



# Legislative Council Staff

## Research Note

Version: Final

Date: 5/11/2017

### Bill Number

House Bill 17-1213

### Sponsors

*Representative Van Winkle*  
*Senator Holbert*

### Short Title

*Transfers Of Automobile Titles*  
*Upon Death*

### Research Analyst

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### Status

This research note reflects the final version of the bill. The bill was signed by the Governor and becomes effective August 9, 2017, assuming no petition is filed.

### Background

Colorado, and approximately 15 other states, provide transfer-on-death vehicle registrations or a way to designate a beneficiary for the vehicle. In Colorado, beneficiaries can currently be designated on a variety of different assets, including bank accounts, investment accounts, insurance policies, and home deeds. Allowing assets to transfer directly to assigned beneficiaries upon the death of the owner can help to keep the estate's asset value under \$64,000, which keeps the estate from having to be settled in probate court. The form can be found here: <https://www.colorado.gov/pacific/sites/default/files/DR2009.pdf>.

**Joint owners.** Most property, including vehicles, can be jointly owned. Several ways exist to legally co-own property, but the most common are through joint tenancy or tenancy in common. Joint tenancy is a form of co-ownership in which property passes to the surviving owner when a tenant dies. Unlike joint tenancy, tenancy in common ownership passes to the estate, not to the surviving owner.

### House Action

**House Transportation and Energy Committee (March 16, 2017).** At the hearing, representatives of the Colorado Bar Association testified in support of the bill. The committee

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referred the bill to the House Committee of the Whole.

**House second reading (March 21, 2017).** The House passed the bill on second reading with no additional amendments.

**House third reading (March 22, 2017).** The House passed the bill on third reading with no additional amendments.

## Senate Action

**Senate Transportation (April 11, 2017).** The committee referred the bill to the Senate Committee of the Whole with the recommendation that it be placed on the consent calendar.

**Senate second reading (April 17, 2017).** The Senate passed the bill on second reading with no additional amendments.

**Senate third reading (April 18, 2017).** The Senate passed the bill on third reading with no additional amendments.

## Relevant Research

Legislative Council Staff, *Colorado Probate Law*, Issue Brief, April 2016:  
[http://leg.colorado.gov/sites/default/files/colorado\\_probate\\_law\\_ib\\_3292016.pdf](http://leg.colorado.gov/sites/default/files/colorado_probate_law_ib_3292016.pdf)