



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated February 27, 2023)

Drafting Number:	LLS 23-0047	Date:	April 26, 2023
Prime Sponsors:	Rep. McCormick; Vigil Sen. Jaquez Lewis	Bill Status:	Senate State Affairs
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Bill Topic: AMENITIES FOR ALL GENDERS IN PUBLIC BUILDINGS

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill creates requirements for public buildings regarding non-gendered bathrooms, baby diaper changing stations, and signage. The bill increases state and local expenditures beginning in FY 2023-24.

Appropriation Summary: For FY 2023-24, the bill includes an appropriation of \$450,000 to the Department of Personnel and Administration.

Fiscal Note Status: The revised fiscal note reflects the reengrossed bill.

**Table 1
State Fiscal Impacts Under HB 23-1057**

		Budget Year FY 2023-24	Out Year FY 2024-25
Revenue		-	-
Expenditures	General Fund	\$450,000	-
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$67,500	-

Summary of Legislation

Beginning January 1, 2024, the bill requires that any new construction or restroom renovation of a qualifying public building owned, operated, or controlled by the state, a county, or a municipality must include certain amenities regarding restrooms. It applies to publically accessible buildings by January 1, 2024, and buildings accessible by employees or enrolled students by July 1, 2025.

Non-gendered restrooms. Each floor where a restroom is publically available must contain a single-stall restroom or a non-gendered multi-stall restroom, and each single-stall restroom must not be a gender-specific restroom. Multi-stall restrooms must be usable by people of any gender provided that certain code requirements are met.

Baby diaper changing stations. On each floor that contains a public restroom, each such building must provide at least one baby diaper changing station that is accessible to the public. Each baby diaper changing station must be maintained for safety and ease of use, and must be cleaned on the same schedule as the restroom(s) on that floor.

Signage. Each restroom with a baby diaper changing station and each non-gendered restroom must be labelled with non-gendered pictogram signage. In addition, each building must include signage near its entrance indicating the location of any baby diaper changing station, and any central directory that indicates the location of offices, restrooms, and other building facilities must include non-gendered pictograms of the location of any baby diaper changing stations, and any non-gendered restrooms. State agencies must update signage by July 1, 2026, subject to available appropriations.

Survey. The Department of Personnel and Administration must complete a survey on the signage needs of buildings owned or leased by the state. It must provide a draft report to the General Assembly by January 1, 2024, and a final report by July 1, 2024.

Other requirements. The bill allows an exemption if meeting these requirements would cause a failure to comply with building standards governing accessibility, if a project was approved before the bill's effective date, or if the building is a certified historic structure. Failure to comply with the bill's requirements constitutes a discriminatory or unfair practice, and an employee working in the public building may file a complaint with the Colorado Civil Rights Division.

State Expenditures

The bill increases state expenditures in various state agencies by up to \$450,000 in FY 2023-24 to update and add restroom signs, paid from the General Fund. Expenditures may also increase for future capital construction projects.

Office of the State Architect. The bill allocates funds to the Office of the State Architect in the Department of Personnel and Administration to reimburse state agencies for updating signage. The office may use up to \$50,000 of the money to conduct the survey. This funding remains available for a total of three fiscal years. To the extent that funding provided in the bill does not cover all costs to update signage, additional funding may be required through the annual budget process.

Future capital construction projects. The bill's requirements will be incorporated into future capital construction and renovation requests by state agencies and state institutions of higher education seeking funding beginning in FY 2024-25. This will increase state expenditures, though the amount will vary from project to project depending on the project's scope and whether any of these requirements have already been included. For informational purposes, the Office of the State Architect estimates the costs shown in Table 2, based on active construction projects.

Table 2
Average Restroom Construction Costs in FY 2023-24

Component	Cost
Multi-Stall Restroom	\$203,000
Single-Stall Restroom	\$153,700
Changing Station	\$310

Local Government

Similar to the state, expenditures will increase for local governments to update signage and incorporate the bill's requirements into new construction and renovation projects beginning in FY 2023-24.

Effective Date

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

State Appropriations

For FY 2023-24, the bill includes an appropriation of \$450,000 from the General Fund to the Department of Personnel and Administration. Any money not expended remains available for two additional fiscal years.

State and Local Government Contacts

Counties	Information Technology	Law
Municipalities	Personnel	Regulatory Agencies
Special Districts		