

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE BILL 26-1218

BY REPRESENTATIVE(S) Espenoza and Luck, Bradley, Carter;  
also SENATOR(S) Catlin and Ball, Coleman.

CONCERNING CLARIFYING THE VALIDITY OF COMMON LAW MARRIAGE BY  
RESTORING A PREVIOUSLY REPEALED PROVISION.

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

**SECTION 1.** In Colorado Revised Statutes, 14-2-104, **recreate and reenact, with amendments, (3)** as follows:

**14-2-104. Formalities.**

(3) THIS SECTION DOES NOT REPEAL OR INVALIDATE ANY OTHERWISE  
VALID COMMON LAW MARRIAGE:

(a) ENTERED INTO PRIOR TO SEPTEMBER 1, 2006; OR

(b) ENTERED INTO ON OR AFTER SEPTEMBER 1, 2006, AND COMPLIES  
WITH SECTION 14-2-109.5.

**SECTION 2. Safety clause.** The general assembly finds,

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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James Rashad Coleman, Sr.  
PRESIDENT OF  
THE SENATE

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Vanessa Reilly  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Esther van Mourik  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO