **14-10-106.5. Dissolution of civil unions - legal separation -**
4 **jurisdiction - applicability of article and case law.** (1) ANY PERSON
5 WHO ENTERS INTO A CIVIL UNION IN COLORADO PURSUANT TO ARTICLE 15
6 OF THIS TITLE CONSENTS TO THE JURISDICTION OF THE COURTS OF
7 COLORADO FOR THE PURPOSE OF ANY ACTION RELATING TO A CIVIL UNION
8 EVEN IF ONE OR BOTH PARTIES CEASE TO RESIDE IN THIS STATE. IN A
9 MATTER SEEKING A DISSOLUTION, LEGAL SEPARATION, OR DECLARATION
10 OF INVALIDITY OF A CIVIL UNION, THE COURT SHALL FOLLOW THE
11 PROCEDURES THAT ARE SET FORTH IN THIS ARTICLE FOR DISSOLUTION,
12 LEGAL SEPARATION, OR DECLARATION OF INVALIDITY. THE PROVISIONS OF
13 THIS ARTICLE AND ANY CASE LAW CONSTRUING THIS ARTICLE APPLY TO
14 THE DISSOLUTION, LEGAL SEPARATION, OR DECLARATION OF INVALIDITY
15 OF A CIVIL UNION.

16 (2) THE COURT SHALL FOLLOW THE LAWS OF COLORADO IN A
17 MATTER FILED IN COLORADO THAT IS SEEKING A DISSOLUTION, LEGAL
18 SEPARATION, OR INVALIDITY OF A CIVIL UNION THAT WAS ENTERED INTO
19 IN ANOTHER JURISDICTION.

20 **SECTION 15.** In Colorado Revised Statutes, **amend** 14-10-120.5
21 as follows:

22 **14-10-120.5. Petition - fee - assessment - displaced**
23 **homemakers fund.** (1) There shall be assessed against a nonindigent
24 petitioner a fee of five dollars for each filing of a petition for dissolution
25 of marriage, declaration of invalidity of marriage, legal separation, or
26 declaratory judgment concerning the status of marriage. All such fees
27 collected shall be transmitted to the state treasurer for deposit in the

1 displaced homemakers fund created pursuant to section 8-15.5-108,
2 C.R.S.

3 (1.5) THERE SHALL BE ASSESSED AGAINST A NONINDIGENT
4 PETITIONER A FEE OF FIVE DOLLARS FOR EACH FILING OF A PETITION FOR
5 DISSOLUTION OF A CIVIL UNION, DECLARATION OF INVALIDITY OF A CIVIL
6 UNION, LEGAL SEPARATION, OR DECLARATORY JUDGMENT CONCERNING
7 THE STATUS OF A CIVIL UNION. ALL SUCH FEES COLLECTED SHALL BE
8 TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE DISPLACED
9 HOMEMAKERS FUND CREATED PURSUANT TO SECTION 8-15.5-108, C.R.S.

10 (2) Notwithstanding the amount specified for the fee in subsection
11 (1) OR (1.5) of this section, the chief justice of the supreme court by rule
12 or as otherwise provided by law may reduce the amount of the fee if
13 necessary pursuant to section 24-75-402 (3), C.R.S., to reduce the
14 uncommitted reserves of the fund to which all or any portion of the fee is
15 credited. After the uncommitted reserves of the fund are sufficiently
16 reduced, the chief justice by rule or as otherwise provided by law may
17 increase the amount of the fee as provided in section 24-75-402 (4),
18 C.R.S.

19 **SECTION 16.** In Colorado Revised Statutes, 14-13-310, **add** (5)
20 as follows:

21 **14-13-310. Hearing and order.** (5) A PRIVILEGE AGAINST
22 DISCLOSURE OF COMMUNICATIONS BETWEEN PARTNERS IN A CIVIL UNION
23 AND A DEFENSE OF IMMUNITY BASED ON THE RELATIONSHIP OF PARTNERS
24 IN A CIVIL UNION OR PARENT AND CHILD MAY NOT BE INVOKED IN A
25 PROCEEDING UNDER THIS PART 3.

