

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

**REVISED**

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

LLS NO. 24-0433.02 Kristen Forrestal x4217

**HOUSE BILL 24-1260**

**HOUSE SPONSORSHIP**

**Duran and Hernandez**, Bacon, Brown, deGruy Kennedy, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lindstedt, Mabrey, Martinez, Mauro, Ortiz, Parenti, Rutinel, Story, Titone, Vigil, Woodrow, Young, Amabile, Boesenecker, Clifford, Daugherty, English, Epps, Froelich, Garcia, Hamrick, Herod, Lukens, Marvin, Ricks, Sirota, Velasco, Weissman, Willford

**SENATE SPONSORSHIP**

**Danielson**, Cutter, Gonzales, Hinrichsen, Kolker, Michaelson Jenet, Mullica

**House Committees**

Business Affairs & Labor  
Appropriations

**Senate Committees**

Business, Labor, & Technology  
Appropriations

**A BILL FOR AN ACT**

101      **CONCERNING A PROHIBITION AGAINST DISCIPLINING AN EMPLOYEE**  
102                    **FOR REFUSING TO PARTICIPATE IN EMPLOYER SPEECH, 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>.)*

The bill prohibits an employer from requiring an employee to attend meetings, listen to speech, or view communications concerning religious or political matters.

The bill also prohibits an employer from threatening an employee, subjecting an employee to discipline, or discharging an employee on

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.*

SENATE  
2nd Reading Unamended  
May 3, 2024

HOUSE  
3rd Reading Unamended  
April 29, 2024

HOUSE  
Amended 2nd Reading  
April 26, 2024

account of the employee's refusal to attend or participate in an employer-sponsored meeting where the employer communicates religious or political matters or opinions.

Certain employer communications are exempt from the prohibition, including communications required by law or that are necessary for an employee to perform the employee's job duties.

The bill creates a private right of action in district court for aggrieved persons who prevail in court seeking payment of front pay, lost wages and compensation, costs, and attorney fees.

Each employer is required to post a notice of the employee rights outlined in the bill at the employer's workplace.

---

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Workers are the backbone of the state and Colorado  
5 businesses;

6 (b) Political and religious coercion in the workplace is a growing  
7 problem for workers in all industries, of all backgrounds, and across the  
8 political spectrum;

9 (c) Meetings, such as captive audience meetings, that violate  
10 worker protections should not be allowed;

11 (d) According to a study published by Harvard University, one in  
12 four workers in the United States has been contacted by their employer  
13 regarding a political matter, and of these workers, twenty percent received  
14 messages that included a threat of retaliation;

15 (e) Captive audience meetings typically include threats of the  
16 workplace shutting down or demotion for joining a union or not agreeing  
17 with the employer, promises of bonuses or raises in exchange for not  
18 joining the union, disparaging union organizers, and more;

19 (f) The requirement to attend captive audience meetings or engage

1 in related conversations comes in many forms, including the threat of  
2 retaliation and discipline; █

3 (g) All employees in Colorado should be protected from political  
4 and religious coercion in the workplace and should be able to exercise  
5 their rights to opt out of political or religious meetings without fear of  
6 retaliation from an employer, as long as the meetings are not required by  
7 law and are not essential to the employee's job performance; and

8 (h) While it is important to provide protections to employees, the  
9 protections should not interfere with the ability of employers to provide  
10 diversity, equity, and inclusion training to employees.

11 (2) The general assembly further declares that employees should  
12 have the following rights and should be protected from retaliation,  
13 including discipline or termination, if they choose to exercise these rights:

14 (a) The ability to refuse to attend or participate in an  
15 employer-sponsored meeting where there is religious or political content;  
16 and

17 (b) The ability to refuse to listen to speech or view  
18 communications where religious or political matters are communicated.

19 (3) The general assembly further declares that the protections in  
20 this act are not intended to:

21 (a) Interfere with an employer's right to free speech;

22 (b) Prohibit an employer's obligation to provide legally required  
23 trainings, such as sexual harassment training, or employer-initiated  
24 trainings related to diversity, equity, and inclusion;

25 (c) Extend to employees in schools or hospitals run by religious  
26 institutions when discussing religious matters; or

27 (d) Prohibit an employee from performing any aspects of required

1 job duties.

