

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

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 25-0120.02 Owen Hatch x2698

**HOUSE BILL 25-1259**

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**HOUSE SPONSORSHIP**

**Froelich and Brown**, Boesenecker, Clifford, Lindsay, Willford, Woodrow

**SENATE SPONSORSHIP**

**Cutter and Daugherty**,

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**House Committees**

Health & Human Services  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING ASSISTED REPRODUCTION, AND, IN CONNECTION**  
102                    **THEREWITH, ADOPTING IN VITRO FERTILIZATION AND OTHER**  
103                    **ASSISTED REPRODUCTION AND FERTILITY PROTECTIONS AND**  
104                    **ELIMINATING OTHER ADMINISTRATIVE REQUIREMENTS.**

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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://leg.colorado.gov>.)*

The bill adds statutory protections for in vitro fertilization and other assisted reproductive procedures.

Current law requires gamete banks and fertility clinics (donor

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.*

HOUSE  
3rd Reading Unamended  
April 21, 2025

HOUSE  
Amended 2nd Reading  
April 17, 2025

banks) to maintain donor identifying information and update it every 3 years. The bill requires donor banks to collect identifying information and medical history from the gamete donor only at the initial donation.

Current law prohibits donor banks from prohibiting an adult donor-conceived person from communicating about the gamete donor with the donor-conceived person's friends, family, or other third parties. The bill eliminates that prohibition.

The bill repeals certain provisions relating to gamete donor record stewardship in the event of donor bank dissolution, bankruptcy, or insolvency and eliminates the requirement that donor banks inform a recipient parent about future implications about a gamete donor's medical history or other persons conceived using the same gamete donor.

Current law requires the department of public health and environment (department) to draft written materials that must be provided to individuals prior to donating or receiving gametes. The bill removes the responsibility from the department and requires donor banks to create the materials.

Current law requires donor recipients to update and inform donor banks regarding live births using donated gametes. The bill allows donor banks to only recommend this step to recipients of donor gametes.

Donor bank licensure renewal is extended from annually to once every 5 years. The requirement that the department investigate donor banks outside the state of Colorado is eliminated, and the fine for donor banks that are out of compliance is modified from an automatic \$20,000 per-day fine to a fine to be determined by the state board of health.

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

2           **SECTION 1. Short title.** The short title of this act is the  
3 "Reducing Barriers to Building Families Act".

4           **SECTION 2. Legislative declaration.** (1) The general assembly  
5 finds that:

6           (a) On February 16, 2024, the Alabama supreme court ruled that  
7 embryos formed through in vitro fertilization, or IVF, are considered  
8 children under the state's "Wrongful Death of a Minor Act";

9           (b) The court's 131-page opinion held that the act applies to all  
10 unborn children, regardless of their location. The chief justice of Alabama  
11 quoted the Bible and stated that embryos are children in cryogenic

1 nurseries. The result was that medical professionals performing IVF could  
2 be legally prosecuted for manslaughter if an embryo was destroyed.

3 (c) The ruling raised great concerns about the impact on, in  
4 particular, provision of women's health-care services, fertility care for all  
5 individuals, and assisted reproductive technologies. Many legal and  
6 medical experts across the country, including in Colorado, believe the  
7 ruling, in ways similar to what has happened in Alabama, will interfere  
8 nationwide with women's access to medical care, including necessary  
9 medical care following miscarriages; will make it difficult for people to  
10 undergo fertility care, including IVF and embryo transfer; could end or  
11 severely limit IVF medical treatments; and could interfere with  
12 individuals even transferring their embryos to clinics outside of our state.

13 (d) After the ruling, IVF clinics in Alabama ceased providing  
14 infertility medical services and also ceased transferring embryos owned  
15 by their patients to clinics outside of Alabama due to potential legal and  
16 felony risks if an embryo was inadvertently destroyed.

17 (2) (a) The Alabama ruling, coupled with new, intrusive, and  
18 difficult-to-implement requirements for gamete donation, has had  
19 negative impacts on people seeking fertility treatments in Colorado.

20 (b) Colorado has been recognized for decades as a medical  
21 destination for those seeking sophisticated and cutting-edge medical care  
22 for infertility. Colorado's fertility clinics are highly respected; the state's  
23 medical practitioners are known as pioneers in assisted reproductive  
24 technologies, or ART medical care; and Colorado continues to advance  
25 and provide top-notch ART fertility care.

