

**Colorado Revised Statutes Title 15. Probate, Trusts, and Fiduciaries § 15-11-805.
Ownership of personal property between spouses**

(1) For purposes of this article, tangible personal property in the joint possession or control of the decedent and his or her surviving spouse at the time of the decedent's death is presumed to be owned by the decedent and the decedent's spouse in joint tenancy with right of survivorship if ownership is not otherwise evidenced by a certificate of title, bill of sale, or other writing. This presumption shall not apply to:

- (a) Property acquired by either spouse before the marriage;
- (b) Property acquired by either spouse by gift or inheritance during the marriage;
- (c) Property used by the decedent spouse in a trade or business in which the surviving spouse has no interest; or
- (d) Property held for another.
- (e) Deleted by [Laws 2002, Ch. 190, § 8, eff. July 1, 2002.](#)

(2) The presumption created in this section may be overcome by a preponderance of the evidence demonstrating that ownership was held other than in joint tenancy with right of survivorship.