

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0253.01 Christy Chase x2008

HOUSE BILL 21-1108

HOUSE SPONSORSHIP

Esgar,

SENATE SPONSORSHIP

Moreno,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING UPDATES TO PROHIBITIONS AGAINST GENDER-BASED**
102 **DISCRIMINATION TO CLARIFY THE INDIVIDUALS WHO ARE**
103 **INCLUDED IN A PROTECTED CLASS.**

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 amends the definition of "sexual orientation" and adds definitions of the terms "gender expression" and "gender identity". The bill also adds the terms "gender expression" and "gender identity" to statutes prohibiting discrimination against members of a protected class, including statutes prohibiting discriminatory practices in the following

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.

areas:

- Membership of the Colorado civil rights commission;
- Employment practices;
- Housing practices;
- Places of public accommodation;
- Publications that advertise places of public accommodation;
- Consumer credit transactions;
- Selection of patients by direct primary health care providers;
- Sales of cemetery plots;
- Membership in labor organizations;
- Colorado labor for public works projects;
- Issuance or renewal of automobile insurance policies;
- The provision of funeral services and crematory services;
- Eligibility for jury service;
- Issuance of licenses to practice law;
- The juvenile diversion program;
- Access to services for youth in foster care;
- Enrollment in a charter school, institute charter school, public school, or pilot school;
- Local school boards' written policies regarding employment, promotion, and dismissal;
- The assignment or transfer of a public school teacher;
- Leasing portions of the grounds of or improvements on the grounds of the Colorado state university - Pueblo and the Colorado school of mines;
- Enrollment or classification of students at private occupational schools;
- Training provided to peace officers concerning the prohibition against profiling;
- Criminal justice data collection;
- Employment in the state personnel system;
- The availability of services for the prevention and treatment of sexually transmitted infections;
- Membership of the health equity commission;
- The availability of family planning services;
- Requirements for managed care programs participating in the state medicaid program and the children's basic health plan;
- The treatment of and access to services by individuals in facilities providing substance use disorder treatment programs;
- Employment practices of county departments of human or social services involving the selection, retention, and

- promotion of employees;
- Practices of the Colorado housing and finance authority in making or committing to make a housing facility loan;
- The imposition of occupancy requirements on charitable property for which the owner is claiming an exemption from property taxes based on the charitable use of the property;
- The determination of whether expenses paid at or to a club that has a policy to restrict membership are tax deductible; and
- Practices of transportation network companies in providing services to the public.

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

2 **SECTION 1. Legislative declaration.** The general assembly
 3 hereby finds, determines, and declares that nothing in this act is intended
 4 to impede or otherwise limit the protections contained in section 4 of
 5 article II of the state constitution concerning the free exercise and
 6 enjoyment of religious profession and worship.

7 **SECTION 2.** In Colorado Revised Statutes, 24-34-301, **amend**
 8 (5)(b) and (7); and **add** (3.3) and (3.5) as follows:

9 **24-34-301. Definitions.** As used in parts 3 to 8 of this article 34,
 10 unless the context otherwise requires:

11 (3.3) "GENDER EXPRESSION" MEANS AN INDIVIDUAL'S WAY OF
 12 REFLECTING AND EXPRESSING THE INDIVIDUAL'S GENDER TO THE OUTSIDE
 13 WORLD, TYPICALLY DEMONSTRATED THROUGH APPEARANCE, DRESS, AND
 14 BEHAVIOR.

15 (3.5) "GENDER IDENTITY" MEANS AN INDIVIDUAL'S INNATE SENSE
 16 OF THE INDIVIDUAL'S OWN GENDER, WHICH MAY OR MAY NOT CORRESPOND
 17 WITH THE INDIVIDUAL'S SEX ASSIGNED AT BIRTH.

18 (5) (b) For the purposes of part 5 of this ~~article~~ ARTICLE 34,
 19 "person" does not include any private club not open to the public ~~which~~

1 THAT, as an incident to its primary purpose or purposes, provides lodgings
2 that it owns or operates for other than a commercial purpose, unless such
3 THE club has the purpose of promoting discrimination in the matter of
4 housing against any person because of disability, race, creed, color,
5 religion, sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION,
6 marital status, familial status, national origin, or ancestry.

7 (7) "Sexual orientation" means an individual's ~~orientation toward~~
8 ~~heterosexuality, homosexuality, bisexuality, or transgender status or~~
9 ~~another individual's perception thereof~~ IDENTITY, OR ANOTHER
10 INDIVIDUAL'S PERCEPTION THEREOF, IN RELATION TO THE GENDER OR
11 GENDERS TO WHICH THE INDIVIDUAL IS SEXUALLY OR EMOTIONALLY
12 ATTRACTED AND THE BEHAVIOR OR SOCIAL AFFILIATION THAT MAY
13 RESULT FROM THE ATTRACTION.

14 **SECTION 3.** In Colorado Revised Statutes, 24-34-303, **amend**
15 (1)(b)(II) introductory portion and (1)(b)(II)(A) as follows:

16 **24-34-303. Civil rights commission - membership.**

17 (1) (b) (II) In addition to the qualifications specified in subsection
18 (1)(b)(I) of this section, the ~~members~~ MEMBERSHIP of the commission
19 must at all times include:

20 (A) At least four members who are members of groups of people
21 who have been or who might be discriminated against because of
22 disability, race, creed, color, sex, sexual orientation, GENDER IDENTITY,
23 GENDER EXPRESSION, national origin, ancestry, marital status, religion, or
24 age; and

25 **SECTION 4.** In Colorado Revised Statutes, 24-34-402, **amend**
26 (1) introductory portion, (1)(a), (1)(b), (1)(c), (1)(d), and (1)(f) as follows:

27 **24-34-402. Discriminatory or unfair employment practices -**

1 **definition.** (1) It ~~shall be~~ IS a discriminatory or unfair employment
2 practice:

3 (a) For an employer to refuse to hire, to discharge, to promote or
4 demote, to harass during the course of employment, or to discriminate in
5 matters of compensation, terms, conditions, or privileges of employment
6 against any ~~person~~ INDIVIDUAL otherwise qualified because of disability,
7 race, creed, color, sex, sexual orientation, GENDER IDENTITY, GENDER
8 EXPRESSION, religion, age, national origin, or ancestry; but, with regard
9 to a disability, it is not a discriminatory or an unfair employment practice
10 for an employer to act as provided in this ~~paragraph (a)~~ SUBSECTION (1)(a)
11 if there is no reasonable accommodation that the employer can make with
12 regard to the disability, the disability actually disqualifies the ~~person~~
13 INDIVIDUAL from the job, and the disability has a significant impact on the
14 job. For purposes of this ~~paragraph (a)~~ SUBSECTION (1)(a), "harass" means
15 to create a hostile work environment based upon an individual's race,
16 national origin, sex, sexual orientation, GENDER IDENTITY, GENDER
17 EXPRESSION, disability, age, or religion. Notwithstanding the provisions
18 of this ~~paragraph (a)~~ SUBSECTION (1)(a), harassment is not an illegal act
19 unless a complaint is filed with the appropriate authority at the
20 complainant's workplace and ~~such~~ THE authority fails to initiate a
21 reasonable investigation of a complaint and take prompt remedial action
22 if appropriate.

23 (b) For an employment agency to refuse to list and properly
24 classify for employment or to refer an individual for employment in a
25 known available job for which ~~such~~ THE individual is otherwise qualified
26 because of disability, race, creed, color, sex, sexual orientation, GENDER
27 IDENTITY, GENDER EXPRESSION, religion, age, national origin, or ancestry

1 or for an employment agency to comply with a request from an employer
2 for referral of applicants for employment if the request indicates either
3 directly or indirectly that the employer discriminates in employment on
4 account of disability, race, creed, color, sex, sexual orientation, GENDER
5 IDENTITY, GENDER EXPRESSION, religion, age, national origin, or ancestry;
6 but, with regard to a disability, it is not a discriminatory or an unfair
7 employment practice for an employment agency to refuse to list and
8 properly classify for employment or to refuse to refer an individual for
9 employment in a known available job for which ~~such~~ THE individual is
10 otherwise qualified if there is no reasonable accommodation that the
11 employer can make with regard to the disability, the disability actually
12 disqualifies the applicant from the job, and the disability has a significant
13 impact on the job;

14 (c) For a labor organization to exclude any individual otherwise
15 qualified from full membership rights in ~~such~~ THE labor organization, ~~or~~
16 to expel ~~any such~~ AN individual from membership in ~~such~~ THE labor
17 organization, or to otherwise discriminate against any of its members in
18 the full enjoyment of work opportunity because of disability, race, creed,
19 color, sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION,
20 religion, age, national origin, or ancestry;

21 (d) For any employer, employment agency, or labor organization
22 to print or circulate or cause to be printed or circulated any statement,
23 advertisement, or publication, or to use any form of application for
24 employment or membership, or to make any inquiry in connection with
25 prospective employment or membership that expresses, either directly or
26 indirectly, any limitation, specification, or discrimination as to disability,
27 race, creed, color, sex, sexual orientation, GENDER IDENTITY, GENDER

1 EXPRESSION, religion, age, national origin, or ancestry or intent to make
2 any such limitation, specification, or discrimination, unless based upon
3 a bona fide occupational qualification or required by and given to an
4 agency of government for security reasons;

5 (f) For any employer, labor organization, joint apprenticeship
6 committee, or vocational school providing, coordinating, or controlling
7 apprenticeship programs or providing, coordinating, or controlling
8 on-the-job training programs or other instruction, training, or retraining
9 programs:

10 (I) To deny to or withhold from any qualified ~~person~~ INDIVIDUAL
11 because of disability, race, creed, color, sex, sexual orientation, GENDER
12 IDENTITY, GENDER EXPRESSION, religion, age, national origin, or ancestry
13 the right to be admitted to or participate in an apprenticeship training
14 program, an on-the-job training program, or any other occupational
15 instruction, training, or retraining program; but, with regard to a
16 disability, it is not a discriminatory or an unfair employment practice to
17 deny or withhold the right to be admitted to or participate in any such
18 program if there is no reasonable accommodation that can be made with
19 regard to the disability, the disability actually disqualifies the ~~applicant~~
20 INDIVIDUAL from the program, and the disability has a significant impact
21 on participation in the program;

22 (II) To discriminate against any qualified ~~person~~ INDIVIDUAL in
23 pursuit of such programs or to discriminate against such a ~~person~~ AN
24 INDIVIDUAL in the terms, conditions, or privileges of such programs
25 because of disability, race, creed, color, sex, sexual orientation, GENDER
26 IDENTITY, GENDER EXPRESSION, religion, age, national origin, or ancestry;

27 (III) To print or circulate or cause to be printed or circulated any

1 statement, advertisement, or publication, or to use any form of application
2 for such programs, or to make any inquiry in connection with such
3 programs that expresses, directly or indirectly, any limitation,
4 specification, or discrimination as to disability, race, creed, color, sex,
5 sexual orientation, GENDER IDENTITY, GENDER EXPRESSION, religion, age,
6 national origin, or ancestry or any intent to make any such limitation,
7 specification, or discrimination, unless based on a bona fide occupational
8 qualification;

9 **SECTION 5.** In Colorado Revised Statutes, 24-34-501, **amend**
10 (3) and (4) as follows:

11 **24-34-501. Definitions.** As used in this part 5, unless the context
12 otherwise requires:

13 (3) "Person" has the meaning ascribed to such term in section
14 24-34-301 (5) and includes any owner, lessee, proprietor, manager,
15 employee, or any agent of a person; but, for purposes of this part 5,
16 "person" does not include any private club not open to the public ~~which~~
17 THAT, as an incident to its primary purpose or purposes, provides lodgings
18 that it owns or operates for other than a commercial purpose, unless ~~such~~
19 THE club has the purpose of promoting discrimination in the matter of
20 housing against any person because of disability, race, creed, color,
21 religion, sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION,
22 marital status, familial status, national origin, or ancestry.

23 (4) "Restrictive covenant" means any specification limiting the
24 transfer, rental, or lease of any housing because of disability, race, creed,
25 color, religion, sex, sexual orientation, GENDER IDENTITY, GENDER
26 EXPRESSION, marital status, familial status, national origin, or ancestry, or
27 limiting the rental or lease of any housing because of source of income.

1 **SECTION 6.** In Colorado Revised Statutes, 24-34-502, **amend**
2 (1) introductory portion, (1)(a), (1)(b), (1)(d), (1)(g), (1)(h), (1)(i), (1)(j),
3 and (6) as follows:

4 **24-34-502. Unfair housing practices prohibited - definitions.**

5 (1) It ~~shall be~~ IS an unfair housing practice, ~~and~~ unlawful, and ~~hereby~~
6 prohibited:

7 (a) For any person to refuse to show, sell, transfer, rent, or lease
8 ~~or to~~ ANY HOUSING; refuse to receive and transmit any bona fide offer to
9 buy, sell, rent, or lease ANY HOUSING; or otherwise make unavailable or
10 deny or withhold from ~~any person such~~ AN INDIVIDUAL ANY housing
11 because of disability, race, creed, color, sex, sexual orientation, GENDER
12 IDENTITY, GENDER EXPRESSION, marital status, familial status, religion,
13 national origin, or ancestry; to discriminate against ~~any person~~ AN
14 INDIVIDUAL because of disability, race, creed, color, sex, sexual
15 orientation, GENDER IDENTITY, GENDER EXPRESSION, marital status,
16 familial status, religion, national origin, or ancestry in the terms,
17 conditions, or privileges pertaining to any housing or the transfer, sale,
18 rental, or lease ~~thereof~~ OF HOUSING or in ~~the~~ furnishing ~~of~~ facilities or
19 services in connection ~~therewith~~ WITH HOUSING; or to cause to be made
20 any written or oral inquiry or record concerning the disability, race, creed,
21 color, sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION,
22 marital status, familial status, religion, national origin, or ancestry of a
23 ~~person~~ AN INDIVIDUAL seeking to purchase, rent, or lease any housing;
24 however, nothing in this ~~paragraph (a) shall be construed to require~~
25 SUBSECTION (1)(a) REQUIRES a dwelling to be made available to an
26 individual whose tenancy would constitute a direct threat to the health or
27 safety of other individuals or whose tenancy would result in substantial

1 physical damage to the property of others;

2 (b) For any person to whom application is made for financial
3 assistance for the acquisition, construction, rehabilitation, repair, or
4 maintenance of any housing to make or cause to be made any written or
5 oral inquiry concerning the disability, race, creed, color, sex, sexual
6 orientation, GENDER IDENTITY, GENDER EXPRESSION, marital status,
7 familial status, religion, national origin, or ancestry of ~~a person~~ AN
8 INDIVIDUAL seeking ~~such~~ financial assistance or concerning the disability,
9 race, creed, color, sex, sexual orientation, GENDER IDENTITY, GENDER
10 EXPRESSION, marital status, familial status, religion, national origin, or
11 ancestry of prospective occupants or tenants of ~~such~~ THE housing, or to
12 discriminate against any ~~person~~ INDIVIDUAL because of the disability,
13 race, creed, color, sex, sexual orientation, GENDER IDENTITY, GENDER
14 EXPRESSION, marital status, familial status, religion, national origin, or
15 ancestry of ~~such person~~ THE INDIVIDUAL or prospective occupants or
16 tenants in the terms, conditions, or privileges relating to ~~the~~ obtaining or
17 ~~use of~~ USING any such financial assistance;

18 (d) For any person to make, print, or publish or cause to be made,
19 printed, or published any notice or advertisement relating to the sale,
20 transfer, rental, or lease of any housing that indicates any preference,
21 limitation, specification, or discrimination based on disability, race, creed,
22 color, religion, sex, sexual orientation, GENDER IDENTITY, GENDER
23 EXPRESSION, marital status, familial status, national origin, or ancestry;

24 (g) For any person whose business includes residential real
25 estate-related transactions, which transactions involve ~~the~~ making or
26 purchasing of loans secured by residential real estate or ~~the provisions of~~
27 PROVIDING other financial assistance for purchasing, constructing,

1 improving, repairing, or maintaining a dwelling or ~~the~~ selling, brokering,
2 or appraising ~~of~~ residential real property, to discriminate against ~~any~~
3 ~~person~~ AN INDIVIDUAL in making available such a transaction or in fixing
4 the terms or conditions of such a transaction because of race, creed, color,
5 religion, sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION,
6 marital status, disability, familial status, ~~or~~ national origin, or ancestry;

7 (h) For any person to deny ~~another person~~ AN INDIVIDUAL access
8 to or membership or participation in any multiple-listing service, real
9 estate brokers' organization, or other service, organization, or facility
10 related to the business of selling or renting dwellings or to discriminate
11 against ~~such person~~ THE INDIVIDUAL in the terms or conditions of such
12 access, membership, or participation on account of race, creed, color,
13 religion, sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION,
14 disability, marital status, familial status, national origin or ancestry, or
15 source of income;

16 (i) For any person, for profit, to induce or attempt to induce any
17 person to sell or rent any dwelling by representations regarding the entry
18 or prospective entry into the neighborhood of ~~a person or persons~~ ANY
19 INDIVIDUAL of a particular race, color, religion, sex, sexual orientation,
20 GENDER IDENTITY, GENDER EXPRESSION, disability, familial status, creed,
21 national origin, or ancestry;

22 (j) For any person to represent to any other person that ~~any~~ A
23 dwelling is not available for inspection, sale, or rental, when ~~such~~ THE
24 dwelling is in fact available, for the purpose of discriminating against
25 ~~another person~~ ANY INDIVIDUAL on the basis of race, color, religion, sex,
26 sexual orientation, GENDER IDENTITY, GENDER EXPRESSION, disability,
27 familial status, creed, national origin, or ancestry;

1 (6) Nothing in this part 5 ~~shall prohibit~~ PROHIBITS a person
2 engaged in the business of furnishing appraisals of real property from
3 taking into consideration factors other than race, creed, color, religion,
4 sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION, marital
5 status, familial status, disability, religion, national origin, or ancestry.

6 **SECTION 7.** In Colorado Revised Statutes, 24-34-601, **amend**
7 (2)(a) as follows:

8 **24-34-601. Discrimination in places of public accommodation**
9 **- definition.** (2) (a) It is a discriminatory practice and unlawful for a
10 person, directly or indirectly, to refuse, withhold from, or deny to an
11 individual or a group, because of disability, race, creed, color, sex, sexual
12 orientation, GENDER IDENTITY, GENDER EXPRESSION, marital status,
13 national origin, or ancestry, the full and equal enjoyment of the goods,
14 services, facilities, privileges, advantages, or accommodations of a place
15 of public accommodation or, directly or indirectly, to publish, circulate,
16 issue, display, post, or mail any written, electronic, or printed
17 communication, notice, or advertisement that indicates that the full and
18 equal enjoyment of the goods, services, facilities, privileges, advantages,
19 or accommodations of a place of public accommodation will be refused,
20 withheld from, or denied an individual or that an individual's patronage
21 or presence at a place of public accommodation is unwelcome,
22 objectionable, unacceptable, or undesirable because of disability, race,
23 creed, color, sex, sexual orientation, GENDER IDENTITY, GENDER
24 EXPRESSION, marital status, national origin, or ancestry.

25 **SECTION 8.** In Colorado Revised Statutes, **amend** 24-34-701 as
26 follows:

27 **24-34-701. Publishing of discriminative matter forbidden.**

1 (1) ~~No~~ A person ~~being~~ THAT IS the owner, lessee, proprietor, manager,
2 superintendent, agent, or employee of any place of public
3 accommodation, resort, or amusement ~~directly or indirectly, by himself~~
4 ~~or herself or through another person~~ shall NOT, DIRECTLY OR INDIRECTLY,
5 publish, issue, circulate, send, distribute, give away, or display in any
6 way, manner, or shape or by any means or method, except as provided in
7 this section, any communication, paper, poster, folder, manuscript, book,
8 pamphlet, writing, print, letter, notice, or advertisement of any kind,
9 nature, or description that:

10 (a) Is intended or calculated to discriminate or actually
11 discriminates against any PERSON OR CLASS OF PERSONS ON ACCOUNT OF
12 disability, race, creed, color, sex, sexual orientation, GENDER IDENTITY,
13 GENDER EXPRESSION, marital status, national origin, or ancestry ~~or against~~
14 ~~any of the members thereof~~ in the matter of furnishing or neglecting or
15 refusing to furnish to them or any one of them any lodging, housing,
16 schooling, or tuition or any accommodation, right, privilege, advantage,
17 or convenience offered to or enjoyed by the general public; ~~or which~~

18 (b) States that any of the accommodations, rights, privileges,
19 advantages, or conveniences of ~~any such~~ THE place of ~~public~~
20 ~~accommodation, resort, or amusement~~ shall or will be refused, withheld
21 from, or denied to any person or class of persons on account of disability,
22 race, creed, color, sex, sexual orientation, GENDER IDENTITY, GENDER
23 EXPRESSION, marital status, national origin, or ancestry; or

24 (c) STATES that the patronage, custom, presence, frequenting,
25 dwelling, staying, or lodging at ~~such~~ THE place by any person or class of
26 persons belonging to or purporting to be of any particular disability, race,
27 creed, color, sex, sexual orientation, GENDER IDENTITY, GENDER

1 EXPRESSION, marital status, national origin, or ancestry is unwelcome or
2 objectionable or not acceptable, desired, or solicited.

3 **SECTION 9.** In Colorado Revised Statutes, 2-4-401, **amend** (3.5)
4 and (13.5); and **add** (3.2) and (3.4) as follows:

5 **2-4-401. Definitions.** The following definitions apply to every
6 statute, unless the context otherwise requires:

7 (3.2) "FELONY" INCLUDES A DRUG FELONY DESCRIBED IN ARTICLE
8 18 OF TITLE 18.

9 (3.4) "GENDER EXPRESSION" MEANS AN INDIVIDUAL'S WAY OF
10 REFLECTING AND EXPRESSING THE INDIVIDUAL'S GENDER TO THE OUTSIDE
11 WORLD, TYPICALLY DEMONSTRATED THROUGH APPEARANCE, DRESS, AND
12 BEHAVIOR.

13 ~~(3.5) "Felony" includes a drug felony described in article 18 of~~
14 ~~title 18, C.R.S.~~ "GENDER IDENTITY" MEANS AN INDIVIDUAL'S INNATE
15 SENSE OF THE INDIVIDUAL'S OWN GENDER, WHICH MAY OR MAY NOT
16 CORRESPOND WITH THE INDIVIDUAL'S SEX ASSIGNED AT BIRTH.

17 (13.5) "Sexual orientation" means ~~a person's orientation toward~~
18 ~~heterosexuality, homosexuality, bisexuality, or transgender status or~~
19 ~~another person's perception thereof~~ AN INDIVIDUAL'S IDENTITY, OR
20 ANOTHER INDIVIDUAL'S PERCEPTION THEREOF, IN RELATION TO THE
21 GENDER OR GENDERS TO WHICH THE INDIVIDUAL IS SEXUALLY OR
22 EMOTIONALLY ATTRACTED AND THE BEHAVIOR OR SOCIAL AFFILIATION
23 THAT MAY RESULT FROM THE ATTRACTION.

24 **SECTION 10.** In Colorado Revised Statutes, **amend** 5-3-210 as
25 follows:

26 **5-3-210. Discrimination prohibited - exemption.** ~~No~~ A
27 consumer credit transaction regulated by this code shall NOT be denied

1 any person, nor shall terms and conditions be made more stringent, on the
2 basis of discrimination, solely because of disability, race, creed, religion,
3 color, sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION,
4 marital status, national origin, or ancestry. This section ~~shall~~ DOES not
5 apply to any consumer credit transaction made or denied by a seller,
6 lessor, or lender whose total original unpaid balances arising from
7 consumer credit transactions for the previous calendar year are less than
8 one million dollars.

9 **SECTION 11.** In Colorado Revised Statutes, 6-23-104, **amend**
10 (1) as follows:

11 **6-23-104. Direct primary health care providers - prohibitions.**

12 (1) A direct primary health care provider may not discriminate in the
13 selection of patients on the basis of age, citizenship status, color,
14 disability, gender, ~~or~~ gender identity, GENDER EXPRESSION, genetic
15 information, health status, national origin, race, religion, sex, sexual
16 orientation, or any other protected class.

17 **SECTION 12.** In Colorado Revised Statutes, **amend** 6-24-110 as
18 follows:

19 **6-24-110. Discrimination.** There shall be no limitation,
20 restriction, or covenant based upon race, color, sex, sexual orientation,
21 GENDER IDENTITY, GENDER EXPRESSION, marital status, disability, national
22 origin, or ancestry on the size, placement, location, sale, or transfer of any
23 cemetery grave space, niche, or crypt or in the interment of a deceased
24 person.

