

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 25-0389.02 Jacob Baus x2173

HOUSE BILL 25-1185

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A BILL FOR AN ACT

101 **CONCERNING COURT PROCEEDINGS FOR A PARENT-CHILD LEGAL**
102 **RELATIONSHIP WHEN THE CHILD WAS CONCEIVED AS A RESULT**
103 **OF A SEXUAL ASSAULT.**

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>.)

Under current law, a parent who wants to relinquish their child must satisfy certain requirements. If the parent who wants to relinquish their child is a victim of sexual assault that resulted in the conception of the child to be relinquished, the bill:

- Allows the relinquishment petitioner to provide the

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.

SENATE
3rd Reading Unamended
April 4, 2025

SENATE
2nd Reading Unamended
April 3, 2025

HOUSE
3rd Reading Unamended
March 10, 2025

HOUSE
Amended 2nd Reading
March 7, 2025

juvenile court with documentation concerning the sexual assault or conception, including a sworn affidavit;

- Exempts the petitioner from having to satisfy certain relinquishment requirements if the court finds that the petitioner is a victim of sexual assault that resulted in the conception of the child to be relinquished; and
- Exempts the relinquishing parent of all legal obligations they may have with respect to the child if the court grants a final order of relinquishment.

On or before January 1, 2026, the state court administrator is required to develop a, or modify an existing, standardized form for a petitioner to file to terminate another person's parent-child legal relationship because the child was conceived as a result of sexual assault.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-5-101, **amend** (1)
3 as follows:

4 **19-5-101. Termination of the parent-child legal relationship.**

5 (1) The juvenile court may, upon petition, terminate the parent-child
6 legal relationship between a parent or parents, or a possible parent or
7 parents, and a child in PROCEEDINGS PURSUANT TO:

8 (a) ~~Proceedings under~~ Section 19-1-104 (1)(d);

9 (a.5) ~~Proceedings under~~ Section 19-5-103.5 (2)(d);

10 (b) ~~Proceedings under~~ Section 19-5-105;

11 (c) ~~Proceedings under~~ Section 19-5-203 (1)(d), (1)(e), (1)(f),
12 (1)(j), and (1)(k); or

13 (d) ~~Proceedings under~~ Section 19-5-105.5; OR

14 (e) SECTION 19-5-105.7.

15 **SECTION 2.** In Colorado Revised Statutes, 19-5-103, **add** (13)
16 as follows:

17 **19-5-103. Relinquishment procedure - petition - hearings.**

18 (13) (a) (I) IF A CHILD WAS CONCEIVED AS A RESULT OF AN ACT THAT LED

1 TO A PARENT'S CONVICTION FOR SEXUAL ASSAULT OR FOR A CONVICTION
2 OF AN ACT IN WHICH THE UNDERLYING FACTUAL BASIS WAS SEXUAL
3 ASSAULT, THE VICTIM OF THE SEXUAL ASSAULT OR CRIME MAY FILE A
4 PETITION IN THE JUVENILE COURT TO PREVENT FUTURE CONTACT WITH THE
5 PARENT WHO COMMITTED THE SEXUAL ASSAULT AND TO RELINQUISH THE
6 PARENT-CHILD LEGAL RELATIONSHIP OF THE VICTIM OF THE SEXUAL
7 ASSAULT OR CRIME.

8 (II) A PERSON WHO ALLEGES THAT THEY ARE A VICTIM OF SEXUAL
9 ASSAULT AND WHO ALLEGES THAT A CHILD WAS CONCEIVED AS A RESULT
10 OF A SEXUAL ASSAULT OF WHICH A CONVICTION DID NOT OCCUR MAY FILE
11 A PETITION IN THE JUVENILE COURT TO PREVENT FUTURE CONTACT WITH
12 THE PARENT WHO ALLEGEDLY COMMITTED THE SEXUAL ASSAULT AND TO
13 RELINQUISH THE PARENT-CHILD LEGAL RELATIONSHIP OF THE ALLEGED
14 VICTIM OF THE SEXUAL ASSAULT.

15 (b) A PARENT WHO IS A VICTIM OR WHO ALLEGES THAT THEY ARE
16 A VICTIM AS DESCRIBED IN SUBSECTION (13)(a) OF THIS SECTION AND WHO
17 WANTS TO RELINQUISH THE CHILD WHO WAS CONCEIVED OR IS ALLEGED TO
18 HAVE BEEN CONCEIVED AS DESCRIBED IN SUBSECTION (13)(a) OF THIS
19 SECTION SHALL INCLUDE WITH THEIR PETITION FOR RELINQUISHMENT
20 DOCUMENTATION CONCERNING THE SEXUAL ASSAULT OR CONCEPTION.
21 THE DOCUMENTATION MAY INCLUDE:

22 (I) A COURT RECORD DOCUMENTING THE CONVICTION FOR SEXUAL
23 ASSAULT OR CONVICTION OF AN ACT IN WHICH THE UNDERLYING FACTUAL
24 BASIS WAS SEXUAL ASSAULT;

