



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1083: PROTECT FEMALE SPORTS ACT

Prime Sponsors:

Rep. Bottoms

Fiscal Analyst:

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Version: Initial Fiscal Note

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Fiscal note status: This fiscal note reflects the introduced bill.

Summary Information

Overview. The bill requires that an interscholastic or intramural athletic team or sport sponsored by a school or athletic association be designated as either male, female, or mixed, based on the participants' biological sex.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures
- School Districts

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

The bill requires that an interscholastic or intramural athletic team or sport sponsored by a school or athletic association be designated as one of the following, based on the participants' biological sex:

- male, men, or boys;
- female, women, or girls, or
- coeducational, or mixed.

A team or sport that is designated for female, women or girls cannot be open for participation by a male participant. A team designated for males, men, or boys cannot be open to female participants, unless there is no female team offered. The bill applies to sports offered by public, private, charter, denominational elementary and secondary schools; accredited public and private institutions of higher education; and athletic associations.

Enforcement

If the Commissioner of Education determines that a public school or institution of higher education intentionally refused to comply with the bill, the Commissioner must notify the school and provide reasonable time to comply. If the school does not comply, the Commissioner must take remedial action with their existing authority.

The bill specifies that state agencies, athletic associations, or licensing or accrediting organizations must not entertain complaints or take any adverse action against a school for maintaining a separate team or sport for female participants.

State Expenditures

The bill increases workload and costs for enforcement in the Colorado Department of Education, if any school district, school, or institution of higher education does not comply with the bill. Costs may include staff to handle complaints and conduct investigations, and costs for legal services provided by the Department of Law. The fiscal note assumes that schools and institutions will comply with the bill, and that any enforcement costs will be minimal. If additional resources for enforcement are required, they will be requested through the annual budget process.

In addition, state institutions of higher education will have additional expenditures to ensure that all interscholastic and intramural athletics programs comply with the bill's requirements. To the extent that CDE takes remedial action against an institution, costs may also increase. The fiscal notes assumes that any costs will be covered by institutional revenue and that no change in state appropriations is required.

School Districts

The measure may increase expenditures for schools, school districts, and charter schools that offer interscholastic or intramural athletics programs to align with the bill. These costs are expected to be minimal. To the extent that CDE takes remedial action against school districts, costs may also increase.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Counties	Law
Education	Municipalities
Higher Education	