

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 23-0047.03 Jessica Herrera x4218

HOUSE BILL 23-1057

HOUSE SPONSORSHIP

McCormick and Vigil,

SENATE SPONSORSHIP

Jaquez Lewis,

House Committees

State, Civic, Military, & Veterans Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT CERTAIN PUBLIC BUILDINGS HAVE**
102 **RESTROOMS WITH AMENITIES FOR ALL GENDERS, AND, IN**
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

Effective January 1, 2024, the bill requires each newly constructed public building and each public building in which restroom renovations are estimated to cost \$10,000 or more that is wholly or partly owned by the state, a county, or a local municipality to:

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.

HOUSE
Amended 2nd Reading
April 21, 2023

- Provide a non-gendered restroom facility or a multi-stall non-gendered facility on each floor where restrooms are available;
- Ensure that all single-stall restrooms are not designated for exclusive use by any specific gender;
- Allow for the use of multi-stall restrooms by any gender if certain facility features are met under the 2021 International Plumbing Code; and
- Provide at least one safe, sanitary, and convenient baby diaper changing station that is accessible to the public on each floor where there is a public restroom in each gender-specific restroom, non-gendered multi-stall restroom, and non-gendered single-stall restroom.

The bill also requires each newly constructed public building and each public building in which restroom renovations are estimated to cost \$10,000 or more that is wholly or partly owned by the state, a county, or a local municipality to include signage indicating the presence of a baby diaper changing station with a pictogram that is void of gender in all restrooms with baby diaper changing stations, in all non-gendered restrooms, and in all single-stalled restrooms.

The bill also requires each newly constructed public building and each public building in which restroom renovations are estimated to cost \$10,000 or more that is wholly or partly owned by the state, a county, or a local municipality to indicate in the central building directory, if such a directory exists, the location of any baby diaper changing station and of any non-gendered restroom.

The bill exempts the requirements of including a baby diaper changing station in any restroom and any construction necessary to comply with providing an accessible non-gendered restroom if the requirement would result in failure to comply with applicable building standards governing the right of access for individuals with disabilities.

The bill clarifies that an employee with a designated workplace in a public building may undertake the complaint process for alleged discriminatory or unfair practices including the failure to comply with providing the required amenities to all genders, as required, with the Colorado civil rights division charged with the enforcement of the Colorado anti-discrimination act.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 5.7 to title
 3 **9** as follows:

4 **ARTICLE 5.7**

1 **Amenities For All Genders In Public Buildings**

2 **9-5.7-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
3 FINDS AND DECLARES THAT:

4 (a) IT IS A MATTER OF STATEWIDE CONCERN TO PROMOTE THE
5 PUBLIC WELFARE BY PROVIDING ACCESS TO NON-GENDERED RESTROOM
6 FACILITIES THAT ARE CONVENIENT FOR PEOPLE OF ALL GENDERS,
7 INCLUDING THOSE OUTSIDE THE GENDER BINARY;

8 (b) THE LACK OF ADEQUATE RESTROOM FACILITIES LEADS TO
9 UNSAFE AND INEQUITABLE CONDITIONS FOR COLORADO CHILDREN,
10 FAMILIES, AND COMMUNITIES. EXPERTS FROM HEALTH PROVIDERS TO
11 FAITH LEADERS, INCLUDING THE OCCUPATIONAL SAFETY AND HEALTH
12 ADMINISTRATION, STRESS THE NEED FOR SINGLE OCCUPANCY
13 NON-GENDERED RESTROOMS AND MULTIPLE-OCCUPANT OR
14 MULTIPLE-STALLED NON-GENDERED RESTROOMS TO BE ACCESSIBLE FOR
15 ALL EMPLOYEES AND INDIVIDUALS. THE LACK OF ACCESSIBILITY TO
16 RESTROOM FACILITIES THAT ARE CONSISTENT WITH AN INDIVIDUAL'S
17 GENDER IDENTITY SINGLES OUT THOSE INDIVIDUALS AND CAN RESULT IN
18 EXPERIENCES OF HARASSMENT AND CAUSE THOSE INDIVIDUALS TO AVOID
19 RESTROOMS ENTIRELY, WHICH CAN LEAD TO POTENTIALLY SERIOUS
20 PHYSICAL INJURY OR ILLNESS. ACCESS TO NON-GENDERED RESTROOMS
21 HAS FAR-REACHING BENEFITS FOR PARENTS CARING FOR A CHILD,
22 INCLUDING PARENTS WITH YOUNG CHILDREN WHO NEED TO ACCESS A
23 BABY DIAPER CHANGING STATION AND INDIVIDUALS WITH DISABILITIES
24 WHO HAVE A CARETAKER OF A DIFFERENT GENDER TO ASSIST THEM.

