

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0088.01 Debbie Haskins x2045

**SENATE BILL 13-011**

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**Senate Committees**

Judiciary  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING AUTHORIZATION OF CIVIL UNIONS.**

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**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 certificate with the county clerk and recorder. A priest, minister, rabbi, or other official of a religious institution or denomination or an Indian nation

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.*

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 rights, benefits, protections, duties, obligations, responsibilities, and other incidents under law that are granted or imposed 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 to 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 probate laws relating to estates, wills, trusts, and intestate succession, including the ability to inherit real and personal property from a party in a civil union under the probate code;
- ! The probate laws relating to guardianship and conservators, including priority for appointment as a conservator, guardian, or personal representative;
- ! Survivor benefits under and inclusion in workers' compensation laws;
- ! The right of a partner in a civil union to be treated as a family member or as a spouse under the "Colorado Employment Security Act" for purposes of unemployment benefits;
- ! 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 to 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 administering, withholding, or withdrawing 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 for plans issued, delivered, or renewed on or after January 1, 2014;
- ! Dependent coverage under health insurance policies for plans issued, delivered, or renewed on or after January 1, 2014; and
- ! Other insurance policies that provide coverage relating to joint ownership of property for plans issued, delivered, or renewed on or after January 1, 2014.

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.

Parties to a civil union may create agreements modifying the terms and conditions of a civil union in the manner specified in the law for creating marital agreements. The Act states that this Act does not invalidate or affect an otherwise valid domestic partnership agreement or civil contract between 2 individuals who are not married to each other if the agreement or contract was made prior to the effective date of this Act or, if made after the effective date of this Act, the agreement or contract is not made in contemplation of entering into 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.

The Act includes a reciprocity and principle of comity section that states that a relationship between 2 persons that does not comply with section 31 of article II of the state constitution and 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 or domestic partnership or a substantially similar legal relationship between 2 persons that is legally created in another jurisdiction is deemed to be a civil union for purposes of Colorado law.

The Act includes a severability clause.

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 record of an application for a civil union license is available for public inspection 50 years after the date that the record was created.

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



1 THE GENERAL ASSEMBLY, IN THE EXERCISE OF ITS PLENARY POWER, HAS  
2 THE AUTHORITY TO DEFINE OTHER ARRANGEMENTS, SUCH AS A CIVIL  
3 UNION BETWEEN TWO UNMARRIED PERSONS REGARDLESS OF THEIR  
4 GENDER, AND TO SET FORTH IN STATUTE ANY STATE-LEVEL BENEFITS,  
5 RIGHTS, AND PROTECTIONS TO WHICH A COUPLE IS ENTITLED BY VIRTUE OF  
6 ENTERING INTO A CIVIL UNION. THE GENERAL ASSEMBLY FINDS THAT THE  
7 "COLORADO CIVIL UNION ACT" DOES NOT ALTER THE PUBLIC POLICY OF  
8 THIS STATE, WHICH RECOGNIZES ONLY THE UNION OF ONE MAN AND ONE  
9 WOMAN AS A MARRIAGE. THE GENERAL ASSEMBLY ALSO DECLARES THAT  
10 A THIRD PURPOSE IN ENACTING THE "COLORADO CIVIL UNION ACT" IS TO  
11 STATE THAT COLORADO COURTS MAY OFFER SAME-SEX COUPLES THE  
12 EQUAL PROTECTION OF THE LAW AND TO GIVE FULL FAITH AND CREDIT TO  
13 RECOGNIZE RELATIONSHIPS LEGALLY CREATED IN OTHER JURISDICTIONS  
14 THAT ARE SIMILAR TO CIVIL UNIONS CREATED BY THIS ARTICLE AND THAT  
15 ARE NOT OTHERWISE RECOGNIZED PURSUANT TO COLORADO LAW.

16 **14-15-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
17 CONTEXT OTHERWISE REQUIRES:

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

22 (2) "CIVIL UNION CERTIFICATE" MEANS A DOCUMENT THAT  
23 CERTIFIES THAT THE PERSONS NAMED IN THE CERTIFICATE HAVE  
24 ESTABLISHED A CIVIL UNION IN THIS STATE IN COMPLIANCE WITH THIS  
25 ARTICLE.

26 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH  
27 AND ENVIRONMENT.

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

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

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

9 (7) "STATE REGISTRAR" MEANS THE STATE REGISTRAR OF VITAL  
10 STATISTICS IN THE DEPARTMENT.

11 **14-15-104. Requisites of a valid civil union.** (1) TO ESTABLISH  
12 A CIVIL UNION IN COLORADO, THE TWO PARTIES TO THE CIVIL UNION SHALL  
13 SATISFY ALL OF THE FOLLOWING CRITERIA:

14 (a) BOTH PARTIES ARE ADULTS, REGARDLESS OF THE GENDER OF  
15 EITHER PARTY;

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

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

18 **14-15-105. Individual shall not enter into a civil union with a**  
19 **relative.** (1) AN INDIVIDUAL SHALL NOT ENTER INTO A CIVIL UNION WITH  
20 AN ANCESTOR OR A DESCENDANT OR WITH A BROTHER OR A SISTER,  
21 WHETHER THE RELATIONSHIP IS BY THE HALF OR THE WHOLE BLOOD.

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

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

27 **14-15-106. Restrictions as to minors and wards.** (1) A COUNTY

1 CLERK AND RECORDER SHALL NOT ISSUE A CIVIL UNION LICENSE IF EITHER  
2 PARTY TO THE INTENDED CIVIL UNION IS:

3 (a) UNDER EIGHTEEN YEARS OF AGE; OR

4 (b) EIGHTEEN YEARS OF AGE OR OLDER AND UNDER  
5 GUARDIANSHIP, UNLESS THE PARTY UNDER GUARDIANSHIP HAS THE  
6 WRITTEN CONSENT OF HIS OR HER GUARDIAN.

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

9 **14-15-107. Rights, benefits, protections, duties, obligations,**  
10 **responsibilities, and other incidents of parties to a civil union.** (1) A  
11 PARTY TO A CIVIL UNION HAS THE RIGHTS, BENEFITS, PROTECTIONS,  
12 DUTIES, OBLIGATIONS, RESPONSIBILITIES, AND OTHER INCIDENTS UNDER  
13 LAW AS ARE GRANTED TO OR IMPOSED UPON SPOUSES, WHETHER THOSE  
14 RIGHTS, BENEFITS, PROTECTIONS, DUTIES, OBLIGATIONS, RESPONSIBILITIES,  
15 AND OTHER INCIDENTS DERIVE FROM STATUTE, ADMINISTRATIVE OR  
16 COURT RULE, POLICY, COMMON LAW, OR ANY OTHER SOURCE OF LAW.

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

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

25 (4) THE LAW OF DOMESTIC RELATIONS, INCLUDING BUT NOT  
26 LIMITED TO DECLARATION OF INVALIDITY, LEGAL SEPARATION,  
27 DISSOLUTION, CHILD CUSTODY, ALLOCATION OF PARENTAL



1 RESPONSIBILITIES, PARENTING TIME, CHILD SUPPORT, PROPERTY DIVISION,  
2 MAINTENANCE, AND AWARD OF ATTORNEY FEES, APPLIES TO CIVIL UNIONS.

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

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

10 (b) CAUSES OF ACTION RELATED TO OR DEPENDENT UPON SPOUSAL  
11 STATUS, INCLUDING AN ACTION BASED ON WRONGFUL DEATH, EMOTIONAL  
12 DISTRESS, LOSS OF CONSORTIUM, DRAMSHOP LAWS, OR OTHER TORTS OR  
13 ACTIONS UNDER CONTRACTS RECITING, RELATED TO, OR DEPENDENT UPON  
14 SPOUSAL STATUS;

15 (c) PROHIBITIONS AGAINST DISCRIMINATION BASED UPON SPOUSAL  
16 STATUS, INCLUDING BUT NOT LIMITED TO THE PROVISIONS OF PARTS 3 TO  
17 7 OF ARTICLE 34 OF TITLE 24, C.R.S.;

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

23 (e) WORKERS' COMPENSATION BENEFITS;

24 (f) THE RIGHT OF A PARTNER IN A CIVIL UNION TO BE TREATED AS  
25 A FAMILY MEMBER OR AS A SPOUSE UNDER THE "COLORADO EMPLOYMENT  
26 SECURITY ACT" FOR PURPOSES OF UNEMPLOYMENT BENEFITS;

27 (g) ADOPTION LAW AND PROCEDURE;

1 (h) GROUP BENEFIT PLANS FOR STATE EMPLOYEES PURSUANT TO  
2 PART 6 OF ARTICLE 50 OF TITLE 24, C.R.S.;

3 (i) THE RIGHT TO DESIGNATE A PARTY TO A CIVIL UNION AS A  
4 BENEFICIARY UNDER THE STATE PUBLIC EMPLOYEES' RETIREMENT SYSTEM;

5 (j) SURVIVOR BENEFITS UNDER LOCAL GOVERNMENT FIREFIGHTER  
6 AND POLICE PENSIONS;

7 (k) DOMESTIC ABUSE PROGRAMS PURSUANT TO ARTICLE 7.5 OF  
8 TITLE 26, C.R.S., EMERGENCY PROTECTION ORDERS PURSUANT TO SECTION  
9 13-14-103, C.R.S., AND THE RIGHT TO RECEIVE THE PROTECTIONS AND  
10 PROGRAMS SPECIFIED IN PART 8 OF ARTICLE 6 OF TITLE 18, C.R.S.;

11 (l) RIGHTS TO APPLY FOR COMPENSATION AS A RELATIVE OF A  
12 VICTIM UNDER THE "COLORADO CRIME VICTIM COMPENSATION ACT",  
13 PURSUANT TO PART 1 OF ARTICLE 4.1 OF TITLE 24, C.R.S., RIGHTS TO  
14 RECEIVE RESTITUTION UNDER PART 2 OF ARTICLE 4.1 OF TITLE 24, C.R.S.,  
15 AND THE RIGHT TO BE INFORMED OF CRITICAL STAGES OF THE CRIMINAL  
16 JUSTICE PROCESS AND TO BE ACCORDED THE RIGHTS AND PROTECTIONS OF  
17 VICTIMS OF AND WITNESSES TO CRIMES UNDER PARTS 2 AND 3 OF ARTICLE  
18 4.1 OF TITLE 24, C.R.S.;

19 (m) LAWS, POLICIES, OR PROCEDURES RELATING TO EMERGENCY  
20 AND NONEMERGENCY MEDICAL CARE AND TREATMENT AND HOSPITAL  
21 VISITATION AND NOTIFICATION, INCLUDING THE RIGHTS OF NURSING HOME  
22 PATIENTS DESCRIBED IN SECTION 25-1-120, C.R.S.;

23 (n) LAWS OR RULES REGARDING THE RIGHT TO VISIT A PARTNER  
24 WHO IS IN A CORRECTIONAL FACILITY, AS DEFINED IN SECTION 17-1-102  
25 (1.7), C.R.S., A LOCAL JAIL, AS DEFINED IN SECTION 17-1-102 (7), C.R.S.,  
26 OR A PRIVATE CONTRACT PRISON, AS DEFINED IN SECTION 17-1-102 (7.3),  
27 C.R.S., OR WHO IS RECEIVING TREATMENT IN A PUBLIC HOSPITAL OR A

1 LICENSED PRIVATE HOSPITAL, CLINIC, COMMUNITY MENTAL HEALTH  
2 CENTER OR CLINIC, OR ACUTE TREATMENT UNIT OR INSTITUTION THAT  
3 PROVIDES TREATMENT FOR A PERSON WITH A MENTAL ILLNESS;

4 (o) LAWS RELATING TO:

5 (I) DECLARATIONS CONCERNING THE ADMINISTRATION,  
6 WITHHOLDING, OR WITHDRAWING OF MEDICAL TREATMENT, WHICH  
7 DECLARATIONS ARE MADE PURSUANT TO THE PROVISIONS OF THE  
8 "COLORADO MEDICAL TREATMENT DECISION ACT", ARTICLE 18 OF TITLE  
9 15, C.R.S.;

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

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

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

17 (p) RIGHTS CONCERNING DIRECTION OF THE DISPOSITION OF THE  
18 LAST REMAINS OF A DECEASED PARTY TO A CIVIL UNION PURSUANT TO  
19 ARTICLE 19 OF TITLE 15, C.R.S.;

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

23 (r) FAMILY LEAVE BENEFITS;

24 (s) PUBLIC ASSISTANCE BENEFITS PURSUANT TO STATE LAW;

25 (t) LAWS RELATING TO IMMUNITY FROM COMPELLED TESTIMONY  
26 AND EVIDENTIARY PRIVILEGES PURSUANT TO SECTION 13-90-107, C.R.S.;

27 (u) THE RIGHT TO APPLY FOR EMERGENCY OR INVOLUNTARY

1 COMMITMENT OF A PARTY TO A CIVIL UNION;

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

4 (w) THE ABILITY TO PROTECT EXEMPT PROPERTY FROM  
5 ATTACHMENT, EXECUTION, OR GARNISHMENT;

6 (x) (I) INSURANCE POLICIES FOR LIFE INSURANCE, INCLUDING THE  
7 ABILITY TO COVER A PARTY TO A CIVIL UNION AS A DEPENDENT;

8 (II) THIS PARAGRAPH (x) IS EFFECTIVE FOR PLANS ISSUED,  
9 DELIVERED, OR RENEWED ON OR AFTER JANUARY 1, 2014.

10 (y) (I) INSURANCE COVERAGE PROVIDED BY A HEALTH COVERAGE  
11 PLAN, INCLUDING THE ABILITY TO COVER A PARTY TO A CIVIL UNION AS A  
12 DEPENDENT.

13 (II) THIS PARAGRAPH (y) IS EFFECTIVE FOR PLANS ISSUED,  
14 DELIVERED, OR RENEWED ON OR AFTER JANUARY 1, 2014.

15 (z) (I) OTHER INSURANCE POLICIES THAT PROVIDE COVERAGE  
16 RELATING TO JOINT OWNERSHIP OF PROPERTY.

17 (II) THIS PARAGRAPH (z) IS EFFECTIVE FOR PLANS ISSUED,  
18 DELIVERED, OR RENEWED ON OR AFTER JANUARY 1, 2014.

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

1           **14-15-108. Modification of civil union terms through an**  
2 **agreement.** (1) PARTIES TO A CIVIL UNION MAY CREATE AGREEMENTS  
3 MODIFYING THE TERMS, CONDITIONS, OR EFFECTS OF A CIVIL UNION IN THE  
4 MANNER SPECIFIED IN PART 3 OF ARTICLE 2 OF THIS TITLE.

