

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 19-1104

BY REPRESENTATIVE(S) Ransom, Buentello, Galindo, Snyder, Soper, Titone;
also SENATOR(S) Lee, Court, Gardner, Marble, Moreno, Priola, Smallwood, Tate, Williams A., Garcia.

CONCERNING THE RIGHTS OF PERSONS REPRESENTED BY AN ATTORNEY
THROUGH THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL.

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

SECTION 1. In Colorado Revised Statutes, 19-1-307, **amend** (2.3) introductory portion and (2.3)(d) as follows:

19-1-307. Dependency and neglect records and information - access - fee - rules - records and reports fund - misuse of information - penalty - adult protective services data system check. (2.3) The following agencies or attorneys appointed by the court ~~shall~~ **MUST** be granted statewide read-only access to the name index and register of actions for the judiciary department:

(d) ~~Respondent parent~~ **A RESPONDENT PARENT'S** counsel ~~appointed by the court and paid by the judicial department~~ **UNDER CONTRACT WITH**

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL, CREATED IN SECTION 13-92-103, OR AUTHORIZED BY THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL TO ACT AS A RESPONDENT PARENT'S COUNSEL, as it relates to a case in which they are appointed by the court.

SECTION 2. In Colorado Revised Statutes, 19-3-612, **amend** (5) as follows:

19-3-612. Reinstatement of the parent-child legal relationship - circumstances - petition - hearings - legislative declaration. (5) If a petition to reinstate the parent-child legal relationship is filed, a former parent who is named in the petition and whose rights the petition seeks to have reinstated is entitled to appointed counsel THROUGH THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL PURSUANT TO ARTICLE 92 OF TITLE 13 if the former parent meets the income eligibility criteria for public counsel, or the former parent may retain counsel at his or her own expense.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO