

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0648.01 Conrad Imel x2313

**HOUSE BILL 19-1045**

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**HOUSE SPONSORSHIP**

**Snyder,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING FUNDING FOR CARRYING OUT DUTIES RELATED TO THE**  
102     **OFFICE OF PUBLIC GUARDIANSHIP.**

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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://leg.colorado.gov>.)*

Current law requires the public guardianship commission (commission) to appoint a director for the office of public guardianship (office) to establish and administer the office within one month after the public guardianship cash fund (cash fund) has received \$1,700,000 in gifts, grants, and donations. The director is required to administer the office in 3 specified judicial districts within 5 months after the cash fund

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

reaches the same threshold.

The bill removes the condition that the commission and director wait to carry out certain duties until the cash fund has received the specified amount of gifts, grants, and donations.

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

2           **SECTION 1.** In Colorado Revised Statutes, 13-94-104, **amend**  
3 (3) as follows:

4           **13-94-104. Public guardianship commission created - office of**  
5 **public guardianship created - appointment of director -**  
6 **memorandum of understanding.** (3) ~~Not more than one month after~~  
7 ~~receiving at least one million seven hundred thousand dollars in gifts,~~  
8 ~~grants, and donations to the office of public guardianship cash fund~~  
9 ~~created in section 13-94-108;~~ The commission shall appoint a director to  
10 establish, develop, and administer the office of public guardianship,  
11 which office is hereby created within the judicial department. The  
12 director serves at the pleasure of the commission.

13           **SECTION 2.** In Colorado Revised Statutes, 13-94-105, **amend**  
14 (1) as follows:

15           **13-94-105. Office of public guardianship - duties - report.**  
16 (1) The director shall establish, develop, and administer the office to  
17 serve indigent and incapacitated adults in need of guardianship in the  
18 second, seventh, and sixteenth judicial districts and shall coordinate its  
19 efforts with county departments of human services and county  
20 departments of social services within those districts. ~~Not more than five~~  
21 ~~months after receiving at least one million seven hundred thousand~~  
22 ~~dollars in gifts, grants, and donations to the office of public guardianship~~  
23 ~~cash fund created in section 13-94-108;~~ The director shall administer the

1 office in accordance with the memorandum of understanding described  
2 in section 13-94-104 (4).

3           **SECTION 3. Act subject to petition - effective date.** This act  
4 takes effect at 12:01 a.m. on the day following the expiration of the  
5 ninety-day period after final adjournment of the general assembly (August  
6 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
7 referendum petition is filed pursuant to section 1 (3) of article V of the  
8 state constitution against this act or an item, section, or part of this act  
9 within such period, then the act, item, section, or part will not take effect  
10 unless approved by the people at the general election to be held in  
11 November 2020 and, in such case, will take effect on the date of the  
12 official declaration of the vote thereon by the governor.