26 (c) Equally matching its sophisticated ART medical care,  
27 Colorado also ranks highly among all states due to its progressive laws

1 and legal protections for children born through assisted reproductive  
2 technologies, laws that ensure donors of gametes (ova and sperm) and  
3 embryos are not considered legal parents of any resulting children, and  
4 the laws protect the parental rights of parents whose children are born  
5 through ART, including through donated gametes and surrogacy.  
6 Children born through ART in Colorado legally are able to know who  
7 their parents are from the moment of birth, and potential parents are  
8 likewise safeguarded due to Colorado's protections, including not  
9 requiring a genetic relationship between parent and child and not  
10 requiring parents to be married, and including opposite gender  
11 individuals' access to ART, making Colorado a top choice for domestic  
12 and international individuals seeking assisted reproduction medical care  
13 treatment options.

14 (3) Therefore, the general assembly declares that:

15 (a) Colorado should remain a world-class destination for all  
16 people who want to start a family, providing safe, cutting-edge medical  
17 care for individuals in need of those services;

18 (b) It is also important to keep the transparency and rules around  
19 disclosure in order to address the concerns of donor-conceived  
20 individuals while preserving the whole ecosystem of Colorado's  
21 world-class assisted reproduction technologies, infertility medical care  
22 options, and gamete donation medical environment; and

23 (c) Recent legislation in Colorado has been challenging to  
24 implement and has had a chilling effect on donations, as individuals are  
25 daunted by the invasive reporting requirements. This act seeks to  
26 streamline implementation of the provisions of the "Donor-Conceived  
27 Persons Protection Act" while preserving the important transparency and

1 reporting requirements.

2 **SECTION 3.** In Colorado Revised Statutes, **add** 25-57-113 as  
3 follows:

4 **25-57-113. Reproductive health care - fertility treatment -**  
5 **protections - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE  
6 CONTEXT OTHERWISE REQUIRES:

7 (a) "FERTILITY TREATMENT" MEANS ANY TEST, PROCEDURE,  
8 MEDICATION, SURGERY, OR SERVICE TO DIAGNOSE, ENHANCE, OR ASSIST  
9 AN INDIVIDUAL'S ABILITY TO REPRODUCE OR ACHIEVE PREGNANCY,  
10 INCLUDING, BUT NOT LIMITED TO:

11 (I) IN VITRO FERTILIZATION;

12 (II) INTRAUTERINE INSEMINATION;

13 (III) OVULATION INDUCTION;

14 (IV) TESTICULAR OR OVARIAN BIOPSY;

15 (V) EMBRYO BIOPSY;

16 (VI) CRYOPRESERVATION AND THAWING OF GAMETES AND  
17 EMBRYOS;

18 (VII) CRYOPRESERVATION OF TESTICULAR AND OVARIAN TISSUE;

19 (VIII) STORAGE, DONATION, OR DISPOSAL OF GAMETES, EMBRYOS,  
20 OR REPRODUCTIVE TISSUE;

21 (IX) PRE-IMPLANTATION GENETIC TESTING, OR ANY OTHER  
22 MEDICAL SCREENING OR EVALUATION OF EMBRYOS OR GAMETES;

23 (X) DONATION OF SPERM OR EGGS; AND

24 (XI) SURROGACY.

25 (b) "REPRODUCTIVE HEALTH CARE" MEANS, BUT IS NOT LIMITED  
26 TO:

27 (I) FAMILY PLANNING;

1 (II) CONTRACEPTION;  
2 (III) STERILIZATION;  
3 (IV) PRE-CONCEPTION CARE;  
4 (V) MATERNITY CARE;  
5 (VI) POSTPARTUM CARE;  
6 (VII) ABORTION CARE;  
7 (VIII) EMERGENCY CONTRACEPTION;  
8 (IX) FERTILITY SERVICES;  
9 (X) COUNSELING REGARDING REPRODUCTIVE HEALTH CARE; AND  
10 (XI) REFERRAL SERVICES REGARDING REPRODUCTIVE HEALTH  
11 CARE.

12 (2) EVERY INDIVIDUAL HAS A RIGHT TO MAKE AUTONOMOUS  
13 DECISIONS ABOUT THE INDIVIDUAL'S OWN REPRODUCTIVE HEALTH,  
14 INCLUDING THE RIGHT TO USE OR REFUSE REPRODUCTIVE HEALTHCARE,  
15 INCLUDING THE RIGHT TO USE GAMETES AND EMBRYOS, DESTROY  
16 GAMETES AND EMBRYOS, AND INCLUDING THE RIGHT TO DONATE GAMETES  
17 AND EMBRYOS TO THIRD PARTIES FOR PROCREATION OR RESEARCH.

18 (3) THE STATE AND LOCAL GOVERNMENTS SHALL NOT INTERFERE  
19 WITH OR RESTRICT A PHYSICIAN OR LICENSED MEDICAL PROVIDER'S  
20 ABILITY TO PROVIDE REPRODUCTIVE HEALTH CARE, AS DEFINED IN THIS  
21 SECTION.

22 (4) IT IS CONTRARY TO THE PUBLIC POLICY OF THIS STATE TO  
23 PERMIT AN INDIVIDUAL TO BRING A CIVIL OR CRIMINAL ACTION  
24 AUTHORIZED IN ANOTHER STATE AGAINST AN INDIVIDUAL IN THIS STATE  
25 FOR ENGAGING OR ATTEMPTING TO ENGAGE IN THE FOLLOWING CONDUCT:

- 26 (a) TERMINATING OR SEEKING TO TERMINATE A PREGNANCY;  
27 (b) PERFORMING OR INDUCING THE TERMINATION OF A

1 PREGNANCY;

2 (c) KNOWINGLY ENGAGING IN CONDUCT THAT AIDS OR ABETS THE  
3 PERFORMANCE OR INDUCEMENT OF THE TERMINATION OF PREGNANCY;

4 (d) PROVIDING REPRODUCTIVE HEALTH CARE, AS DEFINED IN THIS  
5 SECTION; OR

6 (e) PROVIDING FERTILITY TREATMENT, AS DEFINED IN THIS  
7 SECTION.

8 **SECTION 4.** In Colorado Revised Statutes, 25-57-104, **amend**  
9 **(1); and add (1.5)** as follows:

10 **25-57-104. Collection of identifying information and medical**  
11 **history - applicability.** (1) Except as provided in subsection (3) of this  
12 section, a gamete agency, gamete bank, or fertility clinic that collects  
13 gametes from a donor or matches a donor with a recipient shall collect the  
14 donor's identifying information and medical history. ~~and shall make a~~  
15 ~~good faith effort to maintain current contact information and updates on~~  
16 ~~the medical history of the donor by requesting updates from the donor at~~  
17 ~~least once every three years.~~

18 (1.5) (a) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC  
19 SHALL ENCOURAGE A DONOR TO INFORM THE GAMETE AGENCY, GAMETE  
20 BANK, OR FERTILITY CLINIC OF SIGNIFICANT MEDICAL HISTORY UPDATES.

21 (b) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC  
22 SHALL DOCUMENT A DONOR'S OR RECIPIENT PARENT'S REPORT OF ANY  
23 SIGNIFICANT MEDICAL HISTORY UPDATES, AND THE INFORMATION SHALL  
24 BE RETAINED AS PART OF THE RECORDS REFERENCED IN SECTION  
25 25-57-107.

26 (c) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC SHALL  
27 DOCUMENT A DONOR OR RECIPIENT PARENT'S REPORT OF SIGNIFICANT

1 MEDICAL HISTORY UPDATES.

2 (d) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC  
3 SHALL DISSEMINATE NOTICE OF SIGNIFICANT MEDICAL HISTORY UPDATES  
4 TO OTHER RECIPIENTS OF THE DONOR'S GAMETES, IN ACCORDANCE WITH  
5 THE GUIDELINES FROM THE AMERICAN SOCIETY FOR REPRODUCTIVE  
6 MEDICINE.

7 SECTION 5. In Colorado Revised Statutes, 25-57-106, **amend**  
8 (1) as follows:

9 **25-57-106. Disclosure of identifying information and medical**  
10 **history - applicability.** (1) Except as provided in subsection (4) of this  
11 section, upon the request of a donor-conceived person who is eighteen  
12 years of age or older, a gamete agency, gamete bank, or fertility clinic that  
13 matched or collected the gametes used in the assisted reproduction of  
14 ~~such~~ THE donor-conceived person shall provide the donor-conceived  
15 person with the identifying information of the donor who provided the  
16 gametes or embryo. A gamete agency, gamete bank, or fertility clinic  
17 shall not impede or prohibit compliance with this section or  
18 communication between:

19 (a) An adult donor-conceived person and the donor whose  
20 gametes were used to conceive the donor-conceived person; or

21 (b) An adult donor-conceived person and the person's friends,  
22 family, or other third parties about the donor whose gametes were used  
23 to conceive the donor-conceived person. THE DONOR-CONCEIVED PERSON  
24 HAS THE RIGHT, IN ACCORDANCE WITH RELEVANT LAWS, TO CONTACT THE  
25 DONOR. THE DONOR HAS A RIGHT TO RESPOND, ENGAGE, OR DECLINE  
26 CONTACT AND COMMUNICATION.

27 (c) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC IS



1 ENCOURAGED TO PROVIDE INFORMATION TO A DONOR-CONCEIVED PERSON  
2 REGARDING THE PHYSICAL AND EMOTIONAL RISKS ASSOCIATED WITH  
3 PUBLICLY RELEASING A DONOR'S PRIVATE AND SENSITIVE INFORMATION.

4 **SECTION 6.** In Colorado Revised Statutes, 25-57-107, **amend**  
5 (1) introductory portion and (2); and **repeal** (3), (4), (5), (6), and (7) as  
6 follows:

7 **25-57-107. Record keeping.** (1) ~~Except as provided in subsection~~  
8 ~~(6) of this section,~~ A gamete agency, gamete bank, or fertility clinic shall  
9 permanently maintain:

10 (2) A gamete agency, gamete bank, or fertility clinic that receives  
11 gametes or embryos from another gamete agency, gamete bank, or  
12 fertility clinic shall permanently maintain the name, address, telephone  
13 number, and e-mail address of the gamete agency, gamete bank, or  
14 fertility clinic from which it received the gametes or embryos. A gamete  
15 bank or fertility clinic that collected gametes from a donor who was  
16 matched with a recipient by a gamete agency that is a separate entity shall  
17 permanently maintain the name, address, telephone number, and e-mail  
18 address of the gamete agency that matched the donor and the recipient. A  
19 GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC SHALL CREATE A  
20 PLAN TO PERMANENTLY MAINTAIN THE INFORMATION AS REQUIRED BY  
21 THIS SECTION, INCLUDING IN THE CASE OF DISSOLUTION, INSOLVENCY, OR  
22 BANKRUPTCY, AND SHALL MAKE THE PLAN AVAILABLE FOR INSPECTION  
23 UPON REQUEST BY THE DEPARTMENT.

24 (3) ~~Except as provided in subsection (6) of this section, in its~~  
25 ~~application for a license pursuant to section 25-57-110, a gamete agency,~~  
26 ~~gamete bank, or fertility clinic shall submit a proposed plan to~~  
27 ~~permanently maintain the records described in subsections (1) and (2) of~~

1 ~~this section in the event of dissolution, insolvency, or bankruptcy. The~~  
2 ~~plan may include identification of a named entity to receive or maintain~~  
3 ~~the records, obtaining a surety bond in favor of a third party in an amount~~  
4 ~~sufficient to cover the costs of permanent record keeping, an obligation~~  
5 ~~to condition any sale on the acquiring entity's obligation to maintain~~  
6 ~~records consistent with this section, or similar methods. The department~~  
7 ~~shall not issue a license pursuant to section 25-57-110 until it approves a~~  
8 ~~plan that it finds sufficient to ensure that the records will be permanently~~  
9 ~~maintained by a viable entity.~~

10 (4) ~~Except as provided in subsection (6) of this section, upon~~  
11 ~~dissolution, insolvency, or bankruptcy, a gamete agency, gamete bank, or~~  
12 ~~fertility clinic shall:~~

13 (a) ~~Implement the plan approved by the department pursuant to~~  
14 ~~subsection (3) of this section;~~

15 (b) ~~File with the department a statement providing the name and~~  
16 ~~contact information of the successor entity, if any, that will receive and~~  
17 ~~maintain the records described in subsections (1) and (2) of this section;~~  
18 ~~and~~

19 (c) ~~Inform by mail and electronic mail sent to the last-known~~  
20 ~~address on file all gamete donors whose gametes were collected, matched,~~  
21 ~~or received by the gamete agency, gamete bank, or fertility clinic, as well~~  
22 ~~as recipient parents who received gametes or embryos from the gamete~~  
23 ~~agency, gamete bank, or fertility clinic and reported a pregnancy or live~~  
24 ~~birth, the name and contact information of the successor entity that will~~  
25 ~~receive and maintain the records described in subsections (1) and (2) of~~  
26 ~~this section.~~

27 (5) ~~A gamete agency, gamete bank, or fertility clinic shall comply~~

1 ~~with reporting requirements about gamete screening and testing in~~  
2 ~~accordance with federal law and applicable laws of this state other than~~  
3 ~~those set forth in this article 57.~~

4 (6) ~~A gamete bank or fertility clinic that collects gametes from a~~  
5 ~~donor who was matched with a recipient by a gamete agency that is a~~  
6 ~~separate entity is not subject to the requirements of subsection (1), (3), or~~  
7 ~~(4) of this section.~~

8 (7) (a) ~~Subsection (2) of this section applies only to gametes or~~  
9 ~~embryos matched or received on or after July 1, 2024.~~

10 (b) ~~Subsections (1), (3), and (4) of this section apply only to~~  
11 ~~gametes matched or collected on or after January 1, 2025, for use by a~~  
12 ~~recipient parent or parents who are unknown to the donor at the time of~~  
13 ~~the donation.~~

14 **SECTION 7.** In Colorado Revised Statutes, 25-57-108, **amend**  
15 (1) introductory portion, (2) introductory portion, and (4) introductory  
16 portion; and **add** (5) as follows:

17 **25-57-108. Written materials for recipient parents and gamete**  
18 **donors.** (1) On or before January 1, 2025, the department ~~shall~~ MAY  
19 develop written materials for intended recipient parents. The department  
20 ~~shall~~ MAY develop the materials in conjunction with licensed mental  
21 health professionals who have prior documented experience counseling  
22 gamete donors, recipients, and donor-conceived persons, as well as  
23 experience and competency in counseling families with lesbian, gay,  
24 bisexual, and transgender parents and single parents, along with  
25 organizations representing these communities. THE DEPARTMENT SHALL  
26 POST THE WRITTEN MATERIAL ON ITS WEBSITE, WHICH IS DEEMED  
27 SUFFICIENT TO MEET THE REQUIREMENTS IN SUBSECTIONS (3) AND (4) OF

1 THIS SECTION. GAMETE AGENCIES, GAMETE BANKS, AND FERTILITY CLINICS  
2 ARE NOT REQUIRED TO USE THE WRITTEN MATERIALS DEVELOPED BY THE  
3 DEPARTMENT. The materials must include information on the following  
4 subjects:

5 (2) On or before January 1, 2025, the department shall MAY  
6 develop written materials for gamete donors. The department shall  
7 develop the materials in conjunction with licensed mental health  
8 professionals who have prior documented experience counseling gamete  
9 donors, recipients, and donor-conceived persons, as well as experience  
10 and competency in counseling families with lesbian, gay, bisexual, and  
11 transgender parents and single parents, along with organizations  
12 representing these communities. THE DEPARTMENT SHALL POST THE  
13 WRITTEN MATERIAL ON ITS WEBSITE, WHICH IS DEEMED SUFFICIENT TO  
14 MEET THE REQUIREMENTS IN SUBSECTIONS (3) AND (4) OF THIS SECTION.

15 GAMETE AGENCIES, GAMETE BANKS, AND FERTILITY CLINICS ARE NOT  
16 REQUIRED TO USE THE WRITTEN MATERIALS DEVELOPED BY THE  
17 DEPARTMENT. The materials must include information on the following  
18 subjects:

19 (4) ~~A gamete agency, gamete bank, or fertility clinic located~~  
20 ~~outside of Colorado that either matches donors to or provides~~ AN  
21 INDIVIDUAL WHO EITHER MATCHES DONORS OR PROVIDES gametes or  
22 embryos to recipients in Colorado shall:

23 (5) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC  
24 SHALL DEVELOP WRITTEN MATERIALS TO BE SHARED WITH INTENDED  
25 RECIPIENT PARENTS AND GAMETE DONORS BASED ON GUIDELINES FOR  
26 PSYCHOEDUCATIONAL COUNSELING PUBLISHED BY THE AMERICAN  
27 SOCIETY OF REPRODUCTIVE MEDICINE.

1           **SECTION 8.** In Colorado Revised Statutes, 25-57-109, **amend**  
2 (1)(a); and **add (1)(c)** as follows:

3           **25-57-109. Donor age limits - limits on number of families per**  
4 **donor - restriction on dissemination of gametes - limits on**  
5 **egg-retrieval cycles per ovum donor - rules - applicability.**

6 (1) (a) Except as provided in subsection (4) of this section, a gamete  
7 agency, gamete bank, or fertility clinic shall make a good faith effort to  
8 determine how many families are established with gametes matched or  
9 provided by the gamete agency, gamete bank, or fertility clinic from each  
10 donor by conducting sufficient record-keeping, **requiring recipients as a**  
11 **condition of receiving donor gametes, to provide information on live**  
12 **births, and requesting information from recipients on live births, and**  
13 **using industry best practices, including methods or processes to account**  
14 **for the number or percentage of live births that are likely not reported,**  
15 **such as the correlation between the number of units of donor gametes sold**  
16 **or released and the resulting live births. A gamete agency, gamete bank,**  
17 **or fertility clinic shall not match or provide gametes from a donor to**  
18 **additional families once the gamete agency, gamete bank, or fertility**  
19 **clinic has record of or should reasonably know that twenty-five families**  
20 **have been established using a single donor's gametes in or outside of**  
21 **Colorado, with no limit on the number of children conceived by each of**  
22 **the families, unless the donor requests, and the gamete agency, gamete**  
23 **bank, or fertility clinic agrees to, a lower limit on the number of families.**  
24 This limit does not include any children conceived by the donor as a  
25 parent or children conceived with the donor's gametes when the donor is  
26 known to the recipient parent or parents at the time of the donation. This  
27 limit does not include donations of embryos from one family to another

1 family.

2 (c) A GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC SHALL  
3 NOT DISSEMINATE A DONOR'S GAMETES TO ANY ADDITIONAL RECIPIENTS  
4 WITHOUT THE RECIPIENT'S INFORMED WRITTEN CONSENT IF THE DONOR  
5 INFORMS THE GAMETE AGENCY, GAMETE BANK, OR FERTILITY CLINIC THAT  
6 THE DONOR EXPERIENCED SIGNIFICANT MEDICAL HISTORY UPDATES.

7 **SECTION 9.** In Colorado Revised Statutes, 25-57-110, **amend**  
8 **(2)(a) and (3)(a)(I); and repeal (3)(a)(III) as follows:**

9 **25-57-110. License required - application - inspection -**  
10 **issuance, denial, suspension, or revocation - fees - civil penalties -**  
11 **rules.** (2) (a) A gamete agency, gamete bank, or fertility clinic shall  
12 submit an ~~annual~~ application and fee EVERY TWO YEARS for a license to  
13 operate on the form and in the manner prescribed by the department. ~~THE~~  
14 ~~DEPARTMENT MAY ADOPT A RULE TO EXTEND THE PERIOD OF LICENSURE~~  
15 ~~UP TO FIVE YEARS IF THE DEPARTMENT DETERMINES THE CHANGE TO BE~~  
16 ~~APPROPRIATE AND IN THE PUBLIC INTEREST.~~

17 (3) (a) (I) The department shall investigate and review each  
18 original application and each renewal application for a license to operate  
19 as a gamete agency, gamete bank, or fertility clinic. The department shall  
20 require all applicants to submit information in the original and renewal  
21 application process to document compliance with licensing requirements.  
22 ~~Subject to available appropriations, the department may, as it deems~~  
23 ~~necessary, perform on-site inspections or complaint investigations of a~~  
24 ~~gamete agency, gamete bank, or fertility clinic located outside of~~  
25 ~~Colorado.~~ The department shall determine an applicant's compliance with  
26 this article 57, and the rules adopted pursuant to this article 57, for the  
27 collection and provision of gametes from donors who are unknown to a

1 recipient at the time of the donation before issuing a license.

2 (III) ~~When investigating or reviewing the records of a gamete~~  
3 ~~agency, gamete bank, or fertility clinic located outside of Colorado, the~~  
4 ~~department shall investigate and review only the records pertaining to~~  
5 ~~donors whose gametes or embryos were matched or provided to recipients~~  
6 ~~in Colorado.~~

7 

8 **SECTION 10. Safety clause.** The general assembly finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, or safety or for appropriations for  
11 the support and maintenance of the departments of the state and state  
12 institutions.