25 (c) MEN'S RESTROOMS AND SINGLE-STALL RESTROOMS TYPICALLY
26 DO NOT PROVIDE BABY DIAPER CHANGING STATIONS. THIS CREATES
27 ACCESSIBILITY INEQUITY FOR PARENTS AND CARE PROVIDERS WHO DO NOT

1 IDENTIFY AS WOMEN OR WHO MAY NOT BE COMFORTABLE USING WOMEN'S
2 RESTROOMS, AND CREATES POTENTIAL HEALTH AND SAFETY PROBLEMS
3 FOR BABIES. WITHOUT CLEAN AND SAFE BABY DIAPER CHANGING
4 STATIONS, THESE CARE PROVIDERS MAY BE FORCED TO RESORT TO UNSAFE
5 AND UNSANITARY LOCATIONS, SUCH AS RESTROOM FLOORS, TO CHANGE
6 BABIES' DIAPERS. REQUIRING EQUITABLE ACCESS TO AMENITIES IN PUBLIC
7 RESTROOMS WOULD MAKE IT EASIER FOR PARENTS AND CARE PROVIDERS
8 OF ALL GENDERS TO FIND A SAFE AND SUITABLE PLACE TO CHANGE BABIES'
9 DIAPERS. PROVIDING SAFE, RELIABLE, AND CLEAN BABY DIAPER CHANGING
10 STATIONS IN ALL RESTROOM FACILITIES ENABLES BETTER CARE TAKING FOR
11 INFANTS BY ALL PARENTS AND CARE PROVIDERS, AND SAFER CONDITIONS
12 FOR INFANTS.

13 (d) REQUIRING ALL SINGLE-STALL RESTROOMS TO BE DESIGNATED
14 FOR USE BY ANY GENDER REDUCES WAIT TIMES AND INCREASES COMFORT
15 AND ACCESSIBILITY FOR CARE PROVIDERS AND PEOPLE RECEIVING CARE,
16 INDIVIDUALS WITH DIVERSE GENDER EXPRESSIONS, AND LGBT
17 INDIVIDUALS. FOR LGBT INDIVIDUALS OR INDIVIDUALS WITH DIVERSE
18 GENDER EXPRESSIONS, USING GENDERED FACILITIES CAN POSE HEALTH
19 AND SAFETY ISSUES STEMMING FROM EXPERIENCES OF HARASSMENT AND
20 PHYSICAL THREATS IN GENDERED FACILITIES REGARDLESS OF WHICH
21 GENDERED FACILITY THEY USE OR THEIR PHYSICAL PRESENTATION. DUE
22 TO THESE EXPERIENCES AND ASSOCIATED STIGMA, SOME PEOPLE AVOID
23 USING PUBLIC RESTROOMS WHENEVER POSSIBLE AND MAY REFRAIN FROM
24 EATING, DRINKING, OR RELIEVING THEMSELVES FOR EXTENDED PERIODS
25 OF TIME IN ORDER TO AVOID GENDERED FACILITIES. DELAYING OR
26 AVOIDING USING THE RESTROOM CAN HAVE PHYSICAL HEALTH
27 IMPLICATIONS.

1 (e) THE "INTERNATIONAL PLUMBING CODE", 2021 EDITION,
2 REFERRED TO IN THIS ARTICLE 5.7 AS THE "I.P.C.", INCLUDES TWO
3 AMENDMENTS REGARDING NON-GENDERED RESTROOMS. ONE AMENDMENT
4 REQUIRES SIGNAGE ON SINGLE-STALL RESTROOMS TO INDICATE THAT THEY
5 ARE OPEN TO ANY USER REGARDLESS OF GENDER. THE OTHER AMENDMENT
6 ALLOWS THE CREATION OF NON-GENDERED MULTI-STALL DESIGNS WITH
7 SHARED SINKS AND EACH TOILET IN A PRIVATE COMPARTMENT.