25 **SECTION 13.** In Colorado Revised Statutes, 8-3-102, **amend**
26 (1)(d) as follows:

27 **8-3-102. Legislative declaration.** (1) The public policy of the

1 state as to employment relations and collective bargaining, in the
2 furtherance of which this article 3 is enacted, is declared to be as follows:

3 (d) All rights of persons to join labor organizations or unions and
4 their rights and privileges as members ~~thereof~~ OF LABOR ORGANIZATIONS
5 OR UNIONS should be recognized, safeguarded, and protected. ~~No~~ A
6 person shall NOT be denied membership in a labor organization or union
7 on account of race, creed, color, religion, sex, sexual orientation, GENDER
8 IDENTITY, GENDER EXPRESSION, marital status, disability, national origin,
9 OR ancestry or by any unfair or unjust discrimination. A LABOR
10 ORGANIZATION OR UNION SHALL NEITHER REQUIRE arbitrary or excessive
11 initiation fees and dues ~~shall not be required~~, nor shall IMPOSE excessive,
12 unwarranted, arbitrary, or oppressive fines, penalties, or forfeitures. ~~be~~
13 ~~imposed~~. The members are entitled to full and detailed reports from their
14 officers, agents, or representatives of all financial transactions and shall
15 have the right to elect officers by secret ballot and to determine and vote
16 upon the question of striking, not striking, and other questions of policy
17 affecting the entire membership.

18 **SECTION 14.** In Colorado Revised Statutes, 8-17-101, **amend**
19 (2)(a) as follows:

20 **8-17-101. Colorado labor employed on public works -**
21 **definitions.** (2) As used in this article 17:

22 (a) "Colorado labor" means any person who is a resident of the
23 state of Colorado, at the time of the public works project, without
24 discrimination as to race, color, creed, sex, sexual orientation, GENDER
25 IDENTITY, GENDER EXPRESSION, marital status, national origin, ancestry,
26 age, or religion except when sex, GENDER, or age is a bona fide
27 occupational qualification. A resident of the state of Colorado is a person

1 who can provide a valid Colorado driver's license, a valid Colorado
2 state-issued photo identification, or documentation that ~~he or she~~ THE
3 PERSON has resided in Colorado for the last thirty days.

4 **SECTION 15.** In Colorado Revised Statutes, 10-4-626, **amend**
5 (1) as follows:

6 **10-4-626. Prohibited reasons for nonrenewal or refusal to**
7 **write policy of automobile insurance applicable to this part 6.** (1) ~~No~~
8 AN insurer authorized to transact or transacting business in this state shall
9 NOT refuse to write or refuse to renew a policy of insurance affording the
10 coverage required by ~~operation of~~ section 10-4-620 solely because of the
11 age, race, creed, color, religion, sex, sexual orientation, GENDER
12 IDENTITY, GENDER EXPRESSION, national origin, ancestry, residence,
13 marital status, or lawful occupation, including the military service, of
14 anyone who is or seeks to become insured or solely because another
15 insurer has canceled a policy or refused to write or renew such policy.
16 The commissioner shall administer and enforce this subsection (1).

17 **SECTION 16.** In Colorado Revised Statutes, 12-135-105, **amend**
18 (1)(b) as follows:

19 **12-135-105. Unlawful acts.** (1) It is unlawful:
20 (b) To discriminate because of race, creed, color, religion,
21 disability, sex, sexual orientation, GENDER IDENTITY, GENDER
22 EXPRESSION, marital status, national origin, or ancestry in the provision
23 of funeral services;

24 **SECTION 17.** In Colorado Revised Statutes, 12-135-301, **amend**
25 (1)(a) as follows:

26 **12-135-301. Unlawful acts.** (1) It is unlawful for a crematory:
27 (a) To discriminate because of race, creed, color, religion, sex,

1 marital status, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION,
2 or national origin in the provision of funeral services;

3 **SECTION 18.** In Colorado Revised Statutes, 13-71-104, **amend**
4 (3)(a) as follows:

5 **13-71-104. Eligibility for juror service - prohibition of**
6 **discrimination.** (3) (a) ~~No~~ A person shall NOT be exempted or excluded
7 from serving as a trial JUROR or grand juror because of race, color,
8 religion, sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION,
9 marital status, national origin, ancestry, economic status, or occupation.

10 **SECTION 19.** In Colorado Revised Statutes, **amend** 13-93-102
11 as follows:

12 **13-93-102. No discrimination - issuance of license.** ~~No~~ A person
13 shall ~~be denied~~ NOT DENY AN INDIVIDUAL a license to practice on account
14 of race, creed, color, religion, disability, age, sex, sexual orientation,
15 GENDER IDENTITY, GENDER EXPRESSION, marital status, national origin, or
16 ancestry.

17 **SECTION 20.** In Colorado Revised Statutes, 19-2-303, **amend**
18 (4)(c)(III) as follows:

19 **19-2-303. Juvenile diversion program - authorized - report -**
20 **legislative declaration - definitions.** (4) District attorneys' offices or
21 their designees shall:

22 (c) Not deny diversion to a juvenile based on the juvenile's:

23 (III) Age, race or ethnicity, gender, GENDER IDENTITY, GENDER
24 EXPRESSION, or sexual orientation; or

25 **SECTION 21.** In Colorado Revised Statutes, 19-7-101, **amend**
26 (1)(t) as follows:

27 **19-7-101. Legislative declaration.** (1) The general assembly

1 finds and declares that youth in foster care, excluding those in the custody
2 of the division of youth services or a state hospital for persons with
3 mental health disorders, should enjoy the following:

4 (t) Having fair and equal access to available services, placement,
5 care, treatment, and benefits based on ~~his or her~~ EACH YOUTH'S treatment
6 plan and not being subjected to discrimination or harassment on the basis
7 of actual or perceived race, ethnic group, national origin, religion, sex,
8 sexual orientation, gender identity, GENDER EXPRESSION, mental or
9 physical disability, or HIV status;

10 **SECTION 22.** In Colorado Revised Statutes, 22-30.5-104,
11 **amend** (3)(a) as follows:

12 **22-30.5-104. Charter school - requirements - authority - rules**
13 **- definitions.** (3) (a) A charter school is subject to all federal and state
14 laws and constitutional provisions prohibiting discrimination on the basis
15 of disability, race, creed, color, sex, sexual orientation, GENDERIDENTITY,
16 GENDER EXPRESSION, national origin, religion, ancestry, or need for
17 special education services. A charter school is subject to any
18 court-ordered desegregation plan in effect for the chartering school
19 district. Enrollment in a charter school must be open to any child who
20 resides within the school district; except that a charter school is not
21 required to make alterations in the structure of the facility used by the
22 charter school or to make alterations to the arrangement or function of
23 rooms within the facility, except as may be required by state or federal
24 law. Enrollment decisions shall be made in a nondiscriminatory manner
25 specified by the charter school applicant in the charter school application.

