

**Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 24-1197.01 Michael Dohr x4347

**HOUSE BILL 24-1472**

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**HOUSE SPONSORSHIP**

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**A BILL FOR AN ACT**

101      **CONCERNING MATTERS RELATED TO CERTAIN TORT ACTIONS, AND, IN**  
102            **CONNECTION THEREWITH, INCREASING THE CAP ON**  
103            **NONECONOMIC DAMAGES, ALLOWING SIBLINGS TO BRING A**  
104            **WRONGFUL DEATH ACTION IN CERTAIN CIRCUMSTANCES,**  
105            **INCREASING A WRONGFUL DEATH DAMAGES CAP, INCREASING**  
106            **THE MEDICAL MALPRACTICE WRONGFUL DEATH DAMAGES CAP,**  
107            **AND INCREASING THE MEDICAL MALPRACTICE NONECONOMIC**  
108            **DAMAGES CAP.**

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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*

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

HOUSE  
Amended 2nd Reading  
May 5, 2024

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

For civil actions filed on or after January 1, 2025, the bill increases the cap on damages for noneconomic loss or injury from \$250,000 to \$1.5 million, and starting January 1, 2028, and every 2 years thereafter, adjusts the damages cap based on inflation.

Current law specifies who may sue for wrongful death. The bill adds a sibling of the deceased as a party who may bring a wrongful death action in certain circumstances.

The bill imposes a wrongful death damages cap of \$2.125 million, and starting January 1, 2028, and every 2 years thereafter, adjusts the damages cap based on inflation.

Beginning January 1, 2025, the bill incrementally increases the medical malpractice wrongful death damages limitation to \$1.575 million over the course of 5 years. Thereafter, the cap is adjusted biennially for inflation.

Existing law limits the amount recoverable for noneconomic damages in medical malpractice actions to \$300,000. Beginning January 1, 2025, the bill incrementally increases the noneconomic damages limitation to \$875,000 over the course of 5 years. Thereafter, the cap is adjusted biennially for inflation.

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

2           **SECTION 1. Legislative declaration.** The general assembly  
3 finds and declares that updating the monetary limitations on damages for  
4 direct or derivative noneconomic loss or injury serves the purpose and  
5 intent of the "Health Care Availability Act", the "Wrongful Death Act",  
6 and the statutory limitations on damages for noneconomic loss or injury  
7 in civil actions.

8           **SECTION 2.** In Colorado Revised Statutes, 13-21-102.5, **amend**  
9 (3)(a), (3)(b), (3)(c)(I), and (3)(c)(III) introductory portion; **repeal**  
10 (3)(c)(II); and **add** (2)(a.5) and (3)(c)(III.5) as follows:

11           **13-21-102.5. Limitations on damages for noneconomic loss or**  
12 **injury - definitions.** (2) As used in this section:

13           (a.5) "INFLATION" MEANS THE ANNUAL PERCENTAGE CHANGE IN

1 THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF LABOR  
2 STATISTICS CONSUMER PRICE INDEX FOR DENVER-AURORA-LAKEWOOD  
3 FOR ALL ITEMS PAID BY ALL URBAN CONSUMERS, OR ITS SUCCESSOR INDEX.

4 (3) (a) (I) In any civil action FILED BEFORE JANUARY 1, 2025, other  
5 than medical malpractice actions, ANY CIVIL ACTION FOR DAMAGES IN  
6 TORT BROUGHT AGAINST A HEALTH-CARE PROFESSIONAL, AS DEFINED IN  
7 SECTION 13-64-202 (4), OR A HEALTH-CARE INSTITUTION, AS DEFINED IN  
8 SECTION 13-64-202 (3), OR AS A RESULT OF BINDING ARBITRATION, in  
9 which damages for noneconomic loss or injury may be awarded, the total  
10 of such damages shall not exceed the sum of two hundred fifty thousand  
11 dollars unless the court finds justification by clear and convincing  
12 evidence therefor. In no case shall the amount of noneconomic loss or  
13 injury damages IN AN ACTION FILED BEFORE JANUARY 1, 2025, exceed five  
14 hundred thousand dollars.

15 (II) IN ANY CIVIL ACTION FILED ON OR AFTER JANUARY 1, 2025,  
16 AND BEFORE JANUARY 1, 2026, OR ANY CLAIM FOR RELIEF THAT ACCRUES  
17 ON OR AFTER JANUARY 1, 2026, OTHER THAN A MALPRACTICE ACTION,  
18 ANY CIVIL ACTION FOR DAMAGES IN TORT BROUGHT AGAINST A  
19 HEALTH-CARE PROFESSIONAL, AS DEFINED IN SECTION 13-64-202 (4), OR  
20 A HEALTH-CARE INSTITUTION, AS DEFINED IN SECTION 13-64-202 (3), OR  
21 AS A RESULT OF BINDING ARBITRATION, OR WRONGFUL DEATH ACTION, IN  
22 WHICH DAMAGES FOR DERIVATIVE OR DIRECT NONECONOMIC LOSS OR  
23 INJURY MAY BE AWARDED, THE TOTAL AMOUNT OF SUCH DAMAGES THAT  
24 MAY BE AWARDED MUST NOT EXCEED THE SUM OF ONE MILLION FIVE  
25 HUNDRED THOUSAND DOLLARS.

26 (III) The damages for noneconomic loss or injury in a medical  
27 malpractice action, ANY CIVIL ACTION FOR DAMAGES IN TORT BROUGHT

1 AGAINST A HEALTH-CARE PROFESSIONAL, AS DEFINED IN SECTION  
2 13-64-202 (4), OR A HEALTH-CARE INSTITUTION, AS DEFINED IN SECTION  
3 13-64-202 (3), ~~OR AS A RESULT OF BINDING ARBITRATION,~~ shall ~~not exceed~~  
4 ~~the limitations on noneconomic loss or injury specified in~~ BE GOVERNED  
5 BY section 13-64-302.

6 (IV) THE DAMAGES FOR NONECONOMIC LOSS OR INJURY IN A  
7 WRONGFUL DEATH ACTION SHALL BE GOVERNED BY SECTION 13-21-203.

8 (b) In any civil action, no damages for derivative noneconomic  
9 loss or injury may be awarded unless the court finds justification by clear  
10 and convincing evidence therefor. ~~In no case shall the amount of such~~  
11 ~~damages exceed two hundred fifty thousand dollars.~~

12 (c) (I) (A) The limitations on damages set forth in ~~subsections~~  
13 ~~(3)(a) and (3)(b)~~ SUBSECTION (3)(a)(I) of this section must be adjusted for  
14 inflation as of January 1, 1998, January 1, 2008, January 1, 2020, and  
15 ~~each~~ ON January 1 every two years thereafter UNTIL JANUARY 1, 2024.  
16 The adjustments made on January 1, 1998, January 1, 2008, January 1,  
17 2020, and ~~each~~ ON January 1 every two years thereafter UNTIL JANUARY  
18 1, 2024, must be based on the cumulative annual adjustment for inflation  
19 for each year since the effective date of the damages limitations in  
20 ~~subsections (3)(a) and (3)(b)~~ SUBSECTION (3)(a)(I) of this section.

21 (B) THE LIMITATIONS ON DAMAGES SET FORTH IN SUBSECTION  
22 (3)(a)(II) OF THIS SECTION MUST BE ADJUSTED FOR INFLATION ON  
23 JANUARY 1, 2028, AND ON JANUARY 1 EVERY TWO YEARS THEREAFTER.  
24 THE ADJUSTMENTS MADE ON JANUARY 1, 2028, AND ON JANUARY 1 EVERY  
25 TWO YEARS THEREAFTER MUST BE BASED ON THE CUMULATIVE ANNUAL  
26 ADJUSTMENT FOR INFLATION FOR EACH YEAR SINCE THE EFFECTIVE DATE  
27 OF THE DAMAGES LIMITATIONS IN SUBSECTION (3)(a)(II) OF THIS SECTION.

1 (C) The INFLATION adjustments made pursuant to this subsection  
2 (3)(c)(I) must be rounded upward or downward to the nearest ten-dollar  
3 increment.

4 (II) ~~As used in this paragraph (c), "inflation" means the annual~~  
5 ~~percentage change in the United States department of labor, bureau of~~  
6 ~~labor statistics, consumer price index for Denver-Boulder, all items, all~~  
7 ~~urban consumers, or its successor index.~~

8 (III) The secretary of state shall certify the adjusted limitation on  
9 damages within fourteen days after the appropriate information is  
10 available, and, FOR PURPOSES OF THE LIMITATION ON DAMAGES SPECIFIED  
11 IN SUBSECTIONS (3)(a)(I) AND (3)(b) OF THIS SECTION:

12 (III.5) FOR PURPOSES OF THE LIMITATION ON DAMAGES SPECIFIED  
13 IN SUBSECTION (3)(a)(II) OF THIS SECTION, THE SECRETARY OF STATE  
14 SHALL CERTIFY THE ADJUSTED LIMITATION ON DAMAGES WITHIN  
15 FOURTEEN DAYS AFTER THE APPROPRIATE INFORMATION IS AVAILABLE.  
16 THE ADJUSTED LIMITATION ON DAMAGES AS OF JANUARY 1, 2028, AND AS  
17 OF EACH JANUARY 1 EVERY TWO YEARS THEREAFTER, IS APPLICABLE TO  
18 ALL CLAIMS FOR RELIEF THAT ACCRUE ON OR AFTER THE SPECIFIED  
19 JANUARY 1 AND BEFORE THE JANUARY 1 TWO YEARS THEREAFTER.

20 **SECTION 3.** In Colorado Revised Statutes, 13-21-201, **amend**  
21 (1)(a)(III), (1)(a)(IV), (1)(b)(I)(C), and (1)(b)(I)(D); and **add** (1)(a)(V)  
22 and (1)(b)(I)(E) as follows:

23 **13-21-201. Damages for death.** (1) When any person dies from  
24 any injury resulting from or occasioned by the negligence, unskillfulness,  
25 or criminal intent of any officer, agent, servant, or employee while  
26 running, conducting, or managing any locomotive, car, or train of cars, or  
27 of any driver of any coach or other conveyance operated for the purpose

1 of carrying either freight or passengers for hire while in charge of the  
2 same as a driver, and when any passenger dies from an injury resulting  
3 from or occasioned by any defect or insufficiency in any railroad or any  
4 part thereof, or in any locomotive or car, or other conveyance operated for  
5 the purpose of carrying either freight or passengers for hire, the  
6 corporation or individuals in whose employ any such officer, agent,  
7 servant, employee, master, pilot, engineer, or driver is at the time such  
8 injury is committed, or who owns any such railroad, locomotive, car, or  
9 other conveyance operated for the purpose of carrying either freight or  
10 passengers for hire at the time any such injury is received, and resulting  
11 from or occasioned by the defect or insufficiency above described shall  
12 forfeit and pay for every person and passenger so injured the sum of not  
13 exceeding ten thousand dollars and not less than three thousand dollars,  
14 which may be sued for and recovered:

15 (a) In the first year after such death:

16 (III) Upon the written election of the spouse, by the heir or heirs  
17 of the deceased; or

18 (IV) If there is no spouse, by the heir or heirs of the deceased or  
19 the designated beneficiary, if there is one designated pursuant to article  
20 22 of title 15, ~~C.R.S.~~, with the right to bring an action pursuant to this  
21 section, and if there is no designated beneficiary, by the heir or heirs of  
22 the deceased; OR

23 (V) IF, AT THE TIME OF DEATH, THERE IS NO SPOUSE, NO HEIR OR  
24 HEIRS, AND NO DESIGNATED BENEFICIARY, OR, IF THE DECEASED WAS AN  
25 UNMARRIED MINOR WITHOUT DESCENDANTS OR AN UNMARRIED ADULT  
26 WITHOUT DESCENDANTS, AND THERE IS NO MOTHER AND NO FATHER OF  
27 THE DECEASED, THEN BY THE SIBLING OR SIBLINGS OF THE DECEASED OR

1 THE HEIR OR HEIRS OF THE SIBLING OR SIBLINGS OF THE DECEASED.

2 (b) (I) In the second year after such death:

3 (C) By the spouse and the heir or heirs of the deceased; ~~or~~

4 (D) By the designated beneficiary of the deceased, if there is one  
5 designated pursuant to article 22 of title 15, ~~C.R.S.~~, with the right to bring  
6 an action pursuant to this section, and the heir or heirs of the deceased; OR

7 (E) BY THE SIBLING OR SIBLINGS OF THE DECEASED OR THE HEIR OR  
8 HEIRS OF THE SIBLING OR SIBLINGS OF THE DECEASED, BUT ONLY IF, AT THE  
9 TIME OF DEATH, THE DECEASED HAD NO SURVIVING SPOUSE, NO HEIR OR  
10 HEIRS, AND NO DESIGNATED BENEFICIARY, OR, IF THE DECEASED WAS AN  
11 UNMARRIED MINOR WITHOUT DESCENDANTS OR AN UNMARRIED ADULT  
12 WITHOUT DESCENDANTS, AND HAD NO MOTHER AND NO FATHER.

13 **SECTION 4.** In Colorado Revised Statutes, 13-21-203, **amend**  
14 (1) as follows:

15 **13-21-203. Limitation on damages.** (1) (a) All damages  
16 accruing under section 13-21-202 shall be sued for and recovered by the  
17 same parties and in the same manner as provided in section 13-21-201,  
18 and in every such action the jury may give such damages as they may  
19 deem fair and just, with reference to the necessary injury resulting from  
20 such death, including damages for noneconomic loss or injury as defined  
21 in section 13-21-102.5 and subject to the limitations of this section and  
22 including within noneconomic loss or injury damages for grief, loss of  
23 companionship, pain and suffering, and emotional stress, to the surviving  
24 parties who may be entitled to sue; and also having regard to the  
25 mitigating or aggravating circumstances attending any such wrongful act,  
26 neglect, or default; except that, if the decedent left neither a widow, a  
27 widower, minor children, nor a dependent father or mother, the damages

1 recoverable in any such action shall not exceed ~~the limitations for~~  
2 ~~noneconomic loss or injury set forth in section 13-21-102.5~~ THE SUM OF  
3 TWO MILLION ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS, unless  
4 the wrongful act, neglect, or default causing death constitutes a felonious  
5 killing, as defined in section 15-11-803 (1)(b), ~~€R.S.~~, and as determined  
6 in the manner described in section 15-11-803 (7), ~~€R.S.~~, in which case  
7 there shall be no limitation on the damages for noneconomic loss or  
8 injury recoverable in such action. No action shall be brought and no  
9 recovery shall be had under both section 13-21-201 and section  
10 13-21-202, and in all cases the plaintiff is required to elect under which  
11 section he or she will proceed. There shall be only one civil action under  
12 this part 2 for recovery of damages for the wrongful death of any one  
13 decedent. Notwithstanding anything in this section or in section  
14 13-21-102.5 to the contrary, there shall be no recovery under this part 2  
15 for noneconomic loss or injury in excess of ~~two hundred fifty thousand~~  
16 ~~dollars~~ TWO MILLION ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS,  
17 unless the wrongful act, neglect, or default causing death constitutes a  
18 felonious killing, as defined in section 15-11-803 (1)(b), ~~€R.S.~~, and as  
19 determined in the manner described in section 15-11-803 (7). ~~€R.S.~~

20 (b) ~~The damages recoverable for noneconomic loss or injury in~~  
21 ~~any medical malpractice action shall not exceed the limitations on~~  
22 ~~noneconomic loss or injury set forth in section 13-64-302.~~  
23 NOTWITHSTANDING THE LIMITATION SET FORTH IN SUBSECTION (1)(a) OF  
24 THIS SECTION OR IN SECTION 13-64-302 (1):

25 (I) EFFECTIVE JANUARY 1, 2025, THE TOTAL AMOUNT  
26 RECOVERABLE FOR DERIVATIVE OR DIRECT NONECONOMIC LOSS OR  
27 INJURY, AS DEFINED IN SECTION 13-64-302 (1)(a)(I) AND (1)(a)(II), IN ANY



1 CIVIL ACTION FOR DAMAGES IN TORT BROUGHT AGAINST A HEALTH-CARE  
2 PROFESSIONAL, AS DEFINED IN SECTION 13-64-202 (4), OR A HEALTH-CARE  
3 INSTITUTION, AS DEFINED IN SECTION 13-64-202 (3), OR AS A RESULT OF  
4 BINDING ARBITRATION, BASED ON A CLAIM OF WRONGFUL DEATH OF A  
5 PATIENT SHALL NOT EXCEED FIVE HUNDRED FIFTY-FIVE THOUSAND  
6 DOLLARS, WHICH AMOUNT APPLIES TO ACTS OR OMISSIONS OCCURRING ON  
7 OR AFTER JANUARY 1, 2025, BUT BEFORE JANUARY 1, 2026.

8 (II) EFFECTIVE JANUARY 1, 2026, THE TOTAL AMOUNT  
9 RECOVERABLE FOR DERIVATIVE OR DIRECT NONECONOMIC LOSS OR  
10 INJURY, AS DEFINED IN SECTION 13-64-302 (1)(a)(I) AND (1)(a)(II), IN ANY  
11 CIVIL ACTION FOR DAMAGES IN TORT BROUGHT AGAINST A HEALTH-CARE  
12 PROFESSIONAL, AS DEFINED IN SECTION 13-64-202 (4), OR A HEALTH-CARE  
13 INSTITUTION, AS DEFINED IN SECTION 13-64-202 (3), OR AS A RESULT OF  
14 BINDING ARBITRATION, BASED ON A CLAIM OF WRONGFUL DEATH OF A  
15 PATIENT SHALL NOT EXCEED EIGHT HUNDRED TEN THOUSAND DOLLARS,  
16 WHICH AMOUNT APPLIES TO ACTS OR OMISSIONS OCCURRING ON OR AFTER  
17 JANUARY 1, 2026, BUT BEFORE JANUARY 1, 2027.

18 (III) EFFECTIVE JANUARY 1, 2027, THE TOTAL AMOUNT  
19 RECOVERABLE FOR DERIVATIVE OR DIRECT NONECONOMIC LOSS OR  
20 INJURY, AS DEFINED IN SECTION 13-64-302 (1)(a)(I) AND (1)(a)(II), IN ANY  
21 CIVIL ACTION FOR DAMAGES IN TORT BROUGHT AGAINST A HEALTH-CARE  
22 PROFESSIONAL, AS DEFINED IN SECTION 13-64-202 (4), OR A HEALTH-CARE  
23 INSTITUTION, AS DEFINED IN SECTION 13-64-202 (3), OR AS A RESULT OF  
24 BINDING ARBITRATION, BASED ON A CLAIM OF WRONGFUL DEATH OF A  
25 PATIENT SHALL NOT EXCEED ONE MILLION SIXTY-FIVE THOUSAND  
26 DOLLARS, WHICH AMOUNT APPLIES TO ACTS OR OMISSIONS OCCURRING ON  
27 OR AFTER JANUARY 1, 2027, BUT BEFORE JANUARY 1, 2028.

1 (IV) EFFECTIVE JANUARY 1, 2028, THE TOTAL AMOUNT  
2 RECOVERABLE FOR DERIVATIVE OR DIRECT NONECONOMIC LOSS OR  
3 INJURY, AS DEFINED IN SECTION 13-64-302 (1)(a)(I) AND (1)(a)(II), IN ANY  
4 CIVIL ACTION FOR DAMAGES IN TORT BROUGHT AGAINST A HEALTH-CARE  
5 PROFESSIONAL, AS DEFINED IN SECTION 13-64-202 (4), OR A HEALTH-CARE  
6 INSTITUTION, AS DEFINED IN SECTION 13-64-202 (3), OR AS A RESULT OF  
7 BINDING ARBITRATION, BASED ON A CLAIM OF WRONGFUL DEATH OF A  
8 PATIENT SHALL NOT EXCEED ONE MILLION THREE HUNDRED TWENTY  
9 THOUSAND DOLLARS, WHICH AMOUNT APPLIES TO ACTS OR OMISSIONS  
10 OCCURRING ON OR AFTER JANUARY 1, 2028, BUT BEFORE JANUARY 1,  
11 2029.

12 (V) EFFECTIVE JANUARY 1, 2029, THE TOTAL AMOUNT  
13 RECOVERABLE FOR DERIVATIVE OR DIRECT NONECONOMIC LOSS OR  
14 INJURY, AS DEFINED IN SECTION 13-64-302 (1)(a)(I) AND (1)(a)(II), IN ANY  
15 CIVIL ACTION FOR DAMAGES IN TORT BROUGHT AGAINST A HEALTH-CARE  
16 PROFESSIONAL, AS DEFINED IN SECTION 13-64-202 (4), OR A HEALTH-CARE  
17 INSTITUTION, AS DEFINED IN SECTION 13-64-202 (3), OR AS A RESULT OF  
18 BINDING ARBITRATION, BASED ON A CLAIM OF WRONGFUL DEATH OF A  
19 PATIENT SHALL NOT EXCEED ONE MILLION FIVE HUNDRED SEVENTY-FIVE  
20 THOUSAND DOLLARS, WHICH AMOUNT APPLIES TO ACTS OR OMISSIONS  
21 OCCURRING ON OR AFTER JANUARY 1, 2029, BUT BEFORE JANUARY 1,  
22 2030.

23 (VI) EFFECTIVE JANUARY 1, 2030, THE LIMITATION ON DAMAGES  
24 SPECIFIED IN SUBSECTION (1)(b)(V) OF THIS SECTION SHALL BE ADJUSTED  
25 IN ACCORDANCE WITH SECTION 13-21-203.7 (4).

26 **SECTION 5.** In Colorado Revised Statutes, 13-21-203.7, **amend**  
27 (1) and (2); and **add** (1.5) and (4) as follows:

1           **13-21-203.7. Adjustments of dollar limitations for effects of**  
2 **inflation - definition.** (1) The limitations on noneconomic damages set  
3 forth in section 13-21-203 (1)(a) and the amount of the solatium set forth  
4 in section 13-21-203.5 must be adjusted for inflation as of January 1,  
5 1998, January 1, 2008, January 1, 2020, and each January 1 every two  
6 years thereafter UNTIL JANUARY 1, 2024. The adjustments made on  
7 January 1, 1998, January 1, 2008, January 1, 2020, and each January 1  
8 every two years thereafter must be based on the cumulative annual  
9 adjustment for inflation for each year since the effective date of the  
10 damages limitations in sections 13-21-203 (1)(a) and 13-21-203.5. The  
11 adjustments made pursuant to this subsection (1) must be rounded upward  
12 or downward to the nearest ten-dollar increment.

13           (1.5) AFTER JANUARY 1, 2024, THE LIMITATIONS ON DAMAGES SET  
14 FORTH IN SECTION 13-21-203 (1)(a) MUST BE ADJUSTED FOR INFLATION  
15 JANUARY 1, 2028, AND ON JANUARY 1 EVERY TWO YEARS THEREAFTER.  
16 THE ADJUSTMENTS MADE ON JANUARY 1, 2028, AND ON JANUARY 1 EVERY  
17 TWO YEARS THEREAFTER MUST BE BASED ON THE CUMULATIVE ANNUAL  
18 ADJUSTMENT FOR INFLATION FOR EACH YEAR SINCE THE EFFECTIVE DATE  
19 OF THE DAMAGES LIMITATIONS IN SECTION 13-21-203 (1)(a). THE  
20 ADJUSTMENTS MADE PURSUANT TO THIS SUBSECTION (1.5) MUST BE  
21 ROUNDED UPWARD OR DOWNWARD TO THE NEAREST TEN-DOLLAR  
22 INCREMENT.

23           (2) As used in this section, "inflation" ~~means the annual~~  
24 ~~percentage change in the United States department of labor, bureau of~~  
25 ~~labor statistics, consumer price index for Denver-Boulder, all items, all~~  
26 ~~urban consumers, or its successor index~~ MEANS THE ANNUAL PERCENTAGE  
27 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF

1 LABOR STATISTICS CONSUMER PRICE INDEX FOR  
2 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY ALL URBAN  
3 CONSUMERS, OR ITS SUCCESSOR INDEX.

4 (4) (a) EFFECTIVE JANUARY 1, 2030, THE DAMAGES LIMITATION  
5 SPECIFIED IN SECTION 13-21-203 (1)(b)(V) MUST BE ADJUSTED FOR  
6 INFLATION ON JANUARY 1, 2030, AND ON JANUARY 1 EVERY TWO YEARS  
7 THEREAFTER. THE ADJUSTMENTS MADE ON JANUARY 1, 2030, AND ON  
8 JANUARY 1 EVERY TWO YEARS THEREAFTER MUST BE BASED ON THE  
9 CUMULATIVE ANNUAL ADJUSTMENT FOR INFLATION FOR EACH YEAR SINCE  
10 THE EFFECTIVE DATE OF THE DAMAGES LIMITATION SPECIFIED IN SECTION  
11 13-21-203 (1)(b)(V). THE ADJUSTMENTS MADE PURSUANT TO THIS  
12 SUBSECTION (4) MUST BE ROUNDED UPWARD OR DOWNWARD TO THE  
13 NEAREST TEN-DOLLAR INCREMENT.

14 (b) THE SECRETARY OF STATE SHALL CERTIFY THE ADJUSTED  
15 LIMITATION ON DAMAGES WITHIN FOURTEEN DAYS AFTER THE  
16 APPROPRIATE INFORMATION IS AVAILABLE AND SHALL PUBLISH THE  
17 ADJUSTED AMOUNT ON THE SECRETARY OF STATE'S WEBSITE.