26 **SECTION 17.** In Colorado Revised Statutes, 15-12-203, **amend**
27 (1) as follows:

1 **15-12-203. Priority among persons seeking appointment as**
2 **personal representative.** (1) Whether the proceedings are formal or
3 informal, persons who are not disqualified have priority for appointment
4 in the following order:

5 (a) The person with priority as determined by a probated will
6 including a person nominated by a power conferred in a will;

7 (b) The surviving spouse of the decedent who is a devisee of the
8 decedent;

9 (b.3) THE SURVIVING PARTY TO A CIVIL UNION ENTERED INTO IN
10 ACCORDANCE WITH ARTICLE 15 OF TITLE 14, C.R.S., WHO IS A DEVISEE OF
11 THE DECEDENT;

12 (b.5) A person given priority to be a personal representative in a
13 designated beneficiary agreement made pursuant to article 22 of this title;

14 (c) Other devisees of the decedent;

15 (d) The surviving spouse of the decedent;

16 (d.5) THE SURVIVING PARTY TO A CIVIL UNION ENTERED INTO IN
17 ACCORDANCE WITH ARTICLE 15 OF TITLE 14, C.R.S.;

18 (e) Other heirs of the decedent;

19 (f) Forty-five days after the death of the decedent, any creditor.

20 **SECTION 18.** In Colorado Revised Statutes, 15-14-304, **amend**

21 (2) (b) (I) (A) and (2) (b) (II) as follows:

22 **15-14-304. Judicial appointment of guardian - petition.**

23 (2) The petition must set forth the petitioner's name, residence, current
24 address if different, relationship to the respondent, and interest in the
25 appointment and, to the extent known, state or contain the following with
26 respect to the respondent and the relief requested:

27 (b) (I) The name and address of the respondent's:

1 (A) Spouse, PARTNER IN A CIVIL UNION, or if the respondent has
2 none, an adult with whom the respondent has resided for more than six
3 months within one year before the filing of the petition; and

4 (II) If the respondent has neither spouse, PARTNER IN A CIVIL
5 UNION, adult child, nor parent, at least one of the adults nearest in kinship
6 to the respondent who can be found with reasonable efforts;

7 **SECTION 19.** In Colorado Revised Statutes, 15-14-310, **amend**
8 (1) as follows:

9 **15-14-310. Who may be guardian - priorities - prohibition of**
10 **dual roles.** (1) Subject to subsection (4) of this section, the court in
11 appointing a guardian shall consider persons otherwise qualified in the
12 following order of priority:

13 (a) A guardian, other than a temporary or emergency guardian,
14 currently acting for the respondent in this state or elsewhere;

15 (b) A person nominated as guardian by the respondent, including
16 the respondent's specific nomination of a guardian made in a durable
17 power of attorney or given priority to be a guardian in a designated
18 beneficiary agreement made pursuant to article 22 of this title;

19 (c) An agent appointed by the respondent under a medical durable
20 power of attorney pursuant to section 15-14-506;

21 (d) An agent appointed by the respondent under a general durable
22 power of attorney;

23 (e) The spouse of the respondent or a person nominated by will or
24 other signed writing of a deceased spouse;

25 (e.5) THE PARTNER IN A CIVIL UNION OF THE RESPONDENT OR A
26 PERSON NOMINATED BY WILL OR OTHER SIGNED WRITING OF A DECEASED
27 PARTNER IN A CIVIL UNION;

- 1 (f) An adult child of the respondent;
- 2 (g) A parent of the respondent or an individual nominated by will
- 3 or other signed writing of a deceased parent; and
- 4 (h) An adult with whom the respondent has resided for more than
- 5 six months immediately before the filing of the petition.

6 **SECTION 20.** In Colorado Revised Statutes, 15-14-413, **amend**
7 (1) and (3) as follows:

8 **15-14-413. Who may be conservator - priorities - prohibition**
9 **of dual roles.** (1) Except as otherwise provided in subsection (4) of this
10 section, the court, in appointing a conservator, shall consider persons
11 otherwise qualified in the following order of priority:

- 12 (a) A conservator, guardian of the estate, or other like fiduciary
- 13 appointed or recognized by an appropriate court of any other jurisdiction
- 14 in which the protected person resides;
- 15 (b) A person nominated as conservator by the respondent,
- 16 including the respondent's specific nomination of a conservator made in
- 17 a durable power of attorney or given priority to be a conservator in a
- 18 designated beneficiary agreement made pursuant to article 22 of this title,
- 19 if the respondent has attained twelve years of age;
- 20 (c) An agent appointed by the respondent to manage the
- 21 respondent's property under a durable power of attorney;
- 22 (d) The spouse of the respondent;
- 23 (d.5) THE PARTNER IN A CIVIL UNION OF THE RESPONDENT;
- 24 (e) An adult child of the respondent;
- 25 (f) A parent of the respondent; and
- 26 (g) An adult with whom the respondent has resided for more than
- 27 six months immediately before the filing of the petition.

1 (3) A person having priority under paragraph ~~(a), (d), (e), or (f)~~
2 (a), (d), (d.5), (e), OR (f) of subsection (1) of this section may designate
3 in writing a substitute to serve instead and thereby transfer the priority to
4 the substitute.

