

**13-54-102. Property exempt.**

(l) The following property is exempt from levy and sale under writ of attachment or writ of execution:

(a) The necessary wearing apparel of the debtor and each dependent to the extent of one thousand five hundred dollars in value;

(b) Watches, jewelry, and articles of adornment of the debtor and each dependent to the extent of two thousand dollars in value;

(c) The library, family pictures, and school books of the debtor and the debtor's dependents to the extent of one thousand five hundred dollars in value; except that this paragraph (c) shall not apply to any such property constituting all or part of the stock in trade of the debtor;

(d) Burial sites, including spaces in mausoleums, to the extent of one site or space for the debtor and each dependent;

(e) The household goods owned and used by the debtor or the debtor's dependents to the extent of three thousand dollars in value;

(f) Provisions and fuel on hand for the use or consumption of the debtor or the debtor's dependents to the extent of six hundred dollars in value;

(g) (I) Except as otherwise provided in subparagraph (II) of this paragraph (g), in the case of every debtor engaged in agriculture as the debtor's principal occupation, including but not limited to farming, ranching, dairy production, and the raising of livestock or poultry, all livestock, poultry, or other animals and all tractors, farm implements, trucks used in agricultural operations, harvesting equipment, seed, and agricultural machinery and tools in the aggregate value of fifty thousand dollars.

(II) Only one exemption in the aggregate value of fifty thousand dollars shall be allowed for a debtor and his or her spouse under subparagraph (I) of this paragraph (g). In the event that property is claimed as exempt by a debtor or his or her spouse under subparagraph (I) of this paragraph (g), no exemption shall be allowed for such debtor or his or her spouse under paragraph (i) of this subsection (1).

(h) Except for amounts due under court-ordered support of children or spouse which are subject to the exemption provisions of section 13-54-104, all money received by any person as a pension, compensation, or allowance for any purpose on account or arising out of the services of such person as a member of the armed forces of the United States in time of war or armed conflict, and whether in the actual possession of the recipient thereof or deposited or loaned by him, and a like exemption to the unmarried widow or widower and the children of such person who receive a pension, compensation, or allowance of any kind from the United States on account or arising out of such service by a deceased member of such armed forces; and when a debtor entitled to exemption under this paragraph (h) dies or leaves his family said exemption shall extend to the dependents of said debtor;

(h.5) The articles of military equipment personally owned by members of the National Guard;

(i) The stock in trade, supplies, fixtures, maps, machines, tools, electronics, equipment, books, and business materials of any debtor used and kept for the purpose of carrying on any gainful occupation in the aggregate value of twenty thousand dollars; except that exempt property described in this paragraph

- (i) may not also be claimed as exempt pursuant to paragraph (j) of this subsection (1);
- (j) (I) One or more motor vehicles or bicycles kept and used by any debtor in the aggregate value of five thousand dollars; or
- (II) (A) One or more motor vehicles kept and used by any elderly or disabled debtor, or by any debtor with an elderly or disabled spouse or dependent, in the aggregate value of ten thousand dollars.
- (B) (Deleted by amendment, L. 2007, p. 876, § 3, effective May 14, 2007.)
- (k) The library of any debtor who is a professional person, including a minister or priest of any faith, kept and used by the debtor in carrying on his or her profession, in the value of three thousand dollars; except that exemptions with respect to any of the property described in this paragraph (k) may not also be claimed under paragraph (i) of this subsection (1);
- (l) (I) (A) The cash surrender value of policies or certificates of life insurance to the extent of fifty thousand dollars for writs of attachment or writs of execution issued against the insured; except that there is no exemption for increases in cash value from monies contributed to a policy or certificate of life insurance during the forty-eight months prior to the issuance of such writ of attachment or writ of execution; and
- (B) The proceeds of policies or certificates of life insurance paid upon the death of the insured to a designated beneficiary, without limitation as to amount, for writs of attachment or writs of execution issued against the insured.
- (II) The provisions of this paragraph (l) shall not be interpreted to provide an exemption for attachment or execution of the proceeds of any policy or certificate of life insurance to pay the debts of a beneficiary of such policy or certificate.
- (III) The provisions of this paragraph (l) shall not provide an exemption for attachment or execution of the proceeds of any policy or certificate of life insurance if the beneficiary of such policy or certificate is the estate of the insured.
- (m) The proceeds of any claim for loss, destruction, or damage and the avails of any fire or casualty insurance payable because of loss, destruction, or damage to any property which would have been exempt under this article to the extent of the exemptions incident to such property;
- (n) The proceeds of any claim for damages for personal injuries suffered by any debtor except for obligations incurred for treatment of any kind for such injuries or collection of such damages;
- (o) The full amount of any federal or state income tax refund attributed to an earned income tax credit or a child tax credit;
- (p) Professionally prescribed health aids for the debtor or a dependent of the debtor;
- (q) The debtor's right to receive, or property that is traceable to, an award under a crime victim's reparation law;
- (r) For purposes of garnishment proceedings pursuant to the provisions of article 54.5 of this title, any amount held by a third party as a security deposit, as defined in section 38-12-102 (2), C.R.S., or any amount held by a third party as a utility deposit to secure payment for utility goods or services used or consumed by the debtor or his dependents;