5           (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF  
6 THIS SECTION, THE PROVISIONS OF THIS ARTICLE AND THE PROVISIONS OF  
7 PART 3 OF ARTICLE 2 OF THIS TITLE DO NOT INVALIDATE OR AFFECT AN  
8 OTHERWISE VALID DOMESTIC PARTNERSHIP AGREEMENT OR CIVIL  
9 CONTRACT BETWEEN TWO INDIVIDUALS WHO ARE NOT MARRIED TO EACH  
10 OTHER IN WHICH THE INDIVIDUALS SET FORTH AN AGREEMENT ABOUT THE  
11 RIGHTS AND RESPONSIBILITIES REGARDING MATTERS SIMILAR TO THOSE  
12 THAT MAY BE ADDRESSED BY A CONTRACT UNDER PART 3 OF ARTICLE 2 OF  
13 THIS TITLE IF THE AGREEMENT OR CONTRACT WAS MADE PRIOR TO THE  
14 EFFECTIVE DATE OF THIS ARTICLE OR, IF MADE ON OR AFTER THE  
15 EFFECTIVE DATE OF THIS ARTICLE, THE AGREEMENT OR CONTRACT IS NOT  
16 MADE IN CONTEMPLATION OF ENTERING INTO A CIVIL UNION UNDER THIS  
17 ARTICLE.

18           **14-15-109. Civil union license and certificate.** (1) THE  
19 EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL PRESCRIBE THE FORM  
20 FOR AN APPLICATION FOR A CIVIL UNION LICENSE, CONSISTING OF, AT A  
21 MINIMUM, THE FOLLOWING INFORMATION:

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

26           (b) IF EITHER PARTY HAS PREVIOUSLY BEEN MARRIED OR HAS  
27 PREVIOUSLY BEEN A PARTY TO A CIVIL UNION, THE NAME OF THE SPOUSE

1 OR THE NAME OF THE OTHER PARTY AND THE DATE, PLACE, AND COURT IN  
2 WHICH THE MARRIAGE OR CIVIL UNION WAS DISSOLVED OR DECLARED  
3 INVALID OR THE DATE AND PLACE OF DEATH OF THE DECEASED SPOUSE OR  
4 THE DECEASED PARTY TO A CIVIL UNION;

5 (c) NAME AND ADDRESS OF THE PARENTS OR GUARDIAN OF EACH  
6 PARTY; AND

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

9 (2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL  
10 PRESCRIBE THE FORMS FOR THE CIVIL UNION LICENSE AND THE CIVIL UNION  
11 CERTIFICATE. THE DEPARTMENT SHALL PROVIDE THE FORMS TO THE  
12 COUNTY CLERKS AND RECORDERS IN THE STATE.

13 **14-15-110. Issuance of a civil union license - certification - fee.**

14 (1) WHEN BOTH PARTIES TO A PROPOSED CIVIL UNION COMPLETE A CIVIL  
15 UNION APPLICATION AND AT LEAST ONE PARTY APPEARS BEFORE THE  
16 COUNTY CLERK AND RECORDER AND PAYS TO THE CLERK AND RECORDER  
17 THE CIVIL UNION LICENSE FEE AND OTHER FEES DESCRIBED IN SUBSECTION  
18 (2) OF THIS SECTION, AND THE COUNTY CLERK AND RECORDER  
19 DETERMINES THAT THE PARTIES MEET THE CRITERIA SPECIFIED IN  
20 SECTIONS 14-15-104, 14-15-105, AND 14-15-106, THE COUNTY CLERK AND  
21 RECORDER SHALL ISSUE A CIVIL UNION LICENSE AND A CIVIL UNION  
22 CERTIFICATE FORM. BOTH PARTIES TO THE PROPOSED CIVIL UNION SHALL  
23 SIGN THE APPLICATION ATTESTING TO THE ACCURACY OF THE FACTS  
24 STATED.

25 (2) THE CIVIL UNION LICENSE FEE IS SEVEN DOLLARS PLUS AN  
26 ADDITIONAL AMOUNT ESTABLISHED PURSUANT TO SECTION 25-2-121,  
27 C.R.S. THE COUNTY CLERK AND RECORDER SHALL FORWARD THE

1 ADDITIONAL AMOUNT TO THE STATE TREASURER WHO SHALL CREDIT IT TO  
2 THE VITAL STATISTICS RECORDS CASH FUND PURSUANT TO SECTION  
3 25-2-121, C.R.S. IN ADDITION, THE COUNTY CLERK AND RECORDER SHALL  
4 COLLECT A FEE OF TWENTY DOLLARS TO BE TRANSMITTED BY THE COUNTY  
5 CLERK AND RECORDER TO THE STATE TREASURER WHO SHALL CREDIT THE  
6 SAME TO THE COLORADO DOMESTIC ABUSE PROGRAM FUND CREATED IN  
7 SECTION 39-22-802 (1), C.R.S.

8 **14-15-111. When civil union licenses issued - validity.** THE  
9 COUNTY CLERK AND RECORDER SHALL ISSUE A CIVIL UNION LICENSE ONLY  
10 DURING THE HOURS THAT THE OFFICE OF THE COUNTY CLERK AND  
11 RECORDER IS OPEN AS PRESCRIBED BY LAW AND AT NO OTHER TIME AND  
12 SHALL SHOW THE EXACT DATE AND HOUR OF THE LICENSE'S ISSUE. A CIVIL  
13 UNION LICENSE IS NOT VALID FOR USE OUTSIDE THE STATE OF COLORADO.  
14 WITHIN THE STATE, A CIVIL UNION LICENSE IS NOT VALID FOR MORE THAN  
15 THIRTY-FIVE DAYS AFTER THE DATE OF ISSUE. IF A CIVIL UNION LICENSE IS  
16 NOT USED WITHIN THIRTY-FIVE DAYS, IT IS VOID AND ONE OF THE PARTIES  
17 SHALL RETURN THE CIVIL UNION LICENSE TO THE COUNTY CLERK AND  
18 RECORDER THAT ISSUED THE LICENSE FOR CANCELLATION.

19 **14-15-112. Persons authorized to certify civil unions -**  
20 **registration - fee.** (1) A CIVIL UNION MAY BE CERTIFIED BY A JUDGE OF  
21 A COURT, BY A DISTRICT COURT MAGISTRATE, BY A COUNTY COURT  
22 MAGISTRATE, BY A RETIRED JUDGE OF A COURT, BY THE PARTIES TO THE  
23 CIVIL UNION, OR IN ACCORDANCE WITH ANY MODE OF RECOGNITION OF A  
24 CIVIL UNION BY ANY RELIGIOUS DENOMINATION OR INDIAN NATION OR  
25 TRIBE.

26 (2) WITHIN SIXTY-THREE DAYS AFTER THE DATE ON WHICH THE  
27 CIVIL UNION IS CERTIFIED, EITHER THE PERSON CERTIFYING THE CIVIL

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

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

17 (4) A PRIEST, MINISTER, RABBI, OR OTHER OFFICIAL OF A RELIGIOUS  
18 INSTITUTION OR DENOMINATION OR AN INDIAN NATION OR TRIBE IS NOT  
19 REQUIRED TO CERTIFY A CIVIL UNION IN VIOLATION OF HIS OR HER RIGHT  
20 TO THE FREE EXERCISE OF RELIGION GUARANTEED BY THE FIRST  
21 AMENDMENT TO THE UNITED STATES CONSTITUTION AND BY SECTION 4 OF  
22 ARTICLE II OF THE STATE CONSTITUTION.

23 **14-15-113. Civil union license required for certification.**  
24 PERSONS AUTHORIZED BY SECTION 14-15-112 TO CERTIFY CIVIL UNIONS  
25 SHALL REQUIRE A CIVIL UNION LICENSE FROM THE PARTIES BEFORE  
26 CERTIFYING THE CIVIL UNION.

27 **14-15-114. Evidence of civil union.** A COPY OF THE CIVIL UNION



1 CERTIFICATE RECEIVED FROM THE COUNTY CLERK AND RECORDER OR A  
2 RECORD OF THE CIVIL UNION RECEIVED FROM THE STATE REGISTRAR IS  
3 PRESUMPTIVE EVIDENCE OF THE CIVIL UNION IN ALL COURTS.

4 **14-15-115. Dissolution, legal separation, and declaration of**  
5 **invalidity of civil unions - jurisdiction - venue.** (1) ANY PERSON WHO  
6 ENTERS INTO A CIVIL UNION IN COLORADO CONSENTS TO THE JURISDICTION  
7 OF THE COURTS OF COLORADO FOR THE PURPOSE OF ANY ACTION  
8 RELATING TO A CIVIL UNION EVEN IF ONE OR BOTH PARTIES CEASE TO  
9 RESIDE IN THIS STATE.

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

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

26 **14-15-116. Reciprocity - principle of comity.** (1) A  
27 RELATIONSHIP BETWEEN TWO PERSONS THAT DOES NOT COMPLY WITH

1 SECTION 31 OF ARTICLE II OF THE STATE CONSTITUTION BUT THAT WAS  
2 LEGALLY ENTERED INTO IN ANOTHER JURISDICTION IS DEEMED IN  
3 COLORADO TO BE A CIVIL UNION AS SET FORTH IN THIS ARTICLE.

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

9 **14-15-117. Application of article to joint tax returns -**  
10 **legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT  
11 CURRENT FEDERAL LAW PROHIBITS THE FILING OF A JOINT INCOME TAX  
12 RETURN BY PARTIES WHO ARE NOT CONSIDERED LEGALLY MARRIED UNDER  
13 FEDERAL LAW. SINCE COLORADO INCOME TAX FILINGS ARE TIED TO THE  
14 FEDERAL INCOME TAX FORM BY REQUIRING TAXPAYERS TO PAY A  
15 PERCENTAGE OF THEIR FEDERAL TAXABLE INCOME AS THEIR STATE  
16 INCOME TAXES, THIS PREVENTS THE FILING BY THE PARTIES TO A CIVIL  
17 UNION OF A JOINT STATE INCOME TAX RETURN.

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

22 **14-15-118. Construction.** THE PROVISIONS OF THIS ARTICLE  
23 SHALL NOT BE CONSTRUED TO CREATE A MARRIAGE BETWEEN THE PARTIES  
24 TO A CIVIL UNION OR ALTER THE PUBLIC POLICY OF THIS STATE, WHICH  
25 RECOGNIZES ONLY THE UNION OF ONE MAN AND ONE WOMAN AS A  
26 MARRIAGE.

27 **14-15-119. Severability.** IF ANY PROVISION OF THIS ARTICLE OR

1 THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD  
2 INVALID, SUCH INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR  
3 APPLICATIONS OF THIS ARTICLE THAT CAN BE GIVEN EFFECT WITHOUT THE  
4 INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF  
5 THIS ARTICLE ARE DECLARED TO BE SEVERABLE.

6 **SECTION 2.** In Colorado Revised Statutes, **amend** 25-2-105 as  
7 follows:

8 **25-2-105. Vital statistics, reports, and certificates - forms and**  
9 **information to be included.** (1) The state registrar shall prescribe,  
10 furnish, and distribute such forms as are required by this article and shall  
11 furnish and distribute such rules ~~and regulations~~ as are promulgated  
12 pursuant to section 25-2-103. The state registrar may also prescribe such  
13 other means for transmission of data as will accomplish the purpose of  
14 complete and accurate reporting and registration.

15 (2) THE STATE REGISTRAR SHALL PRESCRIBE, FURNISH, AND  
16 DISTRIBUTE SUCH FORMS AS ARE REQUIRED BY THIS ARTICLE WITH  
17 RESPECT TO CIVIL UNION CERTIFICATES, AS DEFINED IN SECTION 14-15-103  
18 (2), C.R.S.

19 **SECTION 3.** In Colorado Revised Statutes, **add** 25-2-106.5 and  
20 25-2-107.5 as follows:

21 **25-2-106.5. Reports of civil unions.** EACH COUNTY CLERK AND  
22 RECORDER SHALL PREPARE A REPORT CONTAINING SUCH INFORMATION  
23 AND USING THE FORM AS MAY BE PRESCRIBED AND FURNISHED BY THE  
24 STATE REGISTRAR WITH RESPECT TO EVERY DULY EXECUTED CIVIL UNION  
25 CERTIFICATE REGISTERED IN ACCORDANCE WITH SECTION 14-15-112,  
26 C.R.S. ON OR BEFORE THE TENTH DAY OF EACH MONTH, OR MORE  
27 FREQUENTLY IF REQUESTED BY THE STATE REGISTRAR, THE COUNTY CLERK

1 AND RECORDER SHALL FORWARD TO THE STATE REGISTRAR ALL CIVIL  
2 UNION REPORTS FOR ALL CIVIL UNION CERTIFICATES REGISTERED IN THE  
3 PRECEDING PERIOD. THE COUNTY CLERK AND RECORDER MAY ISSUE  
4 CERTIFIED COPIES OF CIVIL UNION CERTIFICATES.

5 **25-2-107.5. Reports of dissolution of civil unions, legal**  
6 **separation of civil unions, or declarations of invalidity of civil unions**

7 - **fee.** (1) THE CLERK OF EACH COURT SHALL PREPARE A REPORT  
8 CONTAINING SUCH INFORMATION AND USING SUCH FORM AS MAY BE  
9 PRESCRIBED AND FURNISHED BY THE STATE REGISTRAR WITH RESPECT TO  
10 EVERY DECREE ENTERED BY THE COURT FOR THE DISSOLUTION OF A CIVIL  
11 UNION, LEGAL SEPARATION OF A CIVIL UNION, OR DECLARATION OF  
12 INVALIDITY OF A CIVIL UNION, AND EVERY DECREE AMENDING OR  
13 NULLIFYING SUCH A DECREE. ON OR BEFORE THE TENTH DAY OF EACH  
14 MONTH, OR MORE FREQUENTLY IF SO REQUESTED BY THE STATE  
15 REGISTRAR, THE CLERK SHALL FORWARD TO THE STATE REGISTRAR THE  
16 REPORTS FOR ALL SUCH DECREES ENTERED DURING THE PRECEDING  
17 PERIOD.

18 (2) IN ORDER TO DEFRAY THE COSTS OF MAINTENANCE OF VITAL  
19 STATISTICS RECORDS, THE CLERK OF THE COURT SHALL ASSESS A FEE OF  
20 THREE DOLLARS UPON EACH ACTION FILED FOR A DISSOLUTION OF A CIVIL  
21 UNION, LEGAL SEPARATION OF A CIVIL UNION, OR DECLARATION OF  
22 INVALIDITY OF A CIVIL UNION THAT IS FILED IN THE OFFICE OF EACH CLERK  
23 OF A COURT OF RECORD IN THIS STATE ON OR AFTER THE EFFECTIVE DATE  
24 OF THIS SECTION. THE CLERK SHALL KEEP ANY FEES SO COLLECTED IN A  
25 SEPARATE FUND, AND EACH MONTH THE CLERK SHALL TRANSMIT THOSE  
26 FEES COLLECTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME  
27 TO THE VITAL STATISTICS RECORDS CASH FUND CREATED IN SECTION

1 25-2-121.

2 **SECTION 4.** In Colorado Revised Statutes, 25-2-117, **amend** (2)  
3 (d) and (2) (e); and **add** (2) (f) as follows:

4 **25-2-117. Certified copies furnished - fee.** (2) An applicant  
5 shall pay fees established pursuant to section 25-2-121 for each of the  
6 following services:

7 (d) The verification of marriage or divorce; ~~and~~

8 (e) The reproduction of various vital statistics, publications,  
9 reports, and data services; AND

10 (f) THE VERIFICATION OF A CIVIL UNION OR DISSOLUTION OF A  
11 CIVIL UNION.

12 **SECTION 5.** In Colorado Revised Statutes, 2-4-401, **add** (1.3),  
13 (1.4), (3.7), and (7.5) as follows:

14 **2-4-401. Definitions.** The following definitions apply to every  
15 statute, unless the context otherwise requires:

16 (1.3) "CIVIL UNION" MEANS A RELATIONSHIP ESTABLISHED BY TWO  
17 ELIGIBLE PERSONS PURSUANT TO THE REQUIREMENTS OF ARTICLE 15 OF  
18 TITLE 14, C.R.S., THAT ENTITLES THEM TO RECEIVE THE BENEFITS AND  
19 PROTECTIONS AND BE SUBJECT TO THE RESPONSIBILITIES OF SPOUSES.

20 (1.4) "CIVIL UNION CERTIFICATE" MEANS A DOCUMENT THAT  
21 CERTIFIES THAT THE PERSONS NAMED IN THE CERTIFICATE HAVE  
22 ESTABLISHED A CIVIL UNION IN THIS STATE IN COMPLIANCE WITH THE  
23 PROVISIONS OF ARTICLE 15 OF TITLE 14, C.R.S.

24 (3.7) "IMMEDIATE FAMILY MEMBER" MEANS A PERSON WHO IS  
25 RELATED BY BLOOD, MARRIAGE, CIVIL UNION, OR ADOPTION.

26 (7.5) "PARTNER IN A CIVIL UNION" OR "PARTY TO A CIVIL UNION"  
27 MEANS A PERSON WHO HAS ENTERED INTO A CIVIL UNION IN ACCORDANCE

1 WITH THE REQUIREMENTS OF ARTICLE 15 OF TITLE 14, C.R.S.

2 **SECTION 6.** In Colorado Revised Statutes, 8-73-108, **amend** (4)  
3 (b) (I), (4) (r), (4) (s) (I), (4) (t) (I), (4) (u) (I), and (4) (v) as follows:

4 **8-73-108. Benefit awards - repeal. (4) Full award.** An  
5 individual separated from a job shall be given a full award of benefits if  
6 any of the following reasons and pertinent conditions related thereto are  
7 determined by the division to have existed. The determination of whether  
8 or not the separation from employment shall result in a full award of  
9 benefits shall be the responsibility of the division. The following reasons  
10 shall be considered, along with any other factors that may be pertinent to  
11 such determination:

12 (b) (I) The health of the worker is such that the worker is  
13 separated from his or her employment and must refrain from working for  
14 a period of time that exceeds the greater of the employer's medical leave  
15 of absence policy or the provisions of the federal "Family and Medical  
16 Leave Act of 1993", if applicable, or the worker's health is such that the  
17 worker must seek a new occupation, or the health of the worker or the  
18 worker's spouse, PARTNER IN A CIVIL UNION, or dependent child is such  
19 that the worker must leave the vicinity of the worker's employment;  
20 except that, if the health of the worker or the worker's spouse, PARTNER  
21 IN A CIVIL UNION, or dependent child has caused the separation from  
22 work, the worker, in order to be entitled to a full award, must have  
23 complied with the following requirements: Informed the worker's  
24 employer in writing, if the employer has posted or given actual advance  
25 notice of this writing requirement, of the condition of the worker's health  
26 or the health of the worker's spouse, PARTNER IN A CIVIL UNION, or  
27 dependent child prior to separation from employment and allowed the

1 employer the opportunity to make reasonable accommodations for the  
2 worker's condition; substantiated the cause by a competent written  
3 medical statement issued by a licensed practicing physician prior to the  
4 date of separation from employment when so requested by the employer  
5 prior to the date of separation from employment or within a reasonable  
6 period thereafter; submitted himself or herself or the worker's spouse,  
7 PARTNER IN A CIVIL UNION, or dependent child to an examination by a  
8 licensed practicing physician selected and paid by the interested employer  
9 when so requested by the employer prior to the date of separation from  
10 employment or within a reasonable period thereafter; or provided the  
11 division, when so requested, with a written medical statement issued by  
12 a licensed practicing physician. For purposes of providing the medical  
13 statement or submitting to an examination for an employer, "a reasonable  
14 period thereafter" shall include the time before adjudication by either a  
15 deputy or referee of the division. An award of benefits pursuant to this  
16 subparagraph (I) shall include benefits to a worker who, either voluntarily  
17 or involuntarily, is separated from employment because of pregnancy and  
18 who otherwise satisfies the requirements of this subparagraph (I).

19 (r) (I) Separating from a job because of domestic violence may be  
20 reason for a determination for a full award if:

21 (A) The worker reasonably believes that his or her continued  
22 employment would jeopardize the safety of the worker or any member of  
23 the worker's immediate family and provides the division with  
24 substantiating documentation as described in sub-subparagraph (B) or (C)  
25 of this subparagraph (I); or

26 (B) The worker provides the division with an active or recently  
27 issued protective order or other order documenting the domestic violence

1 or a police record documenting recent domestic violence; or

2 (C) The worker provides the division with a statement  
3 substantiating recent domestic violence from a qualified professional  
4 from whom the worker has sought assistance for the domestic violence,  
5 such as a counselor, shelter worker, member of the clergy, attorney, or  
6 health worker.

7 (II) If the worker does not meet the provisions of subparagraph (I)  
8 of this paragraph (r), the worker shall be held to have voluntarily  
9 terminated employment for the purposes of determining benefits pursuant  
10 to subparagraph (XXII) of paragraph (e) of subsection (5) of this section.

11 (III) Any benefits awarded to the claimant under the provisions of  
12 this paragraph (r) normally chargeable to the employer shall be charged  
13 to the fund.

14 (IV) The director of the division shall adopt rules as necessary to  
15 implement and administer this paragraph (r).

16 (V) As used in this paragraph (r), "immediate family" means the  
17 worker's spouse, PARTNER IN A CIVIL UNION, parent, or minor child under  
18 eighteen years of age.

19 (s) (I) Quitting a job to relocate as a result of the transfer of the  
20 individual's spouse OR PARTNER IN A CIVIL UNION to a new place of  
21 residence, either within or outside Colorado, from which it is impractical  
22 to commute to the place of employment, and upon arrival at the new place  
23 of residence, the individual is in all respects available for suitable work.  
24 The spouse OR PARTNER IN A CIVIL UNION shall be a member of the United  
25 States armed forces who is on active duty as defined in 10 U.S.C. sec. 101  
26 (d) (1), active guard and reserve duty as defined in 10 U.S.C. sec. 101 (d)  
27 (6), or active duty pursuant to title 10 or 32 of the United States Code.



1           (t) (I) Quitting a job to relocate to a new place of residence, either  
2 within or outside Colorado, from which it is impractical to commute to  
3 the place of employment because the individual's spouse OR PARTNER IN  
4 A CIVIL UNION, who was stationed in Colorado, is killed in combat. Upon  
5 arrival at the new place of residence, the individual shall be available, in  
6 all respects, for suitable work. The individual's spouse OR PARTNER IN A  
7 CIVIL UNION shall have been a member of the United States armed forces  
8 who was on active duty as defined in 10 U.S.C. sec. 101 (d) (1), active  
9 guard and reserve duty as defined in 10 U.S.C. sec. 101 (d) (6), or active  
10 duty pursuant to title 10 or 32 of the United States Code.

11           (u) (I) Separating from a job due to a change in location of the  
12 employment of the worker's spouse OR PARTNER IN A CIVIL UNION that  
13 necessitates a new place of residence for the worker, either within or  
14 outside Colorado, from which it is impractical to commute to the worker's  
15 place of employment, and upon arrival at the new place of residence, the  
16 individual is in all respects available for suitable work. The director of the  
17 division shall adopt rules as necessary to implement and administer this  
18 paragraph (u).

19           (v) (I) Separating from a job because a member of the worker's  
20 immediate family is suffering from an illness that requires the worker to  
21 care for the immediate family member for a period that exceeds the  
22 greater of the employer's medical leave of absence policy or the  
23 provisions of the federal "Family and Medical Leave Act of 1993" if the  
24 worker meets the following requirements:

25           (A) The worker informed his or her employer, if the employer has  
26 posted or given actual advance notice of the requirement to so inform the  
27 employer, of the condition of the worker's immediate family member; and

1 (B) The worker provides the division, when requested, a  
2 competent statement verifying the condition of the worker's immediate  
3 family member.

4 (II) Separating from a job because a member of the worker's  
5 immediate family is suffering from a disability that requires the worker  
6 to care for the immediate family member for a period that exceeds the  
7 greater of the employer's medical leave of absence policy or the  
8 provisions of the federal "Family and Medical Leave Act of 1993" if the  
9 worker meets the following requirements:

10 (A) The worker informed his or her employer, if the employer has  
11 posted or given actual advance notice of the requirement to so inform the  
12 employer, of the condition of the worker's immediate family member; and

13 (B) The worker provides the division, when requested, a  
14 competent statement verifying the condition of the worker's immediate  
15 family member.

16 (III) The director of the division shall adopt rules as necessary to  
17 implement and administer this paragraph (v).

18 (IV) Any benefits awarded to the claimant under this paragraph  
19 (v) normally chargeable to the employer shall be charged to the fund, and  
20 any such benefits shall not affect an employer's premium.

21 (V) As used in this paragraph (v):

22 (A) "Disability" means all types of verified disability, including,  
23 without limitation, mental and physical disabilities; permanent and  
24 temporary disabilities; and partial and total disabilities.

25 (B) "Illness" means verified poor health or sickness.

26 (C) "Immediate family member" means the worker's spouse,  
27 PARTNER IN A CIVIL UNION, parent, or minor child under eighteen years of

1 age.

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

4 **10-16-102. Definitions.** As used in this article, unless the context  
5 otherwise requires:

6 (14) "Dependent" means a spouse, A PARTNER IN A CIVIL UNION,  
7 an unmarried child under nineteen years of age, an unmarried child who  
8 is a full-time student under twenty-four years of age and who is  
9 financially dependent upon the parent, and an unmarried child of any age  
10 who is medically certified as disabled and dependent upon the parent.  
11 "Dependent" shall include a designated beneficiary, as defined in section  
12 15-22-103 (1), C.R.S., if an employer elects to cover a designated  
13 beneficiary as a dependent.

14 **SECTION 8.** In Colorado Revised Statutes, 13-32-101, **add** (1)  
15 (a.5) and (1) (b.5) as follows:

16 **13-32-101. Docket fees in civil actions - judicial stabilization**  
17 **cash fund - support registry fund created.** (1) At the time of first  
18 appearance in all civil actions and special proceedings in all courts of  
19 record, except in the supreme court and the court of appeals, and except  
20 in the probate proceedings in the district court or probate court of the city  
21 and county of Denver, and except as provided in subsection (3) of this  
22 section and in sections 13-32-103 and 13-32-104, there shall be paid in  
23 advance the total docket fees, as follows:

24 (a.5) ON AND AFTER OCTOBER 1, 2013, BY THE PETITIONER IN A  
25 PROCEEDING FOR DISSOLUTION OF A CIVIL UNION, LEGAL SEPARATION OF  
26 A CIVIL UNION, OR DECLARATION OF INVALIDITY OF A CIVIL UNION AND BY  
27 THE PETITIONER IN AN ACTION FOR A DECLARATORY JUDGMENT

1 CONCERNING THE STATUS OF A CIVIL UNION, A FEE OF TWO HUNDRED  
2 THIRTY DOLLARS;

3 (b.5) ON AND AFTER OCTOBER 1, 2013, BY THE RESPONDENT IN A  
4 PROCEEDING FOR DISSOLUTION OF A CIVIL UNION, LEGAL SEPARATION OF  
5 A CIVIL UNION, OR DECLARATION OF INVALIDITY OF A CIVIL UNION AND BY  
6 THE RESPONDENT TO AN ACTION FOR A DECLARATORY JUDGMENT  
7 CONCERNING THE STATUS OF A CIVIL UNION, A FEE OF ONE HUNDRED  
8 SIXTEEN DOLLARS;

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

12 **13-32-101. Docket fees in civil actions - judicial stabilization**  
13 **cash fund - support registry fund created.** (5) (a) Each fee collected  
14 pursuant to paragraph (a) OR (a.5) of subsection (1) of this section shall  
15 be transmitted to the state treasurer and divided as follows:

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

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

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

24 **13-90-107. Who may not testify without consent.** (1) There are  
25 particular relations in which it is the policy of the law to encourage  
26 confidence and to preserve it inviolate; therefore, a person shall not be  
27 examined as a witness in the following cases:

1           (a.5) (I) EXCEPT AS OTHERWISE PROVIDED IN SECTION 14-13-310  
2 (5), C.R.S., A PARTNER IN A CIVIL UNION SHALL NOT BE EXAMINED FOR OR  
3 AGAINST THE OTHER PARTNER IN THE CIVIL UNION WITHOUT THE OTHER  
4 PARTNER'S CONSENT, NOR DURING THE CIVIL UNION OR AFTERWARD SHALL  
5 EITHER BE EXAMINED WITHOUT THE CONSENT OF THE OTHER AS TO ANY  
6 COMMUNICATIONS MADE BY ONE TO THE OTHER DURING THE CIVIL UNION;  
7 EXCEPT THAT THIS EXCEPTION DOES NOT APPLY TO A CIVIL ACTION OR  
8 PROCEEDING BY ONE AGAINST THE OTHER, A CRIMINAL ACTION OR  
9 PROCEEDING FOR A CRIME COMMITTED BY ONE AGAINST THE OTHER, OR A  
10 CRIMINAL ACTION OR PROCEEDING AGAINST ONE OR BOTH PARTNERS WHEN  
11 THE ALLEGED OFFENSE OCCURRED PRIOR TO THE DATE OF THE PARTIES'  
12 CERTIFICATION OF THE CIVIL UNION. HOWEVER, THIS EXCEPTION SHALL  
13 NOT ATTACH IF THE OTHERWISE PRIVILEGED INFORMATION IS  
14 COMMUNICATED AFTER THE CERTIFICATION OF THE CIVIL UNION.

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

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

27           (IV) THE BURDEN OF PROVING THE EXISTENCE OF A CIVIL UNION

1 FOR THE PURPOSES OF THIS PARAGRAPH (a.5) SHALL BE ON THE PARTY  
2 ASSERTING THE CLAIM.

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

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

10 (I) (II) This exception does not apply to:

11 (D) Any criminal action or proceeding in which a minor's parent  
12 is charged with a crime committed against the communicating minor  
13 child, the parent's spouse, THE PARENT'S PARTNER IN A CIVIL UNION, or a  
14 minor child of either the parent or the parent's spouse OR THE PARENT'S  
15 PARTNER IN A CIVIL UNION;

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

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

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

22 **14-2-307.5. Applicability of article and case law to agreements**  
23 **relating to civil unions.** PROSPECTIVE PARTIES TO A CIVIL UNION AND  
24 PRESENT PARTIES TO A CIVIL UNION MAY CONTRACT TO MAKE AN  
25 AGREEMENT RELATING TO THE CIVIL UNION THAT INCLUDES ANY OF THE  
26 RIGHTS AND OBLIGATIONS THAT MAY BE INCLUDED IN A MARITAL  
27 AGREEMENT PURSUANT TO SECTION 14-2-304, BUT ONLY IF THE

1 AGREEMENT IS SIGNED BY BOTH PARTIES PRIOR TO THE FILING OF AN  
2 ACTION FOR LEGAL SEPARATION OF THE CIVIL UNION, DISSOLUTION OF THE  
3 CIVIL UNION, OR FOR DECLARATION OF INVALIDITY OF THE CIVIL UNION.  
4 THE PROVISIONS OF THIS ARTICLE AND ANY CASE LAW CONSTRUING THIS  
5 ARTICLE APPLY TO ANY AGREEMENT MADE BY PROSPECTIVE PARTIES TO A  
6 CIVIL UNION OR BETWEEN PRESENT PARTIES TO A CIVIL UNION.

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

9 **14-4-107. Family violence justice fund - creation - grants from**  
10 **fund.** (2) Grants from the fund shall be used to fund qualifying  
11 organizations to provide legal advice, representation, and advocacy for  
12 and on behalf of indigent clients who are victims of family violence.  
13 Moneys from the fund may be provided for services that include, but are  
14 not limited to:

15 (a) The provision of direct legal representation to victims of  
16 family violence in resolving their civil legal matters and removing  
17 impediments to the elimination of family violence. Such representation  
18 may include, but need not be limited to, representation in any protection  
19 order proceeding, action for dissolution of marriage, legal separation, or  
20 declaration of invalidity of marriage, ACTION FOR DISSOLUTION OF A CIVIL  
21 UNION, LEGAL SEPARATION, OR DECLARATION OF INVALIDITY OF A CIVIL  
22 UNION; paternity action, child custody action, proceeding to establish or  
23 enforce child support, administrative hearings, or any other judicial  
24 actions in which family violence is an issue or in which legal  
25 representation is necessary to protect the interests of a victim of family  
26 violence.

27 (4.5) Notwithstanding any other provision of this section, the state

1 court administrator shall apply the moneys generated from fees collected  
2 pursuant to section 13-32-101 ~~(1)(a) and (1)(b)~~ (1) (a), (1) (a.5), (1) (b),  
3 AND (1) (b.5), C.R.S., and transferred pursuant to section 13-32-101 (5)  
4 (a) (X) and (5) (b) (II), C.R.S., to grants to qualifying organizations that  
5 provide services described in subsection (2) of this section for or on  
6 behalf of indigent persons or their families ~~who~~ WHICH PERSONS are  
7 married, separated, or divorced OR PARTIES TO A CIVIL UNION OR AN  
8 INVALIDATED, LEGALLY SEPARATED, OR DISSOLVED CIVIL UNION.

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

11 **14-10-105. Application of Colorado rules of civil procedure.**

12 (2.5) A PROCEEDING FOR DISSOLUTION OF A CIVIL UNION, LEGAL  
13 SEPARATION, OR DECLARATION OF INVALIDITY OF A CIVIL UNION SHALL BE  
14 ENTITLED "IN RE THE CIVIL UNION OF ..... AND .....".

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

17 **14-10-106.5. Dissolution of civil unions - legal separation -**

18 **jurisdiction - applicability of article and case law.** (1) ANY PERSON

19 WHO ENTERS INTO A CIVIL UNION IN COLORADO PURSUANT TO ARTICLE 15

20 OF THIS TITLE CONSENTS TO THE JURISDICTION OF THE COURTS OF

21 COLORADO FOR THE PURPOSE OF ANY ACTION RELATING TO A CIVIL UNION

22 EVEN IF ONE OR BOTH PARTIES CEASE TO RESIDE IN THIS STATE. IN A

23 MATTER SEEKING A DISSOLUTION, LEGAL SEPARATION, OR DECLARATION

24 OF INVALIDITY OF A CIVIL UNION, THE COURT SHALL FOLLOW THE

25 PROCEDURES THAT ARE SET FORTH IN THIS ARTICLE FOR DISSOLUTION,

26 LEGAL SEPARATION, OR DECLARATION OF INVALIDITY. THE PROVISIONS OF

27 THIS ARTICLE AND ANY CASE LAW CONSTRUING THIS ARTICLE APPLY TO



1 THE DISSOLUTION, LEGAL SEPARATION, OR DECLARATION OF INVALIDITY  
2 OF A CIVIL UNION.

3 (2) THE COURT SHALL FOLLOW THE LAWS OF COLORADO IN A  
4 MATTER FILED IN COLORADO THAT IS SEEKING A DISSOLUTION, LEGAL  
5 SEPARATION, OR INVALIDITY OF A CIVIL UNION THAT WAS ENTERED INTO  
6 IN ANOTHER JURISDICTION.

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

9 **14-10-120.5. Petition - fee - assessment - displaced**  
10 **homemakers fund.** (1) There shall be assessed against a nonindigent  
11 petitioner a fee of five dollars for each filing of a petition for dissolution  
12 of marriage, declaration of invalidity of marriage, legal separation, or  
13 declaratory judgment concerning the status of marriage. All such fees  
14 collected shall be transmitted to the state treasurer for deposit in the  
15 displaced homemakers fund created pursuant to section 8-15.5-108,  
16 C.R.S.

17 (1.5) THERE SHALL BE ASSESSED AGAINST A NONINDIGENT  
18 PETITIONER A FEE OF FIVE DOLLARS FOR EACH FILING OF A PETITION FOR  
19 DISSOLUTION OF A CIVIL UNION, DECLARATION OF INVALIDITY OF A CIVIL  
20 UNION, LEGAL SEPARATION, OR DECLARATORY JUDGMENT CONCERNING  
21 THE STATUS OF A CIVIL UNION. ALL SUCH FEES COLLECTED SHALL BE  
22 TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE DISPLACED  
23 HOMEMAKERS FUND CREATED PURSUANT TO SECTION 8-15.5-108, C.R.S.

24 (2) Notwithstanding the amount specified for the fee in subsection  
25 (1) OR (1.5) of this section, the chief justice of the supreme court by rule  
26 or as otherwise provided by law may reduce the amount of the fee if  
27 necessary pursuant to section 24-75-402 (3), C.R.S., to reduce the

1 uncommitted reserves of the fund to which all or any portion of the fee is  
2 credited. After the uncommitted reserves of the fund are sufficiently  
3 reduced, the chief justice by rule or as otherwise provided by law may  
4 increase the amount of the fee as provided in section 24-75-402 (4),  
5 C.R.S.

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

8 **14-13-310. Hearing and order.** (5) A PRIVILEGE AGAINST  
9 DISCLOSURE OF COMMUNICATIONS BETWEEN PARTNERS IN A CIVIL UNION  
10 AND A DEFENSE OF IMMUNITY BASED ON THE RELATIONSHIP OF PARTNERS  
11 IN A CIVIL UNION OR PARENT AND CHILD MAY NOT BE INVOKED IN A  
12 PROCEEDING UNDER THIS PART 3.

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

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

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

21 (b) The surviving spouse of the decedent who is a devisee of the  
22 decedent;

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

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

- 1 (c) Other devisees of the decedent;
- 2 (d) The surviving spouse of the decedent;
- 3 (d.5) THE SURVIVING PARTY TO A CIVIL UNION ENTERED INTO IN
- 4 ACCORDANCE WITH ARTICLE 15 OF TITLE 14, C.R.S.;
- 5 (e) Other heirs of the decedent;
- 6 (f) Forty-five days after the death of the decedent, any creditor.

7 **SECTION 18.** In Colorado Revised Statutes, 15-14-304, **amend**  
8 (2) (b) (I) (A) and (2) (b) (II) as follows:

9 **15-14-304. Judicial appointment of guardian - petition.**

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

- 14 (b) (I) The name and address of the respondent's:
  - 15 (A) Spouse OR PARTNER IN A CIVIL UNION or, if the respondent has
  - 16 none, an adult with whom the respondent has resided for more than six
  - 17 months within one year before the filing of the petition; and
- 18 (II) If the respondent has neither spouse, PARTNER IN A CIVIL  
19 UNION, adult child, nor parent, at least one of the adults nearest in kinship  
20 to the respondent who can be found with reasonable efforts;

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

23 **15-14-310. Who may be guardian - priorities - prohibition of**

24 **dual roles.** (1) Subject to subsection (4) of this section, the court in  
25 appointing a guardian shall consider persons otherwise qualified in the  
26 following order of priority:

- 27 (a) A guardian, other than a temporary or emergency guardian,

- 1 currently acting for the respondent in this state or elsewhere;
- 2 (b) A person nominated as guardian by the respondent, including  
3 the respondent's specific nomination of a guardian made in a durable  
4 power of attorney or given priority to be a guardian in a designated  
5 beneficiary agreement made pursuant to article 22 of this title;
- 6 (c) An agent appointed by the respondent under a medical durable  
7 power of attorney pursuant to section 15-14-506;
- 8 (d) An agent appointed by the respondent under a general durable  
9 power of attorney;
- 10 (e) The spouse of the respondent or a person nominated by will or  
11 other signed writing of a deceased spouse;
- 12 (e.5) THE PARTNER IN A CIVIL UNION OF THE RESPONDENT OR A  
13 PERSON NOMINATED BY WILL OR OTHER SIGNED WRITING OF A DECEASED  
14 PARTNER IN A CIVIL UNION;
- 15 (f) An adult child of the respondent;
- 16 (g) A parent of the respondent or an individual nominated by will  
17 or other signed writing of a deceased parent; and
- 18 (h) An adult with whom the respondent has resided for more than  
19 six months immediately before the filing of the petition.

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

22 **15-14-413. Who may be conservator - priorities - prohibition**  
23 **of dual roles.** (1) Except as otherwise provided in subsection (4) of this  
24 section, the court, in appointing a conservator, shall consider persons  
25 otherwise qualified in the following order of priority:

- 26 (a) A conservator, guardian of the estate, or other like fiduciary  
27 appointed or recognized by an appropriate court of any other jurisdiction

1 in which the protected person resides;

2 (b) A person nominated as conservator by the respondent,  
3 including the respondent's specific nomination of a conservator made in  
4 a durable power of attorney or given priority to be a conservator in a  
5 designated beneficiary agreement made pursuant to article 22 of this title,  
6 if the respondent has attained twelve years of age;

7 (c) An agent appointed by the respondent to manage the  
8 respondent's property under a durable power of attorney;

9 (d) The spouse of the respondent;

10 (d.5) THE PARTNER IN A CIVIL UNION OF THE RESPONDENT;

11 (e) An adult child of the respondent;

12 (f) A parent of the respondent; and

13 (g) An adult with whom the respondent has resided for more than  
14 six months immediately before the filing of the petition.

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

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

21 **15-22-103. Definitions.** As used in this article, unless the context  
22 otherwise requires:

23 (3) "Superseding legal document" means a legal document,  
24 regardless of the date of execution, that is valid and enforceable and  
25 conflicts with all or a portion of a designated beneficiary agreement and,  
26 therefore, causes the designated beneficiary agreement in whole or in part  
27 to be replaced or set aside. To the extent there is a conflict between a

1 superseding legal document and a designated beneficiary agreement, the  
2 superseding legal document controls. A superseding legal document may  
3 include, but need not be limited to, any of the following:

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

6 (k) A marriage license; OR

7 (l) A CIVIL UNION CERTIFICATE.

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

10 **15-22-104. Requirements for a valid designated beneficiary**  
11 **agreement.** (1) A designated beneficiary agreement shall be legally  
12 recognized if:

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

15 (I) Both are at least eighteen years of age;

16 (II) Both are competent to enter into a contract;

17 (III) Neither party is married to another person;

18 (III.5) NEITHER PARTY IS A PARTY TO A CIVIL UNION;

19 (IV) Neither party is a party to another designated beneficiary  
20 agreement; and

21 (V) Both parties enter into the designated beneficiary agreement  
22 without force, fraud, or duress; and

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

25 **19-5-202. Who may adopt.** (4) A PERSON HAVING A LIVING  
26 PARTNER IN A CIVIL UNION FROM WHOM THE PERSON IS NOT LEGALLY  
27 SEPARATED SHALL PETITION JOINTLY WITH THE PARTNER, UNLESS THE

1 PARTNER IS THE NATURAL PARENT OF THE CHILD TO BE ADOPTED OR HAS  
2 PREVIOUSLY ADOPTED THE CHILD.

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

8 **SECTION 24.** In Colorado Revised Statutes, 24-34-301, **add**  
9 (4.5) as follows:

10 **24-34-301. Definitions.** As used in parts 3 to 7 of this article,  
11 unless the context otherwise requires:

12 (4.5) "MARITAL STATUS" MEANS A RELATIONSHIP OR A SPOUSAL  
13 STATUS OF A PERSON, INCLUDING BUT NOT LIMITED TO BEING SINGLE,  
14 COHABITATING, ENGAGED, WIDOWED, MARRIED, IN A CIVIL UNION, OR  
15 LEGALLY SEPARATED, OR A RELATIONSHIP OR A SPOUSAL STATUS OF A  
16 PERSON WHO HAS HAD OR IS IN THE PROCESS OF HAVING A MARRIAGE OR  
17 CIVIL UNION DISSOLVED OR DECLARED INVALID.

18 **SECTION 25.** In Colorado Revised Statutes, 24-50-603, **add** (5)  
19 (c.5) as follows:

20 **24-50-603. Definitions.** As used in this part 6, unless the context  
21 otherwise requires:

22 (5) "Dependent" means:

23 (c.5) AN EMPLOYEE'S PARTNER IN A CIVIL UNION WHO HAS  
24 SUBMITTED DOCUMENTATION DEMONSTRATING THE CREATION OF A CIVIL  
25 UNION WITH THE EMPLOYEE;

26 **SECTION 26.** In Colorado Revised Statutes, 24-72-204, **amend**  
27 (3) (a) (XIX) (A) and (3) (a) (XIX) (B) as follows:

1           **24-72-204. Allowance or denial of inspection - grounds -**  
2 **procedure - appeal - definitions.** (3) (a) The custodian shall deny the  
3 right of inspection of the following records, unless otherwise provided by  
4 law; except that any of the following records, other than letters of  
5 reference concerning employment, licensing, or issuance of permits, shall  
6 be available to the person in interest under this subsection (3):

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

20           (B) Any record of an application for a marriage license submitted  
21 pursuant to section 14-2-106, C.R.S., AND ANY RECORD OF AN  
22 APPLICATION FOR A CIVIL UNION LICENSE SUBMITTED PURSUANT TO  
23 SECTION 14-15-110, C.R.S., shall be made available for public inspection  
24 fifty years after the date that record was created.

25           **SECTION 27.** In Colorado Revised Statutes, 26-7.5-105, **amend**  
26 (1) (b) as follows:

27           **26-7.5-105. Funding of domestic abuse programs.**



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

9 **SECTION 28. Effective date.** This act takes effect May 1, 2013;  
10 except that section 7 of this act takes effect January 1, 2014.

11 **SECTION 29. 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, and safety.