

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 20-1049.01 Shelby Ross x4510

SENATE BILL 20-166

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SENATE SPONSORSHIP

Moreno,

HOUSE SPONSORSHIP

Esgar,

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Senate Committees  
Health & Human Services

House Committees

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A BILL FOR AN ACT

101 CONCERNING SIMPLIFYING THE REQUIREMENTS FOR A MINOR TO  
102 OBTAIN A NEW BIRTH CERTIFICATE FROM THE STATE  
103 REGISTRAR.

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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>.)*

The bill aligns the requirements for a minor to obtain a new birth certificate from the state registrar with the requirements for an adult. A minor shall also obtain a statement from a medical or mental health professional confirming that the minor's sex designation does not align with the minor's gender identity.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

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

2           **SECTION 1.** In Colorado Revised Statutes, 25-2-113.8, **amend**  
3 (3)(b)(II) and (9) as follows:

4           **25-2-113.8. Birth certificate modernization act - new birth**  
5 **certificate following a change in gender designation - short title.**

6 (3) The state registrar shall issue a new birth certificate to a person who  
7 was born in this state and who has a gender different from the sex  
8 denoted on that person's birth certificate when the state registrar receives:

9           (b) (II) If the person is a minor under the age of eighteen, a  
10 statement, in a form or format designated by the state registrar, signed  
11 under penalty of law, from a professional medical or mental health care  
12 provider licensed in good standing in Colorado or with an equivalent  
13 license in good standing from another jurisdiction, stating ~~that:~~ THE SEX  
14 DESIGNATION ON THE BIRTH CERTIFICATE DOES NOT ALIGN WITH THE  
15 MINOR'S GENDER IDENTITY. THIS SUBSECTION (3)(b)(II) DOES NOT  
16 REQUIRE A MINOR TO UNDERGO ANY SPECIFIC SURGERY, TREATMENT,  
17 CLINICAL CARE, OR BEHAVIORAL HEALTH CARE.

18           ~~(A) The minor has undergone surgical, hormonal, or other~~  
19 ~~treatment appropriate for that person for the purpose of gender transition,~~  
20 ~~based on contemporary medical standards, and, in the provider's~~  
21 ~~professional opinion, the minor's gender designation should be changed~~  
22 ~~accordingly; or~~

23           ~~(B) The minor has an intersex condition, and, in the provider's~~  
24 ~~professional opinion, the minor's gender designation should be changed~~  
25 ~~accordingly.~~

26           (9) When the state registrar receives the documentation described

1 in ~~subsection (3)~~ SUBSECTION (3) OR (4) of this section, the state registrar  
2 shall issue a new birth certificate reflecting the new gender designation  
3 and, if applicable, the person's new name. Notwithstanding section  
4 25-2-115 (1), the new birth certificate supersedes the original as the  
5 official public record and must not be marked as amended or indicate in  
6 any other manner that the gender designation or name on the certificate  
7 has been changed.

8           **SECTION 2. Safety clause.** The general assembly hereby finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, or safety.