5 **SECTION 21.** In Colorado Revised Statutes, 15-22-103, **amend**
6 (3) (j) and (3) (k); and **add** (3) (l) as follows:

7 **15-22-103. Definitions.** As used in this article, unless the context
8 otherwise requires:

9 (3) "Superseding legal document" means a legal document,
10 regardless of the date of execution, that is valid and enforceable and
11 conflicts with all or a portion of a designated beneficiary agreement and,
12 therefore, causes the designated beneficiary agreement in whole or in part
13 to be replaced or set aside. To the extent there is a conflict between a
14 superseding legal document and a designated beneficiary agreement, the
15 superseding legal document controls. A superseding legal document may
16 include, but need not be limited to, any of the following:

17 (j) A declaration as to disposition of last remains executed
18 pursuant to article 19 of this title; ~~or~~

19 (k) A marriage license; OR

20 (l) A CIVIL UNION CERTIFICATE.

21 **SECTION 22.** In Colorado Revised Statutes, 15-22-104, **amend**
22 (1) (a) as follows:

23 **15-22-104. Requirements for a valid designated beneficiary**
24 **agreement.** (1) A designated beneficiary agreement shall be legally
25 recognized if:

26 (a) The parties to the designated beneficiary agreement satisfy all
27 of the following criteria:

- 1 (I) Both are at least eighteen years of age;
- 2 (II) Both are competent to enter into a contract;
- 3 (III) Neither party is married to another person;
- 4 (III.5) NEITHER PARTY IS A PARTY TO A CIVIL UNION;
- 5 (IV) Neither party is a party to another designated beneficiary
- 6 agreement; and
- 7 (V) Both parties enter into the designated beneficiary agreement
- 8 without force, fraud, or duress; and

9 **SECTION 23.** In Colorado Revised Statutes, 19-5-202, **add** (4)
10 and (5) as follows:

11 **19-5-202. Who may adopt.** (4) A PERSON HAVING A LIVING
12 PARTNER IN A CIVIL UNION FROM WHOM THE PERSON IS NOT LEGALLY
13 SEPARATED SHALL PETITION JOINTLY WITH THE PARTNER, UNLESS THE
14 PARTNER IS THE NATURAL PARENT OF THE CHILD TO BE ADOPTED OR HAS
15 PREVIOUSLY ADOPTED THE CHILD.

16 (5) A PERSON WHO IS A PARTNER IN A CIVIL UNION MAY ADOPT A
17 CHILD OF THE OTHER PARTNER THROUGH THE SAME PROCESS OUTLINED IN
18 SECTION 19-5-203 FOR A STEPPARENT ADOPTION AND SHALL BE
19 CONSIDERED A STEPPARENT FOR THE PURPOSE OF DETERMINING WHETHER
20 A CHILD IS AVAILABLE FOR ADOPTION PURSUANT TO SECTION 19-5-203 (1).

21 **SECTION 24.** In Colorado Revised Statutes, 24-50-603, **add** (5)
22 (c.5) as follows:

23 **24-50-603. Definitions.** As used in this part 6, unless the context
24 otherwise requires:

- 25 (5) "Dependent" means:
- 26 (c.5) AN EMPLOYEE'S PARTNER IN A CIVIL UNION WHO HAS
- 27 SUBMITTED DOCUMENTATION DEMONSTRATING THE CREATION OF A CIVIL

1 UNION WITH AN EMPLOYEE;

2 **SECTION 25.** In Colorado Revised Statutes, 24-72-204, **amend**

3 (3) (a) (XIX) (A) and (3) (a) (XIX) (B) as follows:

4 **24-72-204. Allowance or denial of inspection - grounds -**
5 **procedure - appeal - definitions.** (3) (a) The custodian shall deny the
6 right of inspection of the following records, unless otherwise provided by
7 law; except that any of the following records, other than letters of
8 reference concerning employment, licensing, or issuance of permits, shall
9 be available to the person in interest under this subsection (3):

10 (XIX) (A) Except as provided in sub-subparagraphs (B) and (C)
11 of this subparagraph (XIX), applications for a marriage license submitted
12 pursuant to section 14-2-106, C.R.S., AND EXCEPT AS PROVIDED IN
13 SUB-SUBPARAGRAPH (C) OF THIS SUBPARAGRAPH (XIX), APPLICATIONS
14 FOR A CIVIL UNION LICENSE SUBMITTED PURSUANT TO SECTION 14-15-110,
15 C.R.S. A person in interest under this subparagraph (XIX) includes an
16 immediate family member of either party to the marriage application OR
17 TO THE CIVIL UNION APPLICATION. As used in this subparagraph (XIX),
18 "immediate family member" means a person who is related by blood,
19 marriage, CIVIL UNION, or adoption. Nothing in this subparagraph (XIX)
20 shall be construed to prohibit the inspection of marriage licenses or
21 marriage certificates OR OF CIVIL UNION LICENSES OR CIVIL UNION
22 CERTIFICATES or to otherwise change the status of those licenses or
23 certificates as public records.

24 (B) Any record of an application for a marriage license submitted
25 pursuant to section 14-2-106, C.R.S., AND ANY RECORD OF AN
26 APPLICATION FOR A CIVIL UNION LICENSE SUBMITTED PURSUANT TO
27 SECTION 14-15-110, C.R.S., shall be made available for public inspection

1 fifty years after the date that record was created.

2 **SECTION 26.** In Colorado Revised Statutes, 26-7.5-105, **amend**

3 (1) (b) as follows:

4 **26-7.5-105. Funding of domestic abuse programs.**

5 (1) (b) Moneys generated from fees collected pursuant to section
6 14-2-106 (1) (a), AND 14-15-110, C.R.S., or transferred pursuant to
7 section 13-21-101 (5) (a) (X) or (5) (b) (II), C.R.S., shall be used to
8 reimburse domestic abuse programs that provide services as provided in
9 section 26-7.5-103 to PERSONS OR THEIR FAMILIES, WHICH PERSONS ARE
10 married, separated, or divorced ~~persons or their families~~ OR PARTIES TO
11 A CIVIL UNION OR AN INVALIDATED, LEGALLY SEPARATED, OR DISSOLVED
12 CIVIL UNION.

13 **SECTION 27. Appropriation.** (1) In addition to any other
14 appropriation, there is hereby appropriated, out of any moneys in the vital
15 statistics records cash fund created in section 25-2-121 (2) (b) (I),
16 Colorado Revised Statutes, not otherwise appropriated, to the department
17 of public health and environment, for the fiscal year beginning July 1,
18 2012, the sum of \$10,978 cash funds and 0.2 FTE, or so much thereof as
19 may be necessary, to be allocated to the health statistics and vital records
20 subdivision, for implementation of this act as follows:

21 (a) \$7,760 and 0.2 FTE for personal services expenses; and

22 (b) \$3,218 for operating expenses.

23 (2) In addition to any other appropriation, there is hereby
24 appropriated to the governor - lieutenant governor - state planning and
25 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$7,082,
26 or so much thereof as may be necessary, for allocation to the Colorado
27 benefits management system, for operating and contract expenses for the

1 department of human services related to the implementation of this act.
2 Said sum is from reappropriated funds received from the department of
3 human services out of the appropriation made in subsection (2) of section
4 28.

5 **SECTION 28. Appropriation - adjustments in 2012 long bill.**

6 (1) For the implementation of this act, appropriations made in the annual
7 general appropriation act to the department of health care policy and
8 financing, for allocation to department of human services
9 medicaid-funded programs for the fiscal year beginning July 1, 2012, are
10 adjusted as follows:

11 (a) The general fund appropriation for Colorado benefits
12 management system is increased by \$1,302.

13 (b) The cash funds appropriation for Colorado benefits
14 management system is increased by \$10. Of said sum, \$6 is from the old
15 age pension fund created in section 1 of article XXIV of the state
16 constitution, and \$4 is from the children's basic health plan trust created
17 in section 25.5-8-105 (1), Colorado Revised Statutes.

18 (c) The federal funds appropriation for Colorado benefits
19 management system is increased by \$1,311.

20 (2) For the implementation of this act, appropriations made in the
21 annual general appropriation act to the department of human services for
22 the fiscal year beginning July 1, 2012, are adjusted as follows:

23 (a) The general fund appropriation for Colorado benefits
24 management system, operating expenses, is increased by \$1,738.

25 (b) The cash funds appropriation for Colorado benefits
26 management system, operating expenses, is increased by \$329. Said sum
27 shall be from the old age pension fund created in section 1 of article

1 XXIV of the state constitution.

2 (c) The reappropriated funds appropriation for Colorado benefits
3 management system, operating expenses, is increased by \$2,623. Said
4 sum is from reappropriated funds received from the department of health
5 care policy and financing out of the appropriations made in subsection (1)
6 of this section.

7 (d) The federal funds appropriation for Colorado benefits
8 management system, operating expenses, is increased by \$2,392.

9 **SECTION 29. Effective date - applicability.** (1) This act takes
10 effect October 1, 2012; except that section 7 of this act takes effect
11 January 1, 2013.

12 (2) This act applies to civil unions entered into on or after October
13 1, 2012.

14 **SECTION 30. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety.