

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0278.01 Jane Ritter x4342

SENATE BILL 12-066

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SENATE SPONSORSHIP

Nicholson,

HOUSE SPONSORSHIP

Gardner B.,

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Senate Committees  
Judiciary

House Committees

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A BILL FOR AN ACT

101 CONCERNING EXPANDING THOSE PERSONS ELIGIBLE AS GUARDIANS IN  
102 THE GUARDIANSHIP ASSISTANCE PROGRAM TO INCLUDE PERSONS  
103 ASCRIBED BY THE FAMILY AS HAVING A FAMILY-LIKE  
104 RELATIONSHIP WITH THE CHILD.

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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://www.leg.state.co.us/billsummaries>.)*

Persons ascribed by a family as having a family-like relationship with the child or who have had a prior significant relationship with the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

child are added to the type of individuals eligible to participate in the guardianship assistance program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 26-5-110 as  
3 follows:

4 **26-5-110. Guardianship assistance program - rules.** (1) There  
5 is hereby established a ~~kinship~~ guardianship assistance program in the  
6 state department, referred to in this section as the "program". Assistance  
7 from the program shall be made available to ~~grandparents, and other~~  
8 ~~persons related to a child~~ RELATIVES, PERSONS ASCRIBED BY THE FAMILY  
9 AS HAVING A FAMILY-LIKE RELATIONSHIP WITH THE CHILD, OR PERSONS  
10 WHO HAVE HAD A PRIOR SIGNIFICANT RELATIONSHIP WITH THE CHILD who:

- 11 (a) Are committed to the child's or children's permanency;  
12 (b) Were the foster parent or parents of the child or children at the  
13 time they assumed guardianship; and  
14 (c) Have assumed guardianship of the child or children.

15 (2) The state department ~~may~~ SHALL promulgate rules for the  
16 implementation of this section.

17 (3) ~~Notwithstanding any provision of this section to the contrary,~~  
18 ~~the state department shall not implement the kinship guardianship~~  
19 ~~assistance program unless section 3 of Senate Bill 09-245 is enacted in~~  
20 ~~2009 and becomes law or until such time as the general assembly~~  
21 ~~otherwise appropriates sufficient moneys for the implementation of the~~  
22 ~~program, whichever occurs first.~~

23 **SECTION 2. Act subject to petition - effective date.** This act  
24 takes effect at 12:01 a.m. on the day following the expiration of the  
25 ninety-day period after final adjournment of the general assembly (August

1 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a  
2 referendum petition is filed pursuant to section 1 (3) of article V of the  
3 state constitution against this act or an item, section, or part of this act  
4 within such period, then the act, item, section, or part will not take effect  
5 unless approved by the people at the general election to be held in  
6 November 2012 and, in such case, will take effect on the date of the  
7 official declaration of the vote thereon by the governor.