

An Act

HOUSE BILL 25-1179

BY REPRESENTATIVE(S) Zokaie and Feret, Bacon, Boesenecker, Brown, Duran, Froelich, Jackson, Lieder, Lindsay, Mabrey, Stewart R., Story, Willford; also SENATOR(S) Daugherty and Jodeh, Ball, Bridges, Cutter, Danielson, Exum, Hinrichsen, Kipp, Marchman, Michaelson Jenet, Roberts, Snyder, Wallace, Weissman, Winter F., Coleman.

CONCERNING AUTOMOBILE INSURANCE COVERAGE FOR THE REPLACEMENT OF A CHILD RESTRAINT SYSTEM.

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

SECTION 1. In Colorado Revised Statutes, **add** 10-4-644 as follows:

10-4-644. Child restraint system - insurance coverage - definition. (1) (a) AN INSURER THAT ISSUES OR RENEWS A POLICY PURSUANT TO THIS PART 6 SHALL INCLUDE IN THE APPLICABLE COVERAGE THE REPLACEMENT COST OF A CHILD RESTRAINT SYSTEM THAT IS IN A MOTOR VEHICLE AT THE TIME OF A MOTOR VEHICLE ACCIDENT, AND TO WHICH THE COVERAGE IN THE POLICY IS APPLICABLE.

(b) UPON THE SUBMISSION OF A CLAIM TO AN INSURER FOR A LOSS

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.

RESULTING FROM A MOTOR VEHICLE ACCIDENT, THE INSURER SHALL ASK THE CLAIMANT IF A CHILD RESTRAINT SYSTEM WAS IN THE MOTOR VEHICLE AT THE TIME THAT THE ACCIDENT OCCURRED AND, IF SO, THE APPLICABLE POLICY COVERING THE MOTOR VEHICLE ACCIDENT SHALL PAY THE COST TO REPLACE THE CHILD RESTRAINT SYSTEM OR REIMBURSE THE CLAIMANT FOR THE COST OF THE REPLACEMENT OF THE CHILD RESTRAINT SYSTEM.

(2) AS USED IN THIS SECTION, "CHILD RESTRAINT SYSTEM" HAS THE MEANING SET FORTH IN SECTION 42-4-236 (1)(a.5).

SECTION 2. Act subject to petition - effective date - applicability. (1) This act takes effect January 1, 2026; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to automobile insurance policies issued or renewed and insurance claims filed on or after the applicable effective date of this act.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO