

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-1000.02 Debbie Haskins x2313

**HOUSE BILL 17-1254**

---

**HOUSE SPONSORSHIP**

**Becker K. and Salazar,**

**SENATE SPONSORSHIP**

**Kagan,**

---

**House Committees**  
State, Veterans, & Military Affairs

**Senate Committees**

---

**A BILL FOR AN ACT**  
101     **CONCERNING THE ELIMINATION OF THE CAP ON NONECONOMIC**  
102     **DAMAGES FOR THE WRONGFUL DEATH OF A MINOR CHILD.**

---

**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>.)*

The bill eliminates the cap on noneconomic damages for the wrongful death of a minor child. The bill clarifies that, for purposes of the wrongful death statutes, "minor child" is defined using the general statutory definition of "minor", which is "any person who has not attained the age of twenty-one years".

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.*

---

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

2           **SECTION 1.** In Colorado Revised Statutes, 13-21-203, **add** (8)  
3       as follows:

4           **13-21-203.      Limitation   on   damages   -   definition.**

5       (8) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION OR OF SECTION  
6       **13-21-102.5**, THERE IS NO LIMITATION ON THE DAMAGES FOR  
7       NONECONOMIC LOSS OR INJURY RECOVERABLE IN AN ACTION FOR THE  
8       WRONGFUL DEATH OF A MINOR CHILD. FOR PURPOSES OF THIS PART 2,  
9       "MINOR CHILD" HAS THE SAME MEANING AS "MINOR" AS DEFINED IN  
10      SECTION 2-4-401 (6).

11           **SECTION 2.   Act   subject   to   petition   -   effective   date   -  
12       applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
13       the expiration of the ninety-day period after final adjournment of the  
14       general assembly (August 9, 2017, if adjournment sine die is on May 10,  
15       2017); except that, if a referendum petition is filed pursuant to section 1  
16       (3) of article V of the state constitution against this act or an item, section,  
17       or part of this act within such period, then the act, item, section, or part  
18       will not take effect unless approved by the people at the general election  
19       to be held in November 2018 and, in such case, will take effect on the  
20       date of the official declaration of the vote thereon by the governor.

21           (2) This act applies to acts or omissions arising on or after the  
22       applicable effective date of this act.