

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**REENGROSSED**

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

LLS NO. 26-0457.01 Owen Hatch x2698

**SENATE BILL 26-004**

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**SENATE SPONSORSHIP**

**Sullivan and Gonzales J.**, Amabile, Ball, Coleman, Cutter, Danielson, Exum, Jodeh, Kipp, Kolker, Lindstedt, Michaelson Jenet, Rodriguez, Wallace, Weissman

**HOUSE SPONSORSHIP**

**Froelich,**

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

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING WHO MAY PETITION A COURT FOR AN EXTREME RISK**  
102     **PROTECTION ORDER.**

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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 a health-care facility that employs a health-care professional or mental health professional and a co-responder who is part of a co-responder community response to the list of community members who may petition the court for an extreme risk protection order. The bill adds health-care facilities, behavioral health treatment facilities, K-12 schools, and institutions of higher education as institutional petitioners

SENATE  
3rd Reading Unamended  
February 3, 2026

SENATE  
Amended 2nd Reading  
February 2, 2026

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.

that may petition a court for an extreme risk protection order.

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

2           **SECTION 1.** In Colorado Revised Statutes, 13-14.5-102, **amend**  
3       (1), (2), and (11); and **add** (6.5) as follows:

4           **13-14.5-102. Definitions.**

5           As used in this article 14.5, unless the context otherwise clearly  
6       requires:

7           (1) "Community member" means:

8           (a) A licensed health-care professional or mental health  
9       professional who, through a direct professional relationship, provided  
10      care to the respondent or the respondent's child within six months before  
11      requesting the protection order; **or**

12           =

13           **(b)** An educator who, through a direct professional relationship,  
14       interacted with the respondent or the respondent's child within six months  
15       before requesting the protection order; **OR**

16           **(c)** A CO-RESPONDER WHO IS PART OF A CO-RESPONDER  
17       COMMUNITY RESPONSE, AS DEFINED IN SECTION 24-32-3501 (8)(d), WHO,  
18       IN THEIR CAPACITY AS A CO-RESPONDER, OR A COMMUNITY MEMBER, AS  
19       DEFINED IN THIS SECTION, WHO, AS PART OF A LAW ENFORCEMENT AGENCY  
20       OR EMERGENCY RESPONSE TEAM, PROVIDES ON-SITE CRISIS ASSESSMENT,  
21       DE-ESCALATION, OR INTERVENTION SERVICES TO INDIVIDUALS IN CRISIS,  
22       WHO INTERACTED WITH THE RESPONDENT OR THE RESPONDENT'S CHILD  
23       WITHIN SIX MONTHS BEFORE REQUESTING THE PROTECTION ORDER BUT  
24       WHO IS NOT A LAW ENFORCEMENT OFFICER WHO RESPONDED TO A  
25       BEHAVIORAL HEALTH-RELATED CALL INVOLVING THE RESPONDENT.

6 (6.5) "INSTITUTIONAL PETITIONER" MEANS AN ENTITY THAT  
7 EMPLOYS OR CONTRACTS WITH A COMMUNITY MEMBER AS DEFINED IN THIS  
8 SECTION, INCLUDING, BUT NOT LIMITED TO:

9 (a) A SCHOOL DISTRICT;

10 (b) A PRIVATE SCHOOL;

11 (c) THE STATE CHARTER SCHOOL INSTITUTE CREATED IN SECTION  
12 22-30.5-503;

13 (d) AN INDIVIDUAL DISTRICT CHARTER SCHOOL OR INSTITUTE  
14 CHARTER SCHOOL;

15 (e) AN INSTITUTION OF HIGHER EDUCATION, INCLUDING A  
16 COMMUNITY COLLEGE, A LOCAL DISTRICT COLLEGE, OR AN AREA  
17 TECHNICAL COLLEGE:

18 (f) A HOSPITAL OR HEALTH-CARE FACILITY LICENSED IN  
19 ACCORDANCE WITH THE REQUIREMENTS OF PART 1 OF ARTICLE 3 OF TITLE  
20 25; OR

21 (g) A BEHAVIORAL HEALTH OR SUBSTANCE USE DISORDER  
22 TREATMENT FACILITY, BEHAVIORAL HEALTH ENTITIES, OR OTHER FACILITY  
23 WHERE BEHAVIORAL HEALTH CRISIS SERVICES ARE OFFERED.

24 (11) "Respondent" means the person, INCLUDING A PERSON UNDER  
25 EIGHTEEN YEARS OLD who is identified as the respondent in a petition  
26 filed pursuant to this article 14.5.

**27 SECTION 2.** In Colorado Revised Statutes, 13-14.5-103, amend

1 (1)(a) and (1)(b) as follows:

2 **13-14.5-103. Temporary extreme risk protection orders.**

3 (1) (a) A family or household member of the respondent, a  
4 community member, AN INSTITUTIONAL PETITIONER, or a law enforcement  
5 officer or agency may request a temporary extreme risk protection order  
6 without notice to the respondent by including in the petition for the  
7 extreme risk protection order an affidavit, signed under oath and penalty  
8 of perjury, supporting the issuance of a temporary extreme risk protection  
9 order that sets forth the facts tending to establish the grounds of the  
10 petition or the reason for believing they exist and, if the petitioner is a  
11 family or household member or community member, attesting that the  
12 petitioner is a family or household member or community member. The  
13 petition must comply with the requirements of section 13-14.5-104 (3).  
14 If the petitioner is a law enforcement officer or law enforcement agency,  
15 AND IF THE LAW ENFORCEMENT OFFICER OR LAW ENFORCEMENT AGENCY  
16 HAS PROBABLE CAUSE TO BELIEVE THE RESPONDENT HAS FIREARMS  
17 WITHIN THEIR CUSTODY, CONTROL, OR POSSESSION, the law enforcement  
18 officer or law enforcement agency shall concurrently file a sworn  
19 affidavit for a COURT TO ISSUE A search warrant pursuant to section  
20 16-3-301.5 to search for any firearms in the possession, CUSTODY, or  
21 control of the respondent at a location or locations to be named in the  
22 warrant. If a petition filed pursuant to section 27-65-106 is also filed  
23 against the respondent, a court of competent jurisdiction may hear that  
24 petition at the same time as the hearing for a temporary extreme risk  
25 protection order or the hearing for a continuing extreme risk protection  
26 order.

27 (b) Notwithstanding any provision of law to the contrary, a

1       licensed health-care professional, or mental health professional,  
2       COMMUNITY MEMBER OR INSTITUTIONAL PETITIONER authorized to file a  
3       petition for a temporary extreme risk protection order, upon filing the  
4       petition for a temporary extreme risk protection order, is authorized to  
5       disclose protected health information of the respondent as necessary for  
6       the full investigation and disposition of the request for a temporary  
7       extreme risk protection order. When disclosing protected health  
8       information, the licensed health-care professional, or mental health  
9       professional, COMMUNITY MEMBER OR INSTITUTIONAL PETITIONER shall  
10      make reasonable efforts to limit protected health information to the  
11      minimum necessary to accomplish the filing of the petition. Upon receipt  
12      of a petition by a licensed health-care professional, or mental health  
13       professional, COMMUNITY MEMBER OR INSTITUTIONAL PETITIONER, and  
14      for good cause shown, the court may issue orders to obtain any records or  
15      documents relating to diagnosis, prognosis, or treatment, and clinical  
16      records, of the respondent as necessary for the full investigation and  
17      disposition of the petition for a temporary extreme risk protection order.  
18      When protected health information is disclosed or when the court receives  
19      any records or documents related to diagnosis, prognosis, or treatment or  
20      clinical records, the court shall order that the parties are prohibited from  
21      using or disclosing the protected health information for any purpose other  
22      than the proceedings for a petition for a temporary extreme risk protection  
23      order and shall order the return to the covered entity or destroy the  
24      protected health information, including all copies made, at the end of the  
25      litigation or proceeding. The court shall seal all records and other health  
26      information received that contain protected health information. The  
27      decision of a licensed health-care professional, or mental health

1 professional, COMMUNITY MEMBER OR INSTITUTIONAL PETITIONER to  
2 disclose or not to disclose records or documents relating to the diagnosis,  
3 prognosis, or treatment, and clinical records of a respondent, when made  
4 reasonably and in good faith, shall not be the basis for any civil,  
5 administrative, or criminal liability with respect to the licensed  
6 health-care professional, or mental health professional, COMMUNITY  
7 MEMBER OR INSTITUTIONAL PETITIONER.