(s) Property, including funds, held in or payable from any pension or retirement plan or deferred compensation plan, including those in which the debtor has received benefits or payments, has the present right to receive benefits or payments, or has the right to receive benefits or payments in the future and including pensions or plans which qualify under the federal "Employee Retirement Income Security Act of 1974", as amended, as an employee pension benefit plan, as defined in 29 U.S.C. sec. 1002, any individual retirement account, as defined in 26 U.S.C. sec. 408, any Roth individual retirement account, as defined in 26 U.S.C. sec. 408A, and any plan, as defined in 26 U.S.C. sec. 401, and as these plans may be amended from time to time;

(l) All property which is subject to a judgment against a debtor for failure to pay state income tax to a state for periods when such individual was not a resident of such state on benefits received from a pension or other retirement plan;

(u) Any court-ordered domestic support obligation or payment, including a maintenance obligation or payment or a child support obligation or payment, if the child support obligation or payment meets the requirements of section 13-54-102.5;

(v) Any claim for public or private disability benefits due, or any proceeds thereof, not otherwise provided for under law, up to three thousand dollars per month. Any claim or proceeds in excess of this amount shall be subject to garnishment in accordance with section 13-54-104.

(2) Notwithstanding the provisions of paragraph (h) of subsection (1) of this section and section 13-54-104, military pensions shall be subject to court-ordered support of children or spouse.

(3) Notwithstanding the provisions of paragraph (s) of subsection (1) of this section, any pension or retirement benefit or payment shall be subject to attachment or levy in satisfaction of a judgment taken for arrearages for child support or for child support debt, subject to the limitations contained in section 13-54-104.

(4) Notwithstanding anything to the contrary in this section, all property of a person who has committed a felonious killing, as defined in section 15-11-803 (1) (b), C.R.S., and as determined in the manner described in section 15-11-803 (7), C.R.S., shall be subject to attachment or levy in satisfaction of a judgment awarded pursuant to section 13-21-201 or section 13-21-202 for such felonious killing.

(5) (a) As provided in the exception contained in 11 U.S.C. sec. 522 (f) (3), as amended, a debtor shall not avoid a consensual lien on property otherwise eligible to be claimed as exempt property.

(b) As used in this subsection (5), unless the context otherwise requires, "consensual lien" means a lien on property granted with the consent and approval of the owner.

**Source:** L. 59: p. 530, § 2. CRS 53: § 77-13-2. C.R.S. 1963: § 77-2-2. L. 73: pp. 236, 915, 916, §§ 15, 1, 3. L. 75: (1)(o)(II) amended, p. 1466, § 6, effective July 18. L. 77: (1)(h) amended and (1.1) added, p. 811, § 1, effective July 1. L. 81: Entire section R&RE, p. 893, § 2, effective July 1. L. 84: (1)(r) added, p. 475, § 2, effective January 1, 1985. L. 85: (1)(j) amended, p. 580, § 1, effective April 30. L. 91: (1)(s) and (3) added, p. 383, §§ 1, 2, effective May 1. L. 92: (1)(t) added, p. 2241, § 1, effective June 6. L. 94: (1)(u) added, p. 1210, § 1, effective May 22. L. 95: (1)(l) amended, p. 723, § 1, effective July 1. L. 96: (4) added, p. 50, § 2, effective July 1. L. 2000: (1)(a), (1)(b), (1)(c), (1)(e), (1)(f), (1)(g), (1)(i), (1)(j)(I), (1)(j)(II)(A), (1)(k), and (1)(o) amended, p. 715, § 2, effective May 23. L. 2002: (1)(h.5) added, p. 587, § 11, effective May 24; (1)(s) amended, p. 487, § 1, effective May 24; (1)(g) amended, p. 1862, § 1, effective July 1; (1)(l)(I)(A) amended, p. 641, § 1, effective August 7. L. 2007: (1)(b), (1)(g), (1)(i), (1)(j), (1)(o), and (1)(u) amended and (1)(v) and (5) added, pp. 876, 877, §§3, 4, effective May 14; (1)(s) amended, p. 2026, § 27, effective June 1.

# Exemption Statutes

Description	Statute	Individual	Joint
<b>[CO] Colorado</b>			
Armed Forces Pension	CRS §13-54-102(1)(h)		
Automobile	CRS §13-54-102(1)(l)	5,000.00	10,000.00
Automobile - Elderly/Disabled	CRS §13-54-102(1)(l)(A)	10,000.00	20,000.00
Burial Sites	CRS §13-54-102(1)(d)		
College Savings Plan	CRS §23-3.1-307.4		
Crime Victims Reparation	CRS §13-54-102(1)(q)		
Disability Benefits up to \$3k monthly	CRS §13-54-102(1)(v)	3,000.00	6,000.00
Domestic/Child Support Payment	CRS §§13-54-102(1)(u)		
Earned Income Refunds	CRS §13-54-102(1)(o)		
Earnings	CRS §§5-5-105, 13-54-104	75%	75%
Fraternal Benefit Society Benefits	CRS §10-14-122		
Health Aids	CRS §13-54-102(1)(p)		
Homestead	CRS §§38-41-201(a), 201.5	60,000.00	60,000.00
Homestead - Elderly or Disabled	CRS §38-41-201(b)	90,000.00	90,000.00
Homestead Proceeds (2 years)	CRS §38-41-207	60,000.00	60,000.00
Household Goods	CRS §13-54-102(1)(e)	3,000.00	6,000.00
Insurance - Loss Of Homestead	CRS §38-41-209	60,000.00	60,000.00
Insurance - Property Loss/Destruction	CRS §13-54-102(1)(m)		
Insurance - Sickness & Accident	CRS §10-16-212	2,500.00	5,000.00
Library - Pictures, Books	CRS §13-54-102(1)(c)	1,500.00	3,000.00
Library - Professional Person	CRS §13-54-102(1)(k)	3,000.00	6,000.00
Life Insurance - Cash Surrender Value	CRS §13-54-102(1)(l)(A)	25,000.00	50,000.00
Life Insurance Policies - Avails	CRS §13-54-102(1)(l)	5,000.00	10,000.00
Life Insurance Proceeds - Annuity	CRS §10-7-106		
Life Insurance Proceeds - Group	CRS §10-7-205		
Machinery, Tools, Livestock - Farmer	CRS §13-54-102(1)(g)(l)	50,000.00	50,000.00
Partnership Property	CRS §7-60-125		
Pension	CRS §13-54-102(1)(s)		
Pension - Fireman	CRS §31-30-412, 518		
Pension - Police	CRS §31-30-313, 616		
Personal Injury Proceeds	CRS §13-54-102(1)(n)		
Provisions & Fuel	CRS §13-54-102(1)(f)	600.00	1,200.00
Public Assistance	CRS §26-2-131		
Public Employees Deferred Compensation	CRS §24-52-102(4)		
Retirement - Public Employees	CRS §24-51-212		
Retirement - Teachers	CRS §22-64-120		
Security & Utility Deposits Held	CRS §13-54-102(1)(r)		
Tools of Trade	CRS §13-54-102(1)(l)	20,000.00	40,000.00
Unemployment Compensation	CRS §8-80-103		
Watches, Jewelry & Articles of Adornment	CRS §13-54-102(1)(b)	2,000.00	4,000.00
Wearing Apparel	CRS §13-54-102(1)(a)	1,500.00	3,000.00
Workmens Compensation	CRS §8-42-124		
~75% of unpaid wages	U.S.C. 15 § 1673	75%	75%
~CIA employees	U.S.C. 50 § 403		
~Civil Service Employees	U.S.C. 5 § 8346		
~Foreign Service Employees	U.S.C. 22 § 4060		
~Government Employees	U.S.C. 5 § 8130		
~Insurance - Military Group	U.S.C. 38 § 770(g)		
~Insurance Unemplmt Railroad Workers	U.S.C. 45 § 352(e)		
~Judges, U.S. Court Directors, Etc.	U.S.C. 28 § 376(n)		
~Klamath Indians Tribe - Oregon	U.S.C. 25 § 543, 25 § 545		
~Lighthouse Workers	U.S.C. 33 § 775		
~Longshoremen & Harbor Workers	U.S.C. 33 § 916		
~Military Dpsts In Savings Acc'ts Outside US	U.S.C. 10 § 1035		
~Military Service	U.S.C. 10 § 1450		
~Military Service Employees	U.S.C. 10 § 1440		
~Pensions - Military Honor Roll	U.S.C. 38 § 1562(c)		
~Railroad Workers	U.S.C. 45 § 231m		
~Seamen's Clothing	U.S.C. 46 § 11110		
~Seamen's Wages (At Sea)	U.S.C. 46 § 11109(a)		
~Social Security	U.S.C. 42 § 407		
~Tenants by the Entirety	11 USC § 522(b)(3)(B)		
~Veteran's Benefits	U.S.C. 38 § 5301(a)		
~Veteran's Medal of Honor Benefits	U.S.C. 38 § 1562(c)		
~War Compensation - Hazard, Death, Injury	U.S.C. 42 § 1717		

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