

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0751.01 Jane Ritter x4342

HOUSE BILL 20-1277

HOUSE SPONSORSHIP

Geitner,

SENATE SPONSORSHIP

(None),

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING WRITTEN NOTIFICATION OF RIGHTS RELATED TO
102 INVESTIGATIONS OF CHILD ABUSE OR NEGLECT.

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>.)

The bill requires the office of respondent parents' counsel and the office of the child protection ombudsman to work collaboratively to develop and make recommendations to the department of human services (department) regarding a written document containing notice of the rights afforded to all parties involved in an investigation of child abuse or neglect. The department is required to prepare a standard written

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.

document based on those recommendations that must be provided to any party that is subject to an investigation of child abuse or neglect at the start of any such investigation.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-92-104, **add** (1)(f)
3 as follows:

4 **13-92-104. Duties of the office of the respondent parents'**
5 **counsel.** (1) The office has the following duties, at a minimum:

6 (f) TO WORK COLLABORATIVELY WITH THE OFFICE OF THE CHILD
7 PROTECTION OMBUDSMAN, CREATED IN SECTION 19-3.3-102, TO MAKE
8 RECOMMENDATIONS TO THE DEPARTMENT OF HUMAN SERVICES
9 REGARDING A WRITTEN DOCUMENT CONTAINING NOTICE OF THE RIGHTS
10 AFFORDED TO ALL PARTIES INVOLVED IN AN INVESTIGATION OF CHILD
11 ABUSE OR NEGLECT. THE OFFICE SHALL PROVIDE ITS RECOMMENDATIONS
12 TO THE DEPARTMENT OF HUMAN SERVICES ON OR BEFORE NOVEMBER 1,
13 2020.

14 **SECTION 2.** In Colorado Revised Statutes, 19-3-308, **add** (4.3)
15 as follows:

16 **19-3-308. Action upon report of child abuse or neglect -**
17 **investigations - child protection team - rules - report.** (4.3) ON OR
18 BEFORE DECEMBER 1, 2020, THE STATE DEPARTMENT SHALL PREPARE,
19 BASED ON RECOMMENDATIONS DEVELOPED BY THE OFFICE OF THE
20 RESPONDENT PARENTS' COUNSEL, CREATED IN SECTION 13-92-103, AND
21 THE OFFICE OF THE CHILD PROTECTION OMBUDSMAN, CREATED IN SECTION
22 19-3.3-102, A STANDARD WRITTEN DOCUMENT CONTAINING NOTICE OF
23 THE RIGHTS AFFORDED TO ALL PARTIES INVOLVED IN AN INVESTIGATION
24 OF CHILD ABUSE OR NEGLECT PURSUANT TO THIS PART 3. THE WRITTEN

1 NOTICE MUST BE PROVIDED TO ANY PARTY THAT IS SUBJECT TO AN
2 INVESTIGATION OF CHILD ABUSE OR NEGLECT AT THE START OF ANY SUCH
3 INVESTIGATION.

4 **SECTION 3.** In Colorado Revised Statutes, 19-3.3-103, **add**
5 (1)(h) as follows:

6 **19-3.3-103. Office of the child protection ombudsman - powers**
7 **and duties - access to information - confidentiality - testimony -**
8 **judicial review.** (1) The ombudsman has the following duties, at a
9 minimum:

10 (h) TO WORK COLLABORATIVELY WITH THE OFFICE OF THE
11 RESPONDENT PARENTS' COUNSEL, CREATED IN SECTION 13-92-103, TO
12 MAKE RECOMMENDATIONS TO THE STATE DEPARTMENT OF HUMAN
13 SERVICES REGARDING A WRITTEN DOCUMENT CONTAINING NOTICE OF THE
14 RIGHTS AFFORDED TO ALL PARTIES INVOLVED IN AN INVESTIGATION OF
15 CHILD ABUSE OR NEGLECT. THE OFFICE SHALL PROVIDE ITS
16 RECOMMENDATIONS TO THE STATE DEPARTMENT OF HUMAN SERVICES ON
17 OR BEFORE NOVEMBER 1, 2020.

18 **SECTION 4. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly (August
21 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
22 referendum petition is filed pursuant to section 1 (3) of article V of the
23 state constitution against this act or an item, section, or part of this act
24 within such period, then the act, item, section, or part will not take effect
25 unless approved by the people at the general election to be held in
26 November 2020 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.