

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 25-0448.01 Owen Hatch x2698

**SENATE BILL 25-273**

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**SENATE SPONSORSHIP**

**Roberts,**

**HOUSE SPONSORSHIP**

**Smith and Soper,**

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**Senate Committees**  
Health & Human Services

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE RETENTION OF BLOOD DRAWS FOR FOURTEEN DAYS**  
102      **FOR USE IN INVESTIGATIONS.**

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

Current law does not require hospitals to hold on to blood draws for any specific amount of time. The bill requires hospitals or other health-care facilities to retain blood draws or admission blood samples for 14 days if a peace officer submits a blood draw retention form. The bill also lists the requirements for a blood draw retention form.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 16-3-313 as  
3 follows:

4 **16-3-313. Blood draws - retainment period - submission form.**

5 (1) (a) A HEALTH-CARE FACILITY THAT IS LICENSED OR CERTIFIED IN  
6 ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 3 OF TITLE 25 SHALL  
7 RETAIN AND KEEP SAFE IN ITS CONTROL A BLOOD DRAW OR ADMISSION  
8 BLOOD SAMPLE TAKEN AS A RESULT OF, OR IN CONJUNCTION WITH, A  
9 CRIMINAL OR NONCRIMINAL INVESTIGATION WHEN A LAW ENFORCEMENT  
10 OFFICER SERVES THE ATTENDING PHYSICIAN OR HEALTH-CARE FACILITY  
11 WITH A RETENTION FORM REQUIRING THE RETENTION OF THE BLOOD DRAW  
12 OR ADMISSION BLOOD SAMPLE.

13 (b) A LAW ENFORCEMENT AGENCY MAY CREATE A BLOOD DRAW  
14 OR ADMISSION BLOOD SAMPLE RETENTION FORM. THE RETENTION FORM  
15 MUST CONTAIN AT LEAST THE FOLLOWING INFORMATION:

16 (I) THE DATE AND TIME OF THE SUBMISSION OF THE FORM;

17 (II) THE NAME OF THE HEALTH-CARE FACILITY;

18 (III) THE NAME, SIGNATURE, AND BADGE NUMBER OF THE LAW  
19 ENFORCEMENT OFFICER SUBMITTING THE RETENTION FORM;

20 (IV) THE NAME AND DATE OF BIRTH, IF KNOWN AT THE TIME, OF  
21 THE SUBJECT OF THE BLOOD DRAW OR ADMISSION BLOOD SAMPLE;

22 (V) THE DATE OF THE INJURY OR INCIDENT, IF KNOWN AT THE  
23 TIME, RESULTING IN THE INDIVIDUAL BEING ADMITTED TO THE  
24 HEALTH-CARE FACILITY;

25 (VI) THE COUNTY IN WHICH THE INJURY OR INCIDENT OCCURRED,  
26 IF KNOWN AT THE TIME, RESULTING IN THE INDIVIDUAL BEING ADMITTED

1 TO THE HEALTH-CARE FACILITY;

2 (VII) THE DATE OF THE BLOOD DRAW OR ADMISSION BLOOD  
3 SAMPLE, IF KNOWN AT THE TIME; AND

4 (VIII) THE REASON FOR THE RETENTION OF THE BLOOD DRAW OR  
5 ADMISSION BLOOD SAMPLE.

6 (c) A LAW ENFORCEMENT OFFICER SHALL SERVE A COMPLETED  
7 RETENTION FORM ON THE ATTENDING PHYSICIAN OF THE INITIAL  
8 RECEIVING HEALTH-CARE FACILITY OR ON THE HEALTH-CARE FACILITY  
9 WITHIN TWENTY-FOUR HOURS AFTER THE INDIVIDUAL IS PRESENTED TO  
10 THE INITIAL RECEIVING HEALTH-CARE FACILITY.

11 (d) THE HEALTH-CARE FACILITY SHALL RETAIN THE BLOOD DRAW  
12 OR ADMISSION BLOOD SAMPLE FOR FOURTEEN DAYS AFTER THE DATE OF  
13 THE SUBMISSION OF THE RETENTION FORM.

14 (e) THE RETENTION REQUIREMENT APPLIES TO LABELED ADMISSION  
15 BLOOD TUBES, INCLUDING BLOOD TUBES FROM PREHOSPITAL BLOOD  
16 DRAWS, APPROPRIATE FOR FORENSIC TOXICOLOGY AND NOT REQUIRED FOR  
17 CONTINUED PATIENT CARE.

18 (2) THIS SECTION DOES NOT EXPAND THE RIGHT OF A LAW  
19 ENFORCEMENT OFFICER, OR A PUBLIC SERVANT AS DEFINED IN SECTION  
20 18-1-901, TO SEEK A WARRANT FOR A BLOOD DRAW OR ADMISSION BLOOD  
21 SAMPLE. THIS SECTION DOES NOT CONFER ADDITIONAL POWERS OR  
22 AUTHORITY UPON PUBLIC OFFICIALS CONDUCTING A CRIMINAL OR  
23 NONCRIMINAL INVESTIGATION.

24 **SECTION 2. Act subject to petition - effective date.** This act  
25 takes effect at 12:01 a.m. on the day following the expiration of the  
26 ninety-day period after final adjournment of the general assembly; except  
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this  
2 act within such period, then the act, item, section, or part will not take  
3 effect unless approved by the people at the general election to be held in  
4 November 2026 and, in such case, will take effect on the date of the  
5 official declaration of the vote thereon by the governor.