18 (c) THE ADJUSTED LIMITATION ON DAMAGES AS OF JANUARY 1,  
19 2030, AND ON JANUARY 1 EVERY TWO YEARS THEREAFTER IS APPLICABLE  
20 TO ALL CLAIMS FOR RELIEF THAT ACCRUE ON AND AFTER THE SPECIFIED  
21 JANUARY 1 AND BEFORE THE JANUARY 1 TWO YEARS THEREAFTER.

22 **SECTION 6.** In Colorado Revised Statutes, 13-64-302, **amend**  
23 (1)(b) and (1)(c) as follows:

24 **13-64-302. Limitation of liability - interest on damages -**  
25 **definition.** (1) (b) The total amount recoverable for all damages for a  
26 course of care for all defendants in any civil action for damages in tort  
27 brought against a health-care professional, as defined in section

1 13-64-202, or a health-care institution, as defined in section 13-64-202,  
2 or as a result of binding arbitration, whether past damages, future  
3 damages, or a combination of both, shall not exceed THE GREATER OF one  
4 million dollars, present value per patient, OR ONE HUNDRED TWENTY-FIVE  
5 PERCENT OF THE NONECONOMIC DAMAGES LIMITATIONS SET FORTH IN  
6 SECTION 13-21-203 (1)(b) IN EFFECT AT THE TIME THE ACTS OR OMISSIONS  
7 OCCURRED, PRESENT VALUE PER PATIENT, including any claim for  
8 derivative noneconomic loss or injury, of which not more than two  
9 hundred fifty thousand dollars, present value per patient, including any  
10 derivative claim, shall be attributable to direct or derivative noneconomic  
11 loss or injury; except that, if, upon good cause shown, the court  
12 determines that the present value of past and future economic damages  
13 would exceed such limitation and that the application of such limitation  
14 would be unfair, the court may award in excess of the limitation the  
15 present value of additional past and future economic damages only. The  
16 limitations of this section are not applicable to a health-care professional  
17 who is a public employee under the "Colorado Governmental Immunity  
18 Act" and are not applicable to a certified health-care institution which is  
19 a public entity under the "Colorado Governmental Immunity Act". For  
20 purposes of this section, "present value" has the same meaning as that set  
21 forth in section 13-64-202 (7). The existence of the limitations and  
22 exceptions thereto provided in this section shall not be disclosed to a jury.

23 (c) (I) (A) Effective July 1, 2003, the damages limitation of two  
24 hundred fifty thousand dollars described in ~~paragraph (b) of this~~  
25 ~~subsection (1)~~ SUBSECTION (1)(b) OF THIS SECTION shall be increased to  
26 three hundred thousand dollars, which increased amount shall apply to  
27 acts or omissions occurring on or after said date. It is the intent of the

1 general assembly that the increase reflect an adjustment for inflation to  
2 the damages limitation.

3 (B) EFFECTIVE JANUARY 1, 2025, IN AN ACTION FILED ON OR AFTER  
4 THAT DATE THAT ACCRUED ON OR AFTER JANUARY 1, 2024, BUT BEFORE  
5 JANUARY 1, 2026, THE DAMAGES LIMITATION OF THREE HUNDRED  
6 THOUSAND DOLLARS DESCRIBED IN SUBSECTION (I)(c)(I)(A) OF THIS  
7 SECTION FOR DIRECT OR DERIVATIVE NONECONOMIC LOSS OR INJURY IS  
8 INCREASED TO FOUR HUNDRED FIFTEEN THOUSAND DOLLARS.

9 (C) EFFECTIVE JANUARY 1, 2026, THE DAMAGES LIMITATION OF  
10 FOUR HUNDRED FIFTEEN THOUSAND DOLLARS DESCRIBED IN SUBSECTION  
11 (1)(c)(I)(B) OF THIS SECTION IS INCREASED TO FIVE HUNDRED THIRTY  
12 THOUSAND DOLLARS, WHICH INCREASED AMOUNT APPLIES TO ACTS OR  
13 OMISSIONS OCCURRING ON OR AFTER JANUARY 1, 2026, BUT BEFORE  
14 JANUARY 1, 2027.

15 (D) EFFECTIVE JANUARY 1, 2027, THE DAMAGES LIMITATION OF  
16 FIVE HUNDRED THIRTY THOUSAND DOLLARS DESCRIBED IN SUBSECTION  
17 (1)(c)(I)(C) OF THIS SECTION IS INCREASED TO SIX HUNDRED FORTY-FIVE  
18 THOUSAND DOLLARS, WHICH INCREASED AMOUNT APPLIES TO ACTS OR  
19 OMISSIONS OCCURRING ON OR AFTER JANUARY 1, 2027, BUT BEFORE  
20 JANUARY 1, 2028.

21 (E) EFFECTIVE JANUARY 1, 2028, THE DAMAGES LIMITATION OF SIX  
22 HUNDRED FORTY-FIVE THOUSAND DOLLARS DESCRIBED IN SUBSECTION  
23 (1)(c)(I)(D) OF THIS SECTION IS INCREASED TO SEVEN HUNDRED SIXTY  
24 THOUSAND DOLLARS, WHICH INCREASED AMOUNT APPLIES TO ACTS OR  
25 OMISSIONS OCCURRING ON OR AFTER JANUARY 1, 2028, BUT BEFORE  
26 JANUARY 1, 2029.

27 (F) EFFECTIVE JANUARY 1, 2029, THE DAMAGES LIMITATION OF

1 SEVEN HUNDRED SIXTY THOUSAND DOLLARS DESCRIBED IN SUBSECTION  
2 (1)(c)(I)(E) OF THIS SECTION IS INCREASED TO EIGHT HUNDRED  
3 SEVENTY-FIVE THOUSAND DOLLARS, WHICH INCREASED AMOUNT APPLIES  
4 TO ACTS OR OMISSIONS OCCURRING ON OR AFTER JANUARY 1, 2029, BUT  
5 BEFORE JANUARY 1, 2030.

6 (G) EFFECTIVE JANUARY 1, 2030, THE DAMAGES LIMITATIONS IN  
7 SUBSECTION (1)(c)(I)(F) OF THIS SECTION MUST BE ADJUSTED FOR  
8 INFLATION AS OF JANUARY 1, 2030, AND ON JANUARY 1 EVERY TWO YEARS  
9 THEREAFTER. THE ADJUSTMENTS MADE ON JANUARY 1, 2030, AND ON  
10 JANUARY 1 EVERY TWO YEARS THEREAFTER MUST BE BASED ON THE  
11 CUMULATIVE ANNUAL ADJUSTMENT FOR INFLATION FOR EACH YEAR SINCE  
12 THE EFFECTIVE DATE OF THE DAMAGES LIMITATION SPECIFIED IN  
13 SUBSECTION (1)(c)(I)(F) OF THIS SECTION. THE ADJUSTMENTS MADE  
14 PURSUANT TO THIS SUBSECTION (1)(c)(I)(G) MUST BE ROUNDED UPWARD  
15 OR DOWNWARD TO THE NEAREST TEN-DOLLAR INCREMENT. AS USED IN  
16 THIS SUBSECTION (1)(c), "INFLATION" MEANS THE ANNUAL PERCENTAGE  
17 CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF  
18 LABOR STATISTICS CONSUMER PRICE INDEX FOR  
19 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY ALL URBAN  
20 CONSUMERS, OR ITS SUCCESSOR INDEX.

21 (II) THE SECRETARY OF STATE SHALL CERTIFY THE ADJUSTED  
22 LIMITATION ON DAMAGES WITHIN FOURTEEN DAYS AFTER THE  
23 APPROPRIATE INFORMATION IS AVAILABLE AND SHALL PUBLISH THE  
24 ADJUSTED AMOUNT ON THE SECRETARY OF STATE'S WEBSITE.

25 (III) THE ADJUSTED LIMITATION ON DAMAGES AS OF JANUARY 1,  
26 2030, AND ON JANUARY 1 EVERY TWO YEARS THEREAFTER IS APPLICABLE  
27 TO ACTS OR OMISSIONS OCCURRING ON AND AFTER THE SPECIFIED

1 JANUARY 1 AND BEFORE THE JANUARY 1 TWO YEARS THEREAFTER.

2           **SECTION 7. Effective date.** This act takes effect January 1,  
3 2025.

4           **SECTION 8. Safety clause.** The general assembly finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, or safety or for appropriations for  
7 the support and maintenance of the departments of the state and state  
8 institutions.