



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Fiscal Note

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<b>Drafting Number:</b>	LLS 23-0047	<b>Date:</b>	January 25, 2023
<b>Prime Sponsors:</b>	Rep. McCormick; Vigil Sen. Jaquez Lewis	<b>Bill Status:</b>	House State Affairs
		<b>Fiscal Analyst:</b>	Matt Bishop   303-866-4796 matt.bishop@coleg.gov

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**Bill Topic:** AMENITIES FOR ALL GENDERS IN PUBLIC BUILDINGS

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**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.

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**Appropriation Summary:** No appropriation is required.

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**Fiscal Note Status:** The fiscal note reflects the introduced bill.

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## Summary of Legislation

Beginning January 1, 2024, the bill requires that any new construction or renovation of a public building owned, operated, or controlled by the state, a county, or a municipality must include certain amenities regarding restrooms. These requirements apply to projects estimated to cost at least \$10,000.

**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 in each gender-specific restroom, non-gendered multi-stall restroom, and non-gendered single-stall restroom. 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 where it is located.

**Signage.** Each restroom with a baby diaper changing station must be indicated 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.

**Other requirements.** The bill allows an exemption if meeting these requirements would cause a failure to comply with building standards governing accessibility. 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

Expenditures in state agencies will increase beginning in FY 2023-24. The fiscal note assumes that most capital projects appropriated in the FY 2023-24 Long Bill will commence before January 1, 2024, and will not be affected. However, new construction or renovation projects that commence on or after that date and cost at least \$10,000 must be updated to include the applicable bathrooms, baby diaper changing stations, and signage. If the increase in expenditures cannot be accommodated within the project's appropriation, additional funding or a change in project scope may be required. Any such changes will be addressed through the annual budget process.

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, and has not been estimated.

## Local Government

Similar to the state, expenditures will increase for local governments to incorporate the bill's requirements into new construction and renovation projects beginning in 2024.

## 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	Information Technology	Law
Municipalities	Personnel	Regulatory Agencies
Special Districts		