

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB19-1039 be amended as follows:

1 Amend reengrossed bill, page 8, after line 7 insert:

2 "SECTION 4. In Colorado Revised Statutes, 42-2-302, **add** (2.5)
3 as follows:

4 **42-2-302. Department may or shall issue - limitations - rules.**

5 (2.5) (a) THE DEPARTMENT SHALL ISSUE A NEW IDENTIFICATION CARD TO
6 A PERSON WHO HAS A GENDER DIFFERENT FROM THE SEX DENOTED ON
7 THAT PERSON'S IDENTIFICATION CARD WHEN THE DEPARTMENT RECEIVES:

8 (I) A STATEMENT, IN A FORM OR FORMAT DESIGNATED BY THE
9 DEPARTMENT, FROM THE PERSON, OR FROM THE PERSON'S PARENT, IF THE
10 PERSON IS A MINOR, OR FROM THE PERSON'S GUARDIAN OR LEGAL
11 REPRESENTATIVE, SIGNED UNDER PENALTY OF LAW, CONFIRMING THE SEX
12 DESIGNATION ON THE PERSON'S IDENTIFICATION CARD DOES NOT ALIGN
13 WITH THE PERSON'S GENDER IDENTITY; AND

14 (II) IF THE PERSON IS A MINOR UNDER THE AGE OF EIGHTEEN, A
15 STATEMENT, IN A FORM OR FORMAT DESIGNATED BY THE DEPARTMENT,
16 SIGNED UNDER PENALTY OF LAW, FROM A PROFESSIONAL MEDICAL OR
17 MENTAL HEALTH CARE PROVIDER LICENSED IN GOOD STANDING IN
18 COLORADO OR AN EQUIVALENT LICENSE IN GOOD STANDING FROM
19 ANOTHER JURISDICTION, STATING THAT THE MINOR HAS UNDERGONE
20 SURGICAL, HORMONAL, OR OTHER TREATMENT APPROPRIATE FOR THAT
21 PERSON FOR THE PURPOSE OF GENDER TRANSITION, BASED ON
22 CONTEMPORARY MEDICAL STANDARDS, AND, IN THE PROVIDER'S
23 PROFESSIONAL OPINION, THE MINOR'S GENDER DESIGNATION SHOULD BE
24 CHANGED ACCORDINGLY, OR THE MINOR HAS AN INTERSEX CONDITION,
25 AND, IN THE PROVIDER'S PROFESSIONAL OPINION, THE MINOR'S GENDER
26 DESIGNATION SHOULD BE CHANGED ACCORDINGLY; OR

27 (III) A NEW BIRTH CERTIFICATE ISSUED PURSUANT TO SECTION
28 25-2-113.8.

29 (b) THE DEPARTMENT MAY ONLY AMEND A SEX DESIGNATION FOR
30 AN INDIVIDUAL'S IDENTIFICATION CARD ONE TIME UPON THE INDIVIDUAL'S
31 REQUEST. ANY FURTHER REQUESTS FROM THE INDIVIDUAL FOR
32 ADDITIONAL SEX DESIGNATION CHANGES REQUIRE THE SUBMISSION OF A
33 COURT ORDER INDICATING THAT THE SEX DESIGNATION CHANGE IS
34 REQUIRED.

35 **SECTION 5.** In Colorado Revised Statutes, 42-2-505, **add** (1.5)
36 as follows:

37 **42-2-505. Identification documents - individuals not lawfully**
38 **present - rules.** (1.5) (a) THE DEPARTMENT SHALL ISSUE A NEW

39 IDENTIFICATION DOCUMENT TO A PERSON WHO HAS A GENDER DIFFERENT
40 FROM THE SEX DENOTED ON THAT PERSON'S IDENTIFICATION DOCUMENT
41 WHEN THE DEPARTMENT RECEIVES:

1 (I) A STATEMENT, IN A FORM OR FORMAT DESIGNATED BY THE
2 DEPARTMENT, FROM THE PERSON, OR FROM THE PERSON'S PARENT, IF THE
3 PERSON IS A MINOR, OR FROM THE PERSON'S GUARDIAN OR LEGAL
4 REPRESENTATIVE, SIGNED UNDER PENALTY OF LAW, CONFIRMING THE SEX
5 DESIGNATION ON THE PERSON'S IDENTIFICATION DOCUMENT DOES NOT
6 ALIGN WITH THE PERSON'S GENDER IDENTITY; AND

7 (II) IF THE PERSON IS A MINOR UNDER THE AGE OF EIGHTEEN, A
8 STATEMENT, IN A FORM OR FORMAT DESIGNATED BY THE DEPARTMENT,
9 SIGNED UNDER PENALTY OF LAW, FROM A PROFESSIONAL MEDICAL OR
10 MENTAL HEALTH CARE PROVIDER LICENSED IN GOOD STANDING IN
11 COLORADO OR AN EQUIVALENT LICENSE IN GOOD STANDING FROM
12 ANOTHER JURISDICTION, STATING THAT THE MINOR HAS UNDERGONE
13 SURGICAL, HORMONAL, OR OTHER TREATMENT APPROPRIATE FOR THAT
14 PERSON FOR THE PURPOSE OF GENDER TRANSITION, BASED ON
15 CONTEMPORARY MEDICAL STANDARDS, AND, IN THE PROVIDER'S
16 PROFESSIONAL OPINION, THE MINOR'S GENDER DESIGNATION SHOULD BE
17 CHANGED ACCORDINGLY, OR THE MINOR HAS AN INTERSEX CONDITION,
18 AND, IN THE PROVIDER'S PROFESSIONAL OPINION, THE MINOR'S GENDER
19 DESIGNATION SHOULD BE CHANGED ACCORDINGLY; OR

20 (III) A NEW BIRTH CERTIFICATE ISSUED PURSUANT TO SECTION
21 25-2-113.8.

22 (b) THE DEPARTMENT MAY ONLY AMEND A SEX DESIGNATION FOR
23 AN INDIVIDUAL'S IDENTIFICATION DOCUMENT ONE TIME UPON THE
24 INDIVIDUAL'S REQUEST. ANY FURTHER REQUESTS FROM THE INDIVIDUAL
25 FOR ADDITIONAL SEX DESIGNATION CHANGES REQUIRE THE SUBMISSION OF
26 A COURT ORDER INDICATING THAT THE SEX DESIGNATION CHANGE IS
27 REQUIRED."

28 Renumber succeeding sections accordingly.

29 Strike "OR IDENTITY DOCUMENT" on: **Page 6**, lines 23 and 24, and 25 and
30 26; and **Page 7**, lines 4 and 22.

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