



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 20-0674
Prime Sponsors: Rep. Froelich, Sen. Ginal

Date: March 12, 2020
Bill Status: House Public Health
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Bill Topic: GESTATIONAL AND GENETIC SURROGACY AGREEMENTS

- Summary of Fiscal Impact: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This bill creates the Colorado Surrogacy Agreement Act to govern surrogacy agreements. Starting in FY 2020-21, this bill will increase state revenue and expenditures on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

This bill repeals a section of the Uniform Parentage Act concerning assisted reproduction and creates the Colorado Surrogacy Agreement Act to govern surrogacy agreements. Specifically, the act:

- creates eligibility requirements to execute an agreement;
specifies the process for creating a surrogacy agreements, the content of such agreements, and parties' right to legal representation;
establishes how agreements may be changed as a result of a change in marital status;
outlines the process and obligation of parties when terminating an agreement; and
authorizes the court to issue orders pertaining to matters arising for surrogacy agreements.

State Revenue and Expenditures

This analysis assumes that there will be a minimal increase on civil case filings resulting from the bill. Any increase of court fees and the related TABOR impact is expected to be minimal. Similarly, the bill will increase workload for the trial courts in the Judicial Department to hear any cases related to surrogacy agreements. In addition, this bill will increase workload for the Colorado Department of Public Health and Environment to the extent that the department must update birth certificates with the names of the intended parents. No change in appropriation is required for any agency.

Effective Date

The bill takes effect January 1, 2021, assuming no referendum petition is filed.

State and Local Government Contacts

Counties
Information Technology

Human Services
Public Health and Environment

Judicial
Regulatory Agencies