

**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.**

# An Act

SENATE BILL 12-066

BY SENATORS Nicholson, Aguilar, Boyd, Carroll, Foster, Giron, Heath, Hodge, Hudak, Jahn, Morse, Newell, Steadman, Tochtrop, Williams S., Shaffer B.;

also REPRESENTATIVES Gardner B., Barker, Conti, Fields, Fischer, Kefalas, Kerr A., Kerr J., Labuda, Levy, Ryden, Stephens, Summers, Todd, Tyler, Wilson, Young.

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

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

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

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

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

A PRIOR SIGNIFICANT RELATIONSHIP WITH THE CHILD who:

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

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

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

**SECTION 2. 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 8, 2012, if adjournment sine die is on May 9, 2012); 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 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO