



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 20-1316

FINAL FISCAL NOTE

Drafting Number:	LLS 20-0674	Date:	July 21, 2020
Prime Sponsors:	Rep. Froelich Sen. Ginal	Bill Status:	Deemed Lost
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Bill Topic: **GESTATIONAL AND GENETIC SURROGACY AGREEMENTS**

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

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

**Appropriation
Summary:** No appropriation was required.

**Fiscal Note
Status:** This fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

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 was deemed lost on June 16, 2020.

State and Local Government Contacts

Child Welfare
Human Services
Public Health And Environment

Counties
Information Technology
Regulatory Agencies