



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

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<b>Drafting Number:</b>	LLS 23-0559	<b>Date:</b>	February 10, 2023
<b>Prime Sponsors:</b>	Sen. Gardner Rep. Snyder	<b>Bill Status:</b>	Senate Judiciary
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<b>Bill Topic:</b>	<b>UNIFORM COMMUNITY PROPERTY DISPOSITION AT DEATH ACT</b>
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<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill repeals and reenacts provisions in law that governs the disposition of community property when a spouse dies. Starting in FY 2023-24, the bill may minimally increase state workload.

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<b>Appropriation Summary:</b>	No appropriation is required.
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<b>Fiscal Note Status:</b>	The fiscal note reflects the introduced bill, which was recommended by the Colorado Commission on Uniform State Laws
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## Summary of Legislation

The bill repeals and reenacts provisions in law that governs the disposition of community property that was acquired while living in a community property state when a spouse dies. Specifically, the bill updates the act to address community property held in trust and other nonprobate transfers.

## Background

Currently, there are nine states with community property laws. Community property laws require assets acquired during a marriage to be split equally.

## State Revenue and Expenditures

Starting in FY 2023-24, to the extent the bill creates more hearings or longer hearings in probate cases, filing fee revenue and workload to the trial courts will increase. This revenue is subject to TABOR. However, the courts currently have hearings and issue orders in divorce matters pertaining to property rights, and community property concerns in probate cases are infrequent; therefore, any impact to the courts is assumed to be minimal.

**Effective Date**

The bill takes effect July 1, 2023.

**State and Local Government Contacts**

Information Technology  
Regulatory Agencies

Judicial

Law