26 **SECTION 23.** In Colorado Revised Statutes, 22-30.5-507,
27 **amend** (3)(a) as follows:

1 **22-30.5-507. Institute charter school - requirements -**
2 **authority - rules - definitions.** (3) (a) An institute charter school is
3 subject to all federal and state laws and constitutional provisions
4 prohibiting discrimination on the basis of disability, race, creed, color,
5 sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION, national
6 origin, religion, ancestry, or need for special education services.
7 Enrollment in an institute charter school must be open to any child who
8 resides within the state; except that an institute charter school is not
9 required to make alterations in the structure of the facility used by the
10 institute charter school or to make alterations to the arrangement or
11 function of rooms within the facility, except as may be required by state
12 or federal law. Enrollment decisions shall be made in a nondiscriminatory
13 manner specified by the applicant in the institute charter school
14 application.

15 **SECTION 24.** In Colorado Revised Statutes, 22-32-109, **amend**
16 (1)(II)(I)(A) as follows:

17 **22-32-109. Board of education - specific duties - definitions.**
18 (1) In addition to any other duty required to be performed by law, each
19 board of education has the following specific duties:

- 20 (II) (I) To adopt written policies specifying that:
 - 21 (A) The schools in the district are subject to all federal and state
 - 22 laws and constitutional provisions prohibiting discrimination on the basis
 - 23 of disability, race, creed, color, sex, sexual orientation, GENDER IDENTITY,
 - 24 GENDER EXPRESSION, national origin, religion, ancestry, or need for
 - 25 special education services;

26 **SECTION 25.** In Colorado Revised Statutes, 22-32-110, **amend**
27 (1)(k)(I) as follows:

1 **22-32-110. Board of education - specific powers - definitions.**

2 (1) In addition to any other power granted to a board of education of a
3 school district by law, each board of education of a school district has the
4 following specific powers, to be exercised in its judgment:

5 (k) (I) To adopt written policies, rules, and regulations, not
6 inconsistent with law, that may relate to the efficiency, in-service training,
7 professional growth, safety, official conduct, and welfare of the
8 employees, or any classification thereof, of the district. The practices of
9 employment, promotion, and dismissal shall be unaffected by the
10 employee's religion, creed, color, sex, sexual orientation, GENDER
11 IDENTITY, GENDER EXPRESSION, marital status, racial or ethnic
12 background, national origin, ancestry, or participation in community
13 affairs.

14 **SECTION 26.** In Colorado Revised Statutes, 22-38-104, **amend**
15 (1)(d)(I) as follows:

16 **22-38-104. Pilot schools - requirements - authority -**
17 **definitions.** (1) The state board may provide for the establishment and
18 operation of not more than one full-time residential pilot school and not
19 more than three year-round nonresidential pilot schools pursuant to the
20 following provisions:

21 (d) (I) A pilot school is subject to all federal and state laws and
22 constitutional provisions prohibiting discrimination on the basis of
23 disability, race, creed, color, sex, sexual orientation, GENDER IDENTITY,
24 GENDER EXPRESSION, national origin, religion, or ancestry. Enrollment
25 decisions shall be made in a nondiscriminatory manner specified by the
26 pilot school applicant in the pilot school application.

27 **SECTION 27.** In Colorado Revised Statutes, 22-63-206, **amend**

1 (1)(a) as follows:

2 **22-63-206. Transfer - compensation - definitions.** (1) (a) A
3 teacher may be transferred upon the recommendation of the chief
4 administrative officer of a school district from one school, position, or
5 grade level to another within the school district, if the transfer does not
6 result in the assignment of the teacher to a position of employment for
7 which the teacher is not qualified by virtue of academic preparation and
8 certification and if, during the then-current school year, the amount of
9 salary of the teacher is not reduced except as otherwise provided in
10 subsections (2) and (3) of this section. There shall be no discrimination
11 shown toward any teacher in the assignment or transfer of that teacher to
12 a school, position, or grade because of sex, sexual orientation, GENDER
13 IDENTITY, GENDER EXPRESSION, marital status, race, creed, color, religion,
14 national origin, ancestry, or membership or nonmembership in any group
15 or organization.

16 **SECTION 28.** In Colorado Revised Statutes, 23-31.5-110,
17 **amend** (1) as follows:

18 **23-31.5-110. Additional powers of board.** (1) The board of
19 governors of the Colorado state university system has the power to lease
20 portions of the grounds of the Colorado state university - Pueblo to
21 private persons and corporations for the construction of dormitory, living,
22 dining, or cottage buildings and to rent, lease, maintain, operate, and
23 purchase ~~such~~ THOSE buildings at ~~such~~ THE university, all in the manner
24 provided by and subject to the limitations contained in sections 23-56-105
25 to 23-56-111; except that none of ~~such~~ THE grounds or improvements
26 shall be used in any manner that discriminates against anyone because of
27 race, creed, color, religion, national origin, ancestry, sex, ~~or~~ sexual

1 orientation, GENDER IDENTITY, OR GENDER EXPRESSION.

2 **SECTION 29.** In Colorado Revised Statutes, 23-41-104, **amend**
3 (2) as follows:

4 **23-41-104. Control - management.** (2) The board of trustees ~~has~~
5 ~~the power to~~ MAY lease, for terms not exceeding eighty years, real or
6 personal property, or both, to state or federal governmental agencies,
7 persons, or entities, public or private, for the construction, use, operation,
8 maintenance, and improvement of research and development facilities,
9 health and recreation facilities, dormitories, and living, dining, and group
10 housing buildings and facilities or for any of such purposes and to buy
11 land and construct buildings and facilities therefor. ~~None of~~ NEITHER the
12 grounds so leased nor any of the improvements constructed ~~thereon~~ ON
13 THE GROUNDS shall be used in any manner that discriminates against
14 anyone because of race, creed, color, religion, national origin, ancestry,
15 sex, ~~or~~ sexual orientation, GENDER IDENTITY, OR GENDER EXPRESSION.
16 The board of trustees ~~has the power to~~ MAY borrow money in conjunction
17 with ~~such~~ THE construction and leases and ~~to~~ assist in effecting any of
18 ~~such~~ THOSE purposes. Any actions taken prior to May 27, 1965, by the
19 board of trustees consistent with any power granted in this subsection (2)
20 are ratified and validated.

21 **SECTION 30.** In Colorado Revised Statutes, 23-64-112, **amend**
22 (1)(s) as follows:

23 **23-64-112. Minimum standards.** (1) In establishing the criteria
24 required by section 23-64-108 (1)(a), (1)(b), and (1)(j), the board shall
25 observe and require compliance with at least the following minimum
26 standards for all schools:

27 (s) That the school shall not deny enrollment of a student or make

1 any distinction or classification of students on account of race, color,
2 creed, religion, national origin, ancestry, sex, sexual orientation, GENDER
3 IDENTITY, GENDER EXPRESSION, or marital status.

4 **SECTION 31.** In Colorado Revised Statutes, 24-31-309, **amend**
5 (2) introductory portion as follows:

6 **24-31-309. Profiling - officer identification - training -**
7 **definition.** (2) **Definition.** For purposes of this section, "profiling"
8 means the practice of relying solely on race, ethnicity, gender, national
9 origin, language, religion, sexual orientation, gender identity, GENDER
10 EXPRESSION, age, or disability in:

11 **SECTION 32.** In Colorado Revised Statutes, 24-33.5-517,
12 **amend** (1)(a) as follows:

13 **24-33.5-517. Criminal justice data collection - definitions -**
14 **repeal.** (1) Any state or local law enforcement agency that employs a
15 peace officer who is involved in an officer-involved shooting that results
16 in a person suspected of criminal activity being shot at by the officer shall
17 report the following information to the division, in a format specified by
18 the division:

19 (a) If known, the age, gender, sexual orientation, GENDER
20 IDENTITY, GENDER EXPRESSION, race, ethnicity, and medically
21 documented physical or mental disability of the suspect;

22 **SECTION 33.** In Colorado Revised Statutes, 24-50-112.5,
23 **amend** (1)(b)(I) as follows:

24 **24-50-112.5. Selection system - definitions.**
25 (1) (b) (I) Appointments and promotions to positions shall be based on
26 a fair and open comparative analysis of candidates based on objective
27 criteria. Selections shall be made without regard to race, color, creed,

1 religion, national origin, ancestry, age, sexual orientation, GENDER
2 IDENTITY, GENDER EXPRESSION, marital status, or political affiliation and
3 without regard to sex or disability except as otherwise provided by law.

4 **SECTION 34.** In Colorado Revised Statutes, 25-4-401, **amend**
5 (1)(b) as follows:

6 **25-4-401. Legislative declaration.** (1) The general assembly
7 declares that:

8 (b) Coloradans have a right to receive accurate, confidential, and
9 timely information to make informed decisions that promote their
10 individual physical and mental health and well-being. This right applies
11 to all Coloradans, regardless of geographic location, ethnic or racial
12 background, income, ability, gender, gender identity, GENDER
13 EXPRESSION, or sexual orientation.

14 **SECTION 35.** In Colorado Revised Statutes, **amend** 25-4-403 as
15 follows:

16 **25-4-403. Eligibility - nondiscrimination.** Notwithstanding any
17 other provision of this part 4 to the contrary, programs and services that
18 provide for the investigation, identification, testing, preventive care, and
19 treatment of sexually transmitted infections are available regardless of a
20 person's actual or perceived race, creed, color, ancestry, national origin,
21 religion, age, sex, sexual orientation, gender identity, GENDER
22 EXPRESSION, mental or physical disability, familial status, marital status,
23 or immigration status.

24 **SECTION 36.** In Colorado Revised Statutes, 25-4-2201, **amend**
25 (1.5)(b) as follows:

26 **25-4-2201. Legislative declaration.** (1.5) The general assembly
27 hereby determines and declares that:

1 (b) Vulnerable populations that are currently identified by race,
2 ethnicity, sexual orientation, gender identity, GENDER EXPRESSION,
3 disability status, aging population, and socioeconomic status, among
4 others, experience poorer health status outcomes; and

5 **SECTION 37.** In Colorado Revised Statutes, 25-4-2202, **amend**
6 (3.5) as follows:

7 **25-4-2202. Definitions.** As used in this part 22, unless the context
8 otherwise requires:

9 (3.5) "Health disparities" means differences in health status,
10 access to care, and quality of care as determined by race, ethnicity, sexual
11 orientation, gender identity, GENDER EXPRESSION, disability status, aging
12 population, socioeconomic status, and other factors.

13 **SECTION 38.** In Colorado Revised Statutes, 25-4-2206, **amend**
14 (2)(a)(III) introductory portion as follows:

15 **25-4-2206. Health equity commission - creation - repeal.**
16 (2) (a) The commission consists of the following fifteen members, who
17 are as follows:

18 (III) The executive director of the department shall appoint ten
19 members who represent, to the extent practical, Colorado's diverse ethnic,
20 racial, sexual orientation, gender identity, GENDER EXPRESSION, disability,
21 aging population, socioeconomic, and geographic backgrounds. Each
22 person appointed to the commission must have demonstrated expertise in
23 at least one, and preferably two, of the following areas:

24 **SECTION 39.** In Colorado Revised Statutes, 25-6-102, **amend**
25 (1) as follows:

26 **25-6-102. Policy, authority, and prohibitions against**
27 **restrictions.** (1) All medically acceptable contraceptive procedures,

1 supplies, and information shall be readily and practicably available to
2 each person desirous of the same regardless of sex, sexual orientation,
3 GENDER IDENTITY, GENDER EXPRESSION, race, color, creed, religion,
4 disability, age, income, number of children, marital status, citizenship,
5 national origin, ancestry, or motive.

6 **SECTION 40.** In Colorado Revised Statutes, 25.5-5-406.1,
7 **amend** (1)(b) and (1)(l) as follows:

8 **25.5-5-406.1. Required features of statewide managed care**
9 **system. (1) General features.** All medicaid managed care programs
10 must contain the following general features, in addition to others that the
11 federal government, state department, and state board consider necessary
12 for the effective and cost-efficient operation of those programs:

13 (b) The MCE shall not discriminate against enrolled members on
14 the basis of race, color, ethnic or national origin, ancestry, age, sex,
15 gender, sexual orientation, gender identity, ~~and~~ GENDER expression,
16 disability, religion, creed, or political beliefs, and shall not use any policy
17 or practice that has the effect of discriminating on the basis of race, color,
18 ethnic or national origin, ancestry, age, sex, gender, sexual orientation,
19 gender identity, ~~and~~ GENDER expression, disability, religion, creed, or
20 political beliefs;

21 (l) The MCE shall provide and facilitate the delivery of services
22 in a culturally competent manner to all members, including those with
23 limited English proficiency, diverse cultural and ethnic backgrounds, and
24 disabilities, and regardless of gender, sexual orientation, ~~or~~ gender
25 identity, OR GENDER EXPRESSION;

26 **SECTION 41.** In Colorado Revised Statutes, 25.5-8-110, **amend**
27 (2) as follows:

1 **25.5-8-110. Participation by managed care plans.** (2) Managed
2 care plans participating in the plan shall not discriminate against any
3 potential or current enrollee based upon health status, disability, sex,
4 sexual orientation, GENDER IDENTITY, GENDER EXPRESSION, marital status,
5 race, creed, color, national origin, ancestry, ethnicity, or religion.

6 **SECTION 42.** In Colorado Revised Statutes, 26-1-120, **amend**
7 (8.5) as follows:

8 **26-1-120. Merit system.** (8.5) The merit system provided by the
9 counties ~~shall~~ MUST assure fair treatment of applicants and employees in
10 all aspects of personnel administration without regard to race, creed,
11 color, religion, age, disability, sex, sexual orientation, GENDER IDENTITY,
12 GENDER EXPRESSION, marital status, national origin, or ancestry.

13 **SECTION 43.** In Colorado Revised Statutes, 27-81-114, **amend**
14 (1)(d) as follows:

15 **27-81-114. Rights of persons receiving evaluation, care, or**
16 **treatment.** (1) A facility shall immediately advise each person receiving
17 evaluation, care, or treatment under any provision of this article 81, orally
18 and in writing, that the person has and is afforded the following rights:

19 (d) To be treated fairly and to receive the same consideration and
20 access to appropriate services as others, regardless of race, color, national
21 origin, age, gender identity, GENDER EXPRESSION, sexual orientation,
22 political affiliation, religious beliefs, financial status, or disability;

23 **SECTION 44.** In Colorado Revised Statutes, 29-4-717, **amend**
24 (2)(a) as follows:

25 **29-4-717. Findings - percentage of low-income families**
26 **required.** (2) Prior to the authority's making or committing to make any
27 housing facility loan, the authority shall find:

1 (a) That, with respect to ~~such~~ THE housing facility, no restrictions
2 are imposed as to sex, sexual orientation, GENDER IDENTITY, GENDER
3 EXPRESSION, race, creed, color, religion, ancestry, or national origin of
4 occupants;

5 **SECTION 45.** In Colorado Revised Statutes, 39-3-112, **amend**
6 (3) introductory portion and (3)(b)(IV) as follows:

7 **39-3-112. Definitions - residential property - orphanage -**
8 **low-income elderly or individuals with disabilities - homeless or**
9 **abused - low-income households - charitable purposes - exemption -**
10 **limitations.** (3) In order for property to be exempt from the levy and
11 collection of property tax pursuant to subsection (2) of this section, the
12 administrator ~~shall be required to~~ MUST find, pursuant to section
13 39-2-117, that:

14 (b) The residential structure is efficiently operated. Efficient
15 operation is determined by the following factors:

16 (IV) That the owners and operators of ~~such~~ THE residential
17 structure have no occupancy requirement that discriminates upon the
18 basis of race, creed, color, religion, sex, sexual orientation, GENDER
19 IDENTITY, GENDER EXPRESSION, marital status, national origin, or
20 ancestry; however, if the owner or sponsoring organization is a religious
21 denomination, said owners or operators may give preference to members
22 of that denomination.

23 **SECTION 46.** In Colorado Revised Statutes, 39-22-104, **amend**
24 (3)(e)(I) as follows:

25 **39-22-104. Income tax imposed on individuals, estates, and**
26 **trusts - single rate - legislative declaration - definitions - repeal.**

27 (3) There shall be added to the federal taxable income:

1 (e) (I) Any expenses incurred by a taxpayer with respect to
2 expenditures made at, or payments made to, a club licensed pursuant to
3 section 44-3-418 that has a policy to restrict membership on the basis of
4 sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION, marital
5 status, race, creed, religion, color, ancestry, or national origin. Any such
6 club shall provide on each receipt furnished to a taxpayer a printed
7 statement as follows:

8 The expenditures covered by this receipt are
9 nondeductible for state income tax purposes.

10 **SECTION 47.** In Colorado Revised Statutes, 39-22-304, **amend**
11 (2)(e)(I) as follows:

12 **39-22-304. Net income of corporation - legislative declaration**
13 **- definitions - repeal.** (2) There shall be added to federal taxable income:

14 (e) (I) Any expenses incurred by a taxpayer with respect to
15 expenditures made at, or payments made to, a club licensed pursuant to
16 section 44-3-418 that has a policy to restrict membership on the basis of
17 sex, sexual orientation, GENDER IDENTITY, GENDER EXPRESSION, marital
18 status, race, creed, religion, color, ancestry, or national origin. Any such
19 club shall provide on each receipt furnished to a taxpayer a printed
20 statement as follows:

21 The expenditures covered by this receipt are
22 nondeductible for state income tax purposes.

23 **SECTION 48.** In Colorado Revised Statutes, 40-10.1-605,
24 **amend** (6)(a) introductory portion as follows:

25 **40-10.1-605. Operational requirements.** (6)(a) A transportation
26 network company shall provide services to the public in a
27 nondiscriminatory manner, regardless of: Geographic location of the

1 departure point or destination once the driver and rider have been
2 matched through the digital network; race; ethnicity; gender; sexual
3 orientation, as defined in section 2-4-401 (13.5); ~~C.R.S.~~; gender identity,
4 AS DEFINED IN SECTION 2-4-401 (3.5); GENDER EXPRESSION, AS DEFINED
5 IN SECTION 2-4-401 (3.4); or disability that could prevent customers from
6 accessing transportation. A driver shall not refuse to transport a passenger
7 unless:

8 **SECTION 49.** In Colorado Revised Statutes, 44-3-418, **amend**
9 (3)(b) as follows:

10 **44-3-418. Club license - legislative declaration.** (3) (b) Any
11 club licensee that has a policy to restrict membership on the basis of sex,
12 sexual orientation, GENDER IDENTITY, GENDER EXPRESSION, marital status,
13 race, creed, religion, color, ancestry, or national origin shall, when issuing
14 a receipt for expenses ~~which~~ THAT may otherwise be used by taxpayers
15 for deduction purposes pursuant to section 162 (a) of the federal "Internal
16 Revenue Code of 1986", as amended, for purposes of determining taxes
17 owed pursuant to article 22 of title 39, incorporate a printed statement on
18 the receipt as follows:

19 The expenditures covered by this receipt are
20 nondeductible for state income tax purposes.

21 **SECTION 50. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly; except
24 that, if a referendum petition is filed pursuant to section 1 (3) of article V
25 of the state constitution against this act or an item, section, or part of this
26 act within such period, then the act, item, section, or part will not take
27 effect unless approved by the people at the general election to be held in

- 1 November 2022 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.