25 (II) A POLICE REPORT CONCERNING THE SEXUAL ASSAULT;

26 (III) MEDICAL RECORDS, FORENSIC EXAM RESULTS, OR GENETIC
27 TESTING RESULTS;

1 (IV) RECORDS FROM A LICENSED MENTAL HEALTH PROFESSIONAL
2 OR VICTIM'S ADVOCATE; OR

3 (V) A SWORN AFFIDAVIT FROM THE PETITIONER THAT ALLEGES THE
4 PETITIONER IS A VICTIM OF SEXUAL ASSAULT THAT RESULTED IN THE
5 CONCEPTION OF THE CHILD TO BE RELINQUISHED.

6 (c) (I) IF THE PETITION FOR RELINQUISHMENT INCLUDES
7 DOCUMENTATION OF A PARENT'S CONVICTION FOR SEXUAL ASSAULT OR
8 FOR A CONVICTION OF AN ACT IN WHICH THE UNDERLYING FACTUAL BASIS
9 WAS SEXUAL ASSAULT AND THE CHILD TO BE RELINQUISHED WAS
10 CONCEIVED AS A RESULT OF THE CRIME, OR IF THE COURT FINDS, BASED ON
11 A PREPONDERANCE OF THE EVIDENCE, THAT THE RELINQUISHMENT
12 PETITIONER IS A VICTIM OF A SEXUAL ASSAULT THAT RESULTED IN THE
13 CONCEPTION OF THE CHILD TO BE RELINQUISHED, THEN NOTWITHSTANDING
14 ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE PETITIONER IS
15 EXEMPT FROM, AND THE COURT SHALL NOT REQUIRE THE PETITIONER TO:

16 (A) SATISFY ANY COUNSELING REQUIREMENTS PURSUANT TO THIS
17 SECTION; OR

18 (B) PAY FEES FOR GUARDIANS AD LITEM OR COUNSEL FOR YOUTH
19 PURSUANT TO THIS SECTION.

20 (II) IF THE PETITION FOR RELINQUISHMENT INCLUDES
21 DOCUMENTATION OF A PARENT'S CONVICTION FOR SEXUAL ASSAULT OR
22 FOR A CONVICTION OF AN ACT IN WHICH THE UNDERLYING FACTUAL BASIS
23 WAS SEXUAL ASSAULT AND THE CHILD TO BE RELINQUISHED WAS
24 CONCEIVED AS A RESULT OF THE CRIME, OR IF THE COURT FINDS, BASED ON
25 A PREPONDERANCE OF THE EVIDENCE, THAT THE RELINQUISHMENT
26 PETITIONER IS A VICTIM OF A SEXUAL ASSAULT THAT RESULTED IN THE
27 CONCEPTION OF THE CHILD TO BE RELINQUISHED, THEN NOTWITHSTANDING

1 ANY LAW TO THE CONTRARY, IF THE COURT GRANTS A FINAL ORDER OF
2 RELINQUISHMENT, THE COURT'S FINAL ORDER OF RELINQUISHMENT MUST
3 DIVEST THE RELINQUISHING PARENT OF ALL LEGAL OBLIGATIONS THEY
4 MAY HAVE WITH RESPECT TO THE CHILD RELINQUISHED, INCLUDING CHILD
5 SUPPORT, AT THE TIME OF RELINQUISHMENT.

6 (d) A PARENT WHO IS A PARTY TO A PENDING DEPENDENCY AND
7 NEGLECT CASE PURSUANT TO ARTICLE 3 OF THIS TITLE 19 MAY PURSUE
8 RELINQUISHMENT PURSUANT TO THIS SUBSECTION (13) AT ANY TIME
9 DURING THE DEPENDENCY AND NEGLECT PROCEEDINGS.

10 **SECTION 3.** In Colorado Revised Statutes, 19-5-104, **amend** (5)
11 as follows:

12 **19-5-104. Final order of relinquishment.** (5) (a) A final order
13 of relinquishment ~~shall~~ MUST divest the relinquishing parent or parents of
14 all legal rights and obligations they may have with respect to the child
15 relinquished, but it shall not modify the child's status as an heir at law
16 which ~~shall cease~~ CEASES only upon a subsequent final decree of
17 adoption; except that the relinquishing parent's or parents' obligation to
18 pay for services received by the child through the department, or other
19 support received, ~~shall~~ MUST be terminated upon a subsequent final
20 decree of adoption or by order of the court at the time of relinquishment.
21 The order of relinquishment ~~shall~~ MUST release the relinquished child
22 from all legal obligations with respect to the relinquishing parent or
23 parents.

24 (b) PURSUANT TO SECTION 19-5-103 (13), IF THE PETITION FOR
25 RELINQUISHMENT INCLUDES DOCUMENTATION OF A PARENT'S CONVICTION
26 FOR SEXUAL ASSAULT OR FOR A CONVICTION OF AN ACT IN WHICH THE
27 UNDERLYING FACTUAL BASIS WAS SEXUAL ASSAULT AND THE CHILD TO BE

1 RELINQUISHED WAS CONCEIVED AS A RESULT OF THE CRIME, OR IF THE
2 COURT FINDS, BASED ON A PREPONDERANCE OF THE EVIDENCE, THAT THE
3 RELINQUISHING PARENT IS A VICTIM OF A SEXUAL ASSAULT THAT
4 RESULTED IN THE CONCEPTION OF THE CHILD TO BE RELINQUISHED, THEN
5 NOTWITHSTANDING ANY LAW TO THE CONTRARY, IF THE COURT GRANTS
6 A FINAL ORDER OF RELINQUISHMENT, THE COURT'S FINAL ORDER OF
7 RELINQUISHMENT MUST DIVEST THE RELINQUISHING PARENT OF ALL LEGAL
8 OBLIGATIONS THEY MAY HAVE WITH RESPECT TO THE CHILD
9 RELINQUISHED, INCLUDING CHILD SUPPORT, AT THE TIME OF
10 RELINQUISHMENT.

11 **SECTION 4.** In Colorado Revised Statutes, 19-5-105.5, **amend**
12 (6.7); and **add** (4.3) as follows:

13 **19-5-105.5. Termination of parent-child legal relationship**
14 **upon a finding that the child was conceived as a result of sexual**
15 **assault - legislative declaration - definitions.** (4.3) ON OR BEFORE
16 JANUARY 1, 2026, THE STATE COURT ADMINISTRATOR SHALL DEVELOP A,
17 OR MODIFY AN EXISTING, STANDARDIZED PETITION FORM FOR A
18 PETITIONER TO COMPLETE AND FILE PURSUANT TO THIS SECTION. AT A
19 MINIMUM, THE STANDARDIZED PETITION FORM MUST ALLOW A PETITIONER
20 TO ALLEGE THE INFORMATION DESCRIBED IN SUBSECTION (4) OF THIS
21 SECTION AND PROVIDE THE PETITIONER THE ABILITY TO PROVIDE
22 INFORMATION TO SUPPORT THEIR ALLEGATION THAT THE RESPONDENT
23 COMMITTED AN ACT OF SEXUAL ASSAULT AGAINST THE PETITIONER AND
24 THAT A CHILD WAS CONCEIVED AS A RESULT OF THE SEXUAL ASSAULT.

25 (6.7) The JUVENILE court shall ACCEPT AND hear ~~a~~ EACH petition
26 to terminate the parent-child legal relationship FILED PURSUANT TO THIS
27 SECTION no more than one hundred twenty days after service of the

1 petition or from the first appearance date, whichever is later, unless both
2 parties consent to an extension or the court finds good cause to extend the
3 hearing beyond one hundred twenty days.

4 **SECTION 5.** In Colorado Revised Statutes, 19-5-105.7, **amend**
5 (10); and **add** (4.3) as follows:

6 **19-5-105.7. Termination of parent-child legal relationship in**
7 **a case of an allegation that a child was conceived as a result of sexual**
8 **assault but in which no conviction occurred - legislative declaration**
9 **- definitions.** (4.3) ON OR BEFORE JANUARY 1, 2026, THE STATE COURT
10 ADMINISTRATOR SHALL DEVELOP A, OR MODIFY AN EXISTING,
11 STANDARDIZED PETITION FORM FOR A PETITIONER TO COMPLETE AND FILE
12 PURSUANT TO THIS SECTION. AT A MINIMUM, THE STANDARDIZED PETITION
13 FORM MUST ALLOW A PETITIONER TO ALLEGE THE INFORMATION
14 DESCRIBED IN SUBSECTION (4) OF THIS SECTION AND PROVIDE THE
15 PETITIONER THE ABILITY TO PROVIDE INFORMATION TO SUPPORT THEIR
16 ALLEGATION THAT THE RESPONDENT COMMITTED AN ACT OF SEXUAL
17 ASSAULT AGAINST THE PETITIONER AND THAT A CHILD WAS CONCEIVED AS
18 A RESULT OF THE SEXUAL ASSAULT.

19 (10) The JUVENILE court shall ACCEPT AND hear ~~a~~ EACH petition
20 to terminate the parent-child legal relationship FILED PURSUANT TO THIS
21 SECTION no more than one hundred twenty days after service of the
22 petition or from the first appearance date, whichever is later, unless both
23 parties consent to an extension or the court finds good cause to extend the
24 hearing beyond one hundred twenty days.

25 **SECTION 6. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly; except

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V
2 of the state constitution against this act or an item, section, or part of this
3 act within such period, then the act, item, section, or part will not take
4 effect unless approved by the people at the general election to be held in
5 November 2026 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.