2 SECTION 2. In Colorado Revised Statutes, add 8-2-132 as  
3 follows:

4 8-2-132. Employer - employee - responsibilities - political  
5 matters - religious matters - prohibition against discipline or  
6 discharge - exceptions - definitions. (1) AS USED IN THIS SECTION,  
7 UNLESS THE CONTEXT OTHERWISE REQUIRES:

8 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND  
9 EMPLOYMENT.

10 (b) "EMPLOYEE" MEANS A PERSON EMPLOYED BY AN EMPLOYER.

11 (c) "EMPLOYER" MEANS THE STATE OR ANY POLITICAL  
12 SUBDIVISION, COMMISSION, DEPARTMENT, INSTITUTION, OR SCHOOL  
13 DISTRICT OF THE STATE AND EVERY OTHER PERSON EMPLOYING AN  
14 INDIVIDUAL IN THE STATE.

15 (d) "POLITICAL MATTERS" MEANS MATTERS RELATING TO  
16 ELECTIONS FOR POLITICAL OFFICE, POLITICAL PARTIES, LEGISLATION,  
17 REGULATIONS, AND THE DECISION TO JOIN OR SUPPORT ANY POLITICAL  
18 PARTY OR POLITICAL, FRATERNAL, OR LABOR ORGANIZATION OR ANY  
19 NONPROFIT ORGANIZATION ESTABLISHED FOR CHARITABLE OR COMMUNITY  
20 WELFARE PURPOSES.

21 (e) "RELIGIOUS MATTERS" MEANS MATTERS RELATING TO  
22 RELIGIOUS AFFILIATION AND PRACTICE AND THE DECISION TO JOIN OR  
23 SUPPORT ANY RELIGIOUS ORGANIZATION OR A NONPROFIT ORGANIZATION  
24 ESTABLISHED FOR CHARITABLE OR COMMUNITY WELFARE PURPOSES.

25 (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION,  
26 AN EMPLOYER SHALL NOT SUBJECT OR THREATEN TO SUBJECT AN  
27 EMPLOYEE TO DISCIPLINE, DISCHARGE, OR AN ADVERSE EMPLOYMENT

1 ACTION ON ACCOUNT OF THE EMPLOYEE'S REFUSAL TO ATTEND OR  
2 PARTICIPATE IN AN EMPLOYER-SPONSORED MEETING CONCERNING  
3 RELIGIOUS OR POLITICAL MATTERS OR FOR DECLINING TO LISTEN TO  
4 SPEECH OR VIEW RELIGIOUS OR POLITICAL COMMUNICATIONS FROM THE  
5 EMPLOYER OR THE AGENT, REPRESENTATIVE, OR DESIGNEE OF THE  
6 EMPLOYER.

7 (b) WITH REGARD TO EMPLOYEES OF THE STATE OF COLORADO,  
8 THE PROHIBITIONS IN SUBSECTION (2)(a) OF THIS SECTION APPLY ONLY TO  
9 MEETINGS AND COMMUNICATIONS RELATING TO THE DECISION OF A STATE  
10 EMPLOYEE TO JOIN OR SUPPORT A FRATERNAL OR LABOR ORGANIZATION.

11 (3) THIS SECTION DOES NOT PROHIBIT:

12 (a) AN EMPLOYER, OR AN EMPLOYER'S AGENT, REPRESENTATIVE,  
13 OR DESIGNEE, FROM COMMUNICATING TO THE EMPLOYER'S EMPLOYEES  
14 REGARDING ANY INFORMATION THAT THE EMPLOYER IS REQUIRED BY  
15 LAW, A COURT ORDER, OR AN AGREEMENT WITH A GOVERNMENTAL ENTITY  
16 TO COMMUNICATE TO EMPLOYEES, BUT ONLY TO THE EXTENT OF THE  
17 LEGAL REQUIREMENT;

18 (b) AN EMPLOYER, OR AN EMPLOYER'S AGENT, REPRESENTATIVE,  
19 OR DESIGNEE, FROM COMMUNICATING TO THE EMPLOYER'S EMPLOYEES OR  
20 FROM REQUIRING AN EMPLOYEE TO LISTEN TO ANY INFORMATION OR  
21 TRAINING THAT IS NECESSARY FOR SUCH EMPLOYEES TO PERFORM THEIR  
22 JOB DUTIES OR THAT IS REQUIRED TO PREVENT OR ADDRESS UNLAWFUL  
23 DISCRIMINATION AND HARASSMENT BASED ON A PROTECTED CLASS;

24 (c) AN EMPLOYER FROM REQUIRING THAT AN EMPLOYEE ATTEND  
25 A MEETING OR EVENT, LISTEN TO SPEECH, OR VIEW COMMUNICATIONS  
26 CONCERNING RELIGIOUS OR POLITICAL MATTERS AS NECESSARY FOR THE  
27 EMPLOYEE TO PERFORM THEIR LAWFULLY REQUIRED JOB DUTIES;

1 (d) AN INSTITUTION OF HIGHER EDUCATION, OR AN AGENT,  
2 REPRESENTATIVE, OR DESIGNEE OF AN INSTITUTION OF HIGHER  
3 EDUCATION, FROM MEETING WITH OR PARTICIPATING IN ANY  
4 COMMUNICATIONS WITH THE INSTITUTION OF HIGHER EDUCATION'S  
5 EMPLOYEES THAT ARE PART OF COURSEWORK, SYMPOSIA, OR AN  
6 ACADEMIC PROGRAM AT THE INSTITUTION;

7 (e) A K-12 PUBLIC OR PRIVATE SCHOOL OR SCHOOL DISTRICT, OR  
8 AN AGENT, REPRESENTATIVE, OR DESIGNEE OF A K-12 PUBLIC OR PRIVATE  
9 SCHOOL OR SCHOOL DISTRICT, FROM MEETING WITH OR PARTICIPATING IN  
10 ANY COMMUNICATIONS WITH THE K-12 PUBLIC OR PRIVATE SCHOOL'S OR  
11 SCHOOL DISTRICT'S EMPLOYEES WHEN THE RELIGIOUS OR POLITICAL  
12 MATTER IS RELATED TO COURSEWORK AT THE K-12 PUBLIC OR PRIVATE  
13 SCHOOL; OR

14 (f) VOLUNTARY CONVERSATIONS BETWEEN EMPLOYEES OR  
15 BETWEEN AN EMPLOYEE AND AN AGENT, REPRESENTATIVE, OR DESIGNEE  
16 OF AN EMPLOYER, IF PARTICIPATION IN SUCH CONVERSATIONS IS NOT  
17 REQUIRED.

18 (4) (a) AN AGGRIEVED PERSON MAY SEEK RELIEF FOR A VIOLATION  
19 OF THIS SECTION BY:

20 (I) FILING A COMPLAINT WITH THE DEPARTMENT; OR

21 (II) FILING AN ACTION IN A DISTRICT COURT OF COMPETENT  
22 JURISDICTION TO ENFORCE THIS SECTION.

23 (b) AN AGGRIEVED PERSON SEEKING RELIEF FOR A VIOLATION OF  
24 THIS SECTION SHALL:

25 (I) EXHAUST ALL AVAILABLE ADMINISTRATIVE REMEDIES BEFORE  
26 FILING AN ACTION IN DISTRICT COURT; AND

27 (II) FILE A COMPLAINT WITH THE DEPARTMENT AGAINST AN

1 EMPLOYER WITHIN ONE YEAR AFTER AN ALLEGED VIOLATION OF THIS  
2 SECTION.

3 (c) ON OR BEFORE THE DATE THE DEPARTMENT MAKES A  
4 COMPLAINT FORM PUBLICLY AVAILABLE, AN AGGRIEVED PERSON MAY FILE  
5 A COMPLAINT FOR A VIOLATION OF THIS SECTION WITH THE DEPARTMENT  
6 IN ANY FORM, INCLUDING BY UNITED STATES MAIL OR ELECTRONIC MAIL.

7 (d) AFTER THE DATE THE DEPARTMENT MAKES A COMPLAINT FORM  
8 PUBLICLY AVAILABLE, AN AGGRIEVED PERSON SHALL FILE A COMPLAINT  
9 ONLY BY COMPLETING THE REQUIRED FORM.

10 (e) AFTER RECEIVING A COMPLAINT, THE DEPARTMENT SHALL:

11 (I) INVESTIGATE THE COMPLAINT FILED AGAINST THE EMPLOYER  
12 FOR AN ALLEGED VIOLATION OF THIS ARTICLE 2; OR

13 (II) AUTHORIZE AN AGGRIEVED PERSON TO PROCEED WITH AN  
14 ACTION IN DISTRICT COURT.

15 (f) (I) ON AND WITHIN SIXTY DAYS AