

**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 12-074

BY SENATOR(S) Aguilar, Boyd, Carroll, Foster, Giron, Guzman, Heath, Jahn, Morse, Newell, Nicholson, Spence, Steadman, Tochtrop, White, Williams S.;  
also REPRESENTATIVE(S) Gardner B., Fischer, Kefalas, Kerr J., Labuda, Massey, Young.

CONCERNING SERVICES PROVIDED BY A PERSON DESIGNATED BY A PERSON  
ELIGIBLE FOR CONSUMER-DIRECTED CARE SERVICES.

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

**SECTION 1.** In Colorado Revised Statutes, 15-14-310, **amend** (5)  
(a) as follows:

**15-14-310. Who may be guardian - priorities - prohibition of dual roles.** (5) (a) Unless the court makes specific findings for good cause shown or the person is a family caregiver as defined in section 27-10.5-102 (15.5), C.R.S., OR THE PERSON IS A CAREGIVER TO AN ELIGIBLE PERSON PURSUANT TO SECTION 25.5-6-1101 (4), C.R.S., the same professional may not act as an incapacitated person's or a protected person's:

(I) Guardian and conservator; or

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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.*

(II) Guardian and direct service provider; or

(III) Conservator and direct service provider.

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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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