8                   **SECTION 3.** In Colorado Revised Statutes, 13-14.5-104, amend  
9 (1)(a) and (1)(b) as follows:

10                   **13-14.5-104. Petition for extreme risk protection order.**

11                   (1)(a) A petition for an extreme risk protection order may be filed  
12 by a family or household member of the respondent, a community  
13 member, AN INSTITUTIONAL PETITIONER, or a law enforcement officer or  
14 agency. If the petition is filed by a law enforcement officer or agency, a  
15 county or city attorney shall represent the officer or agency in any judicial  
16 proceeding upon request. If the petition is filed by a family or household  
17 member or community member, the petitioner, to the best of the  
18 petitioner's ability, shall notify the law enforcement agency in the  
19 jurisdiction where the respondent resides of the petition and the hearing  
20 date with enough advance notice to allow for participation or attendance.  
21 Upon the filing of a petition, the court shall appoint an attorney to  
22 represent the respondent, and the court shall include the appointment in  
23 the notice of hearing provided to the respondent pursuant to section  
24 13-14.5-105 (1)(a). The respondent may replace the attorney with an  
25 attorney of the respondent's own selection at any time at the respondent's  
26 own expense. The court shall pay the attorney fees for an attorney  
27 appointed for the respondent.

(b) Notwithstanding any provision of law to the contrary, a licensed health-care professional, or mental health professional, COMMUNITY MEMBER OR INSTITUTIONAL PETITIONER authorized to file a petition for an extreme risk protection order, upon filing the petition for an extreme risk protection order, is authorized to disclose protected health information of the respondent as necessary for the full investigation and disposition of the petition for an extreme risk protection order. When disclosing protected health information, the licensed health-care professional, or mental health professional, COMMUNITY MEMBER OR INSTITUTIONAL PETITIONER shall make reasonable efforts to limit protected health information to the minimum necessary to accomplish the filing of the request. Upon receipt of a petition by a licensed health-care professional, or mental health professional, COMMUNITY MEMBER OR INSTITUTIONAL PETITIONER, and for good cause shown, the court may issue orders to obtain any records or documents relating to diagnosis, prognosis, or treatment, and clinical records of the respondent as necessary for the full investigation and disposition of the petition for an extreme risk protection order. When protected health information is disclosed or when the court receives any records or documents related to diagnosis, prognosis, or treatment or clinical records, the court shall order that the parties are prohibited from using or disclosing the protected health information for any purpose other than the proceedings for a petition for an extreme risk protection order and shall order the return to the covered entity or destroy the protected health information, including all copies made, at the end of the litigation or proceeding. The court shall seal all records and other health information received that contain protected health information. The decision of a licensed health-care

1 ~~professional, or mental health professional, COMMUNITY MEMBER OR~~  
2 INSTITUTIONAL PETITIONER to disclose or not to disclose records or  
3 documents relating to the diagnosis, prognosis, or treatment, and clinical  
4 records of a respondent, when made reasonably and in good faith, must  
5 not be the basis for any civil, administrative, or criminal liability with  
6 respect to the ~~licensed health-care professional, or mental health~~  
7 ~~professional, COMMUNITY MEMBER OR INSTITUTIONAL PETITIONER.~~

8                   **SECTION 4.** In Colorado Revised Statutes, 13-14.5-107, amend  
9 (2)(b) as follows:

10                   **13-14.5-107. Termination or renewal of protection orders.**

11                   **(2) Renewal.**

12                   (b) A petitioner, a family or household member of a respondent,  
13 a community member, AN INSTITUTIONAL PETITIONER, or a law  
14 enforcement officer or agency may, by motion, request a renewal of an  
15 extreme risk protection order at any time within sixty-three calendar days  
16 before the expiration of the order.

17                   **SECTION 5.** In Colorado Revised Statutes, 13-14.5-113, amend  
18 (1) and (4) as follows:

19                   **13-14.5-113. Liability.**

20                   (1) Except as provided in section 13-14.5-111, this article 14.5  
21 does not impose criminal, administrative, or civil liability on any person,  
22 including a community member, AN INSTITUTIONAL PETITIONER, or entity  
23 for acts or omissions made in good faith related to obtaining an extreme  
24 risk protection order or a temporary extreme risk protection order,  
25 including but not limited to reporting, declining to report, investigating,  
26 declining to investigate, filing, or declining to file a petition pursuant to  
27 this article 14.5. This article 14.5 does not impose criminal or civil

1       - liability on a peace officer lawfully enforcing an order pursuant to this
  
2       - article 14.5.

3               (4) This article 14.5 does not require a family or household  
4       member of the respondent, a community member, AN INSTITUTIONAL  
5       PETITIONER, or a law enforcement officer or agency to file a petition for  
6       a temporary emergency extreme risk protection order or petition for an  
7       extreme risk protection order.

8               **SECTION 6. 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.