8 (f) THE I.P.C. ALSO REQUIRES THAT SINGLE-STALL RESTROOMS BE
9 IDENTIFIED FOR USE BY ALL INDIVIDUALS REGARDLESS OF SEX AND
10 ALLOWS FOR MULTI-USER FACILITIES TO SERVE ALL GENDERS. THE
11 COLORADO STATE ARCHITECT ADOPTS CODES FOR CONSTRUCTION AT ALL
12 STATE-OWNED BUILDINGS AND FACILITIES, AND HAS ADOPTED THE 2021
13 EDITION OF THE INTERNATIONAL BUILDING CODE.

14 **9-5.7-102. Definitions.** AS USED IN THIS ARTICLE 5.7, UNLESS THE
15 CONTEXT OTHERWISE REQUIRES:

16 (1) "ACCESSIBLE TO THE PUBLIC" MEANS ANY INDOOR OR
17 OUTDOOR SPACE OR AREA THAT IS OPEN TO THE PUBLIC. THIS DOES NOT
18 INCLUDE PRIVATE OFFICES OR WORKSPACES THAT ARE GENERALLY NOT
19 OPEN TO CUSTOMERS OR PUBLIC VISITORS.

20 (2) "CERTIFIED HISTORIC STRUCTURE" MEANS A PROPERTY
21 LOCATED IN COLORADO THAT HAS BEEN CERTIFIED BY THE STATE
22 HISTORICAL SOCIETY OR AN ENTITY OTHER THAN THE OWNER OF THE
23 PROPERTY THAT IS AUTHORIZED, PURSUANT TO SECTION 24-80.1-105 (1),
24 TO NOMINATE PROPERTIES TO THE STATE REGISTER OF HISTORIC
25 PROPERTIES AS A HISTORIC STRUCTURE BECAUSE IT HAS BEEN:

26 (a) LISTED INDIVIDUALLY ON, OR AS A CONTRIBUTING PROPERTY
27 IN A DISTRICT INCLUDED WITHIN, THE NATIONAL REGISTER OF HISTORIC

1 PLACES;

2 (b) LISTED INDIVIDUALLY ON, OR AS A CONTRIBUTING PROPERTY
3 IN A DISTRICT THAT IS INCLUDED WITHIN, THE STATE REGISTER OF
4 HISTORIC PROPERTIES PURSUANT TO ARTICLE 80.1 OF TITLE 24.; OR

5 (c) LISTED INDIVIDUALLY BY, OR AS A CONTRIBUTING PROPERTY
6 WITHIN A DESIGNATED HISTORIC DISTRICT OF, A CERTIFIED LOCAL
7 GOVERNMENT.

8 (3) "GENDER-SPECIFIC RESTROOM" MEANS A RESTROOM THAT IS
9 DESIGNATED FOR USE BY ONLY ONE GENDER.

10 (4) "LGBT INDIVIDUAL" MEANS AN INDIVIDUAL WHO IS A MEMBER
11 OF THE LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND NON-BINARY
12 COMMUNITY.

13 (5) "NON-GENDERED MULTI-STALL RESTROOM" MEANS A
14 RESTROOM WITH MULTIPLE TOILETS THAT IS AVAILABLE FOR USE BY
15 PEOPLE OF ANY GENDER, INCLUDING A RESTROOM WITH SHARED SINKS BUT
16 EACH TOILET IS IN A PRIVATE COMPARTMENT.

17 (6) "NON-GENDERED SINGLE-STALL RESTROOM" MEANS A
18 RESTROOM THAT IS AVAILABLE FOR USE BY PEOPLE OF ANY GENDER THAT
19 IS A FULLY ENCLOSED ROOM WITH A LOCKING MECHANISM CONTROLLED
20 BY THE USER AND CONTAINS A SINK, TOILET, AND NO MORE THAN ONE
21 URINAL.

22 (7) (a) "RENOVATION OF A RESTROOM" MEANS CONSTRUCTION TO
23 A RESTROOM:

24 (I) FOR WHICH A PERMIT IS REQUIRED OTHER THAN FOR A REPAIR;

25 AND

26 (II) THAT INCLUDES CHANGING THE STRUCTURE BY:

27 (A) INCREASING THE SQUARE FOOTAGE;

1 (B) INSTALLING OR MODIFYING A PLUMBING OR ELECTRIC SYSTEM;

2 (C) ADDING, GUTTING, OR REMOVING EXTERIOR RESTROOM
3 WALLS; OR

4 (D) INSTALLING A HEATING, VENTILATION, OR AIR CONDITIONING
5 SYSTEM.

6 (b) FOR PURPOSES OF THIS SECTION, RENOVATION DOES NOT
7 INCLUDE REPAIRS TO OR REPLACEMENT OF FIXTURES OR FEATURES OF THE
8 RESTROOM IN ORDER TO RESTORE SOMETHING THAT IS DAMAGED,
9 DETERIORATED, OR BROKEN IN A RESTROOM TO ITS ORIGINAL FUNCTION
10 THAT DOES NOT MEET THE CRITERIA DESCRIBED IN SUBSECTION (7)(a) OF
11 THIS SECTION.

12 (8) "PUBLIC ENTITY" MEANS A STATE DEPARTMENT OR STATE
13 AGENCY, STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN
14 SECTION 23-18-102 (10), A COUNTY, A CITY AND COUNTY, OR A
15 MUNICIPALITY. FOR PURPOSES OF THIS ARTICLE 5.7, A STATE AGENCY DOES
16 NOT INCLUDE ANY BUILDING OWNED AND OPERATED AS AN EDUCATION
17 FACILITY BY THE DEPARTMENT OF EDUCATION OR A SCHOOL DISTRICT,
18 CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL.

19 **9-5.7-103. Restrooms - baby diaper changing stations -**
20 **applicability - signage - enforcement.** (1) ON AND AFTER JANUARY 1,
21 2024, A BUILDING THAT IS WHOLLY OR PARTIALLY OWNED BY A PUBLIC
22 ENTITY THAT IS SCHEDULED FOR RENOVATION OF A RESTROOM OR NEWLY
23 CONSTRUCTED BUILDING MUST:

24 (a) PROVIDE A NON-GENDERED SINGLE-STALL RESTROOM OR A
25 NON-GENDERED MULTI-STALL RESTROOM ON EACH FLOOR WHERE A
26 RESTROOM IS ACCESSIBLE TO THE PUBLIC;

27 (b) ENSURE THAT ANY SINGLE-STALL RESTROOM IS NOT A

1 GENDER-SPECIFIC RESTROOM;

2 (c) ALLOW FOR THE USE OF A MULTI-STALL RESTROOM BY ANY
3 GENDER IF CERTAIN FACILITY FEATURES ARE MET PURSUANT TO THE I.P.C.
4 OR ANY SUBSEQUENT INTERNATIONAL PLUMBING CODE ADOPTED AS PART
5 OF THE COLORADO PLUMBING CODE AND THE COLORADO FUEL GAS CODE
6 ADOPTED BY THE STATE PLUMBING BOARD PURSUANT TO SECTION
7 12-155-106; AND

8 (d) (I) PROVIDE ANY CAREGIVER ON THE GENDER BINARY THAT IS
9 CARING FOR AN INFANT ACCESS TO AT LEAST ONE SAFE, SANITARY, AND
10 CONVENIENT BABY DIAPER CHANGING STATION THAT IS ACCESSIBLE TO
11 THE PUBLIC ON EACH FLOOR WHERE THERE IS A RESTROOM ACCESSIBLE TO
12 THE PUBLIC AND THAT INCLUDES:

13 (A) IF ONLY GENDER-SPECIFIC RESTROOMS ARE AVAILABLE, AT
14 LEAST ONE CHANGING TABLE IN EACH RESTROOM;

15 (B) IF A NON-GENDERED SINGLE-STALL RESTROOM IS AVAILABLE,
16 AT LEAST ONE CHANGING TABLE IN THAT RESTROOM, AND PUBLIC ENTITIES
17 ARE ENCOURAGED TO ALSO PROVIDE CHANGING TABLES IN EACH OF THE
18 SINGLE-STALL GENDER-SPECIFIC RESTROOMS;

19 (C) IF A NON-GENDERED MULTI-STALL RESTROOM IS AVAILABLE,
20 AT LEAST ONE CHANGING TABLE IN THAT RESTROOM, AND PUBLIC ENTITIES
21 ARE ENCOURAGED TO ALSO PROVIDE CHANGING TABLES IN EACH OF THE
22 GENDER-SPECIFIC RESTROOMS; OR

23 (D) AN EASILY ACCESSIBLE LOCATION WITH EQUIVALENT PRIVACY
24 AND AMENITIES AS A RESTROOM; AND

25 (II) ENSURE THAT EACH BABY DIAPER CHANGING STATION IS
26 MAINTAINED, REPAIRED, AND REPLACED AS NECESSARY TO ENSURE
27 SAFETY AND EASE OF USE AND CLEANED WITH THE SAME FREQUENCY AS

1 THE RESTROOM IN WHICH IT IS LOCATED OR RESTROOMS ON THE SAME
2 FLOOR OR IN THE SAME SPACE IF THE CHANGING TABLE IS NOT LOCATED IN
3 A RESTROOM.

4 (2) ON AND AFTER JULY 1, 2025, A BUILDING THAT IS WHOLLY OR
5 PARTIALLY OWNED BY A PUBLIC ENTITY AND THAT IS EITHER A NEWLY
6 CONSTRUCTED BUILDING THAT IS ACCESSIBLE TO EMPLOYEES OR
7 ENROLLED STUDENTS OR IS UNDERGOING A RESTROOM RENOVATION MUST:

8 (a) PROVIDE A NON-GENDERED SINGLE-STALL RESTROOM OR A
9 NON-GENDERED MULTI-STALL RESTROOM;

10 (b) ENSURE THAT ANY SINGLE-STALL RESTROOM IS NOT A
11 GENDER-SPECIFIC RESTROOM; AND

12 (c) ALLOW FOR THE USE OF A MULTI-STALL RESTROOM BY ANY
13 GENDER IF CERTAIN FACILITY FEATURES ARE MET PURSUANT TO THE I.P.C.,
14 OR ANY SUBSEQUENT INTERNATIONAL PLUMBING CODE ADOPTED AS PART
15 OF THE COLORADO PLUMBING CODE OR THE COLORADO FUEL GAS CODE
16 ADOPTED BY THE STATE PLUMBING BOARD PURSUANT TO SECTION
17 12-155-106.

18 (3) BEGINNING JULY 1, 2024, BUT NO LATER THAN JULY 1, 2026,
19 SUBJECT TO AVAILABLE APPROPRIATIONS FOR PUBLIC ENTITIES THAT ARE
20 A STATE AGENCY, A BUILDING THAT IS WHOLLY OR PARTIALLY OWNED OR
21 LEASED BY A PUBLIC ENTITY MUST ENSURE THAT SIGNAGE FOR THE
22 BUILDING OR THE PORTION OF THE BUILDING LEASED OR OWNED COMPLIES
23 WITH THE FOLLOWING SIGNAGE REQUIREMENTS:

24 (a) ANY RESTROOM WITH A BABY DIAPER CHANGING STATION
25 MUST HAVE SIGNAGE WITH A PICTOGRAM VOID OF GENDER THAT
26 INDICATES THE PRESENCE OF THE BABY DIAPER CHANGING STATION;

27 (b) ANY NON-GENDERED MULTI-STALL RESTROOM OR

1 SINGLE-GENDERED OR NON-GENDERED SINGLE-STALL RESTROOM MUST
2 HAVE SIGNAGE WITH A PICTOGRAM VOID OF GENDER;

3 (c) EACH BUILDING THAT IS ACCESSIBLE TO THE PUBLIC MUST
4 INCLUDE SIGNAGE AT OR NEAR THE ENTRANCE TO THE BUILDING
5 INDICATING THE LOCATION OF RESTROOMS AND BABY DIAPER CHANGING
6 STATIONS. IF THERE IS A CENTRAL DIRECTORY ACCESSIBLE TO THE PUBLIC
7 IDENTIFYING THE LOCATION OF OFFICES, RESTROOMS, AND OTHER
8 FACILITIES IN THE BUILDINGS, THAT CENTRAL DIRECTORY MUST INDICATE
9 WITH A PICTOGRAM VOID OF GENDER THE LOCATION OF ANY BABY DIAPER
10 CHANGING STATION AND THE LOCATION OF ANY NON-GENDERED
11 MULTI-STALL RESTROOM OR SINGLE-STALL RESTROOM.

12 (d) ALL BUILDINGS ACCESSIBLE TO THE PUBLIC WITH
13 NON-GENDERED MULTI-STALL RESTROOMS OR NON-GENDERED
14 SINGLE-STALL RESTROOMS MUST UPDATE SIGNAGE, IF NECESSARY, TO
15 INCLUDE A PICTOGRAM VOID OF GENDER.

16 (4) ALL RESTROOMS SUBJECT TO SUBSECTIONS (1) AND (2) OF THIS
17 SECTION SHALL COMPLY WITH THE CURRENT "ADA STANDARDS FOR
18 ACCESSIBLE DESIGN" SET FORTH IN 28 CFR 35, APPLICABLE TO PUBLIC
19 ENTITIES AND PROMULGATED IN ACCORDANCE WITH THE FEDERAL
20 "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET.
21 SEQ., AS AMENDED.

22 (5) SUBSECTIONS (1) AND (2) OF THIS SECTION DO NOT APPLY TO
23 THE RENOVATION OF A RESTROOM OR A NEWLY CONSTRUCTED BUILDING
24 PROJECT IF:

25 (a) A LOCAL BUILDING PERMITTING ENTITY OR BUILDING
26 INSPECTOR DETERMINES THAT THE INSTALLATION OF A BABY DIAPER
27 CHANGING STATION IN ACCORDANCE WITH SUBSECTION (1)(d) OF THIS

1 SECTION WOULD RESULT IN A FAILURE TO COMPLY WITH APPLICABLE
2 BUILDING STANDARDS GOVERNING THE RIGHT OF ACCESS FOR INDIVIDUALS
3 WITH DISABILITIES. THE PERMITTING ENTITY OR BUILDING INSPECTOR MAY
4 GRANT AN EXEMPTION FROM THE REQUIREMENTS OF THIS SECTION UNDER
5 THOSE CIRCUMSTANCES, PROVIDED THAT THERE IS DOCUMENTATION
6 DEMONSTRATING THAT NO ALTERNATIVE DESIGN IS POSSIBLE THAT
7 COMPLIES WITH THE RIGHT OF ACCESS FOR INDIVIDUALS WITH DISABILITIES
8 AND A GOOD FAITH ATTEMPT HAS BEEN MADE TO DESIGN A RESTROOM IN
9 A MANNER THAT WOULD ACCOMMODATE INDIVIDUALS WITH DISABILITIES
10 AND THE INSTALLATION OF A BABY DIAPER CHANGING STATION IN
11 ACCORDANCE WITH SUBSECTION (1)(d) OF THIS SECTION.

12 (b) THE PROJECT HAS ALREADY PROGRESSED THROUGH THE
13 DESIGN REVIEW PROCESS, BUDGETING, AND FINAL APPROVAL BY THE
14 GOVERNING BODY THAT HAS FINAL APPROVAL OVER CAPITAL
15 CONSTRUCTION PROJECT EXPENDITURES AS OF THE EFFECTIVE DATE OF
16 THIS SUBSECTION (5)(b), AS ENACTED BY HOUSE BILL 23-1057.

17 (c) THE BUILDING IS DESIGNATED AS A CERTIFIED HISTORIC
18 STRUCTURE.

19 (6) ANY EMPLOYEE WITH A DESIGNATED WORKPLACE THAT IS IN
20 A BUILDING WHOLLY OR PARTIALLY OWNED BY A PUBLIC ENTITY WHO
21 CLAIMS TO BE AGGRIEVED BY A DISCRIMINATORY OR UNFAIR PRACTICE AS
22 DEFINED BY PART 4 OF ARTICLE 34 OF TITLE 24, INCLUDING FAILURE TO
23 COMPLY WITH THIS ARTICLE 5.7, MAY INDIVIDUALLY OR THROUGH THEIR
24 ATTORNEY-AT-LAW MAKE, SIGN, AND FILE WITH THE COLORADO CIVIL
25 RIGHTS DIVISION, CREATED IN SECTION 24-34-302, A VERIFIED WRITTEN
26 CHARGE STATING THE NAME AND ADDRESS OF THE RESPONDENT ALLEGED
27 TO HAVE COMMITTED THE DISCRIMINATORY OR UNFAIR PRACTICE. THE

1 CHARGE MUST SET FORTH THE PARTICULARS OF THE ALLEGED
2 DISCRIMINATORY OR UNFAIR PRACTICE, AND CONTAINING ANY OTHER
3 INFORMATION REQUIRED BY THE COLORADO CIVIL RIGHTS DIVISION.

4 **9-5.7-104. Restroom survey of state-owned buildings - priority**
5 **of modifications.** (1) (a) THE DEPARTMENT OF PERSONNEL SHALL
6 COMPLETE A SURVEY AND PROVIDE IT TO THE GENERAL ASSEMBLY AND
7 THE CAPITAL DEVELOPMENT COMMITTEE DETERMINING THE NUMBER AND
8 LOCATIONS OF SIGNS THAT NEED TO BE REPLACED OR MODIFIED PURSUANT
9 TO SECTION 9-5.7-103 (3) FOR EXISTING RESTROOMS ACROSS ALL
10 BUILDINGS WHOLLY OR PARTIALLY OWNED BY THE STATE.

11 (b) FOR A BUILDING THAT IS WHOLLY OR PARTIALLY OWNED OR
12 LEASED BY THE STATE OR A STATE AGENCY, IF SIGNAGE IS NEEDED AT
13 EITHER THE RESTROOM LOCATION OR THE DIRECTORY, A PUBLIC ENTITY
14 THAT IS A STATE AGENCY OR A STATE INSTITUTION OF HIGHER EDUCATION
15 SHALL PROVIDE INFORMATION ON THE NUMBER AND LOCATIONS OF SIGNS
16 THAT NEED TO BE MODIFIED AND MAY REQUEST STATE FUNDING SUBJECT
17 TO AVAILABLE APPROPRIATIONS IN ORDER TO COMPLY WITH SECTION
18 9-5.7-103 (3) TO THE STATE ARCHITECT.

19 (2) THE DEPARTMENT OF PERSONNEL SHALL PROVIDE AN INTERIM
20 REPORT TO THE GENERAL ASSEMBLY AND THE CAPITAL DEVELOPMENT
21 COMMITTEE BY JANUARY 1, 2024, AND A FINAL REPORT BY JULY 1, 2024.

22 (3) FOR PURPOSES OF COMPLYING WITH SECTION 9-5.7-103 (3), THE
23 DEPARTMENT OF PERSONNEL SHALL PRIORITIZE THE PLACEMENT OF
24 SIGNAGE IN BUILDINGS OR PORTIONS OF BUILDINGS THAT ARE ACCESSIBLE
25 TO THE PUBLIC.

26 **SECTION 2. Appropriation.** (1) For the 2023-24 state fiscal
27 year, \$450,000 is appropriated to the department of personnel for use by

1 the office of the state architect. This appropriation is from the general
2 fund. To implement this act, the office may use this appropriation as
3 follows:

4 (a) \$400,000 for statewide planning services; and

5 (b) \$50,000 for a restroom survey of state-owned buildings.

6 (2) Any money appropriated under subsection (1)(a) of this
7 section not expended prior to July 1, 2024, is further appropriated to the
8 office for the 2024-25 and 2025-26 state fiscal years for the same
9 purpose.

10 **SECTION 3. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly; except
13 that, if a referendum petition is filed pursuant to section 1 (3) of article V
14 of the state constitution against this act or an item, section, or part of this
15 act within such period, then the act, item, section, or part will not take
16 effect unless approved by the people at the general election to be held in
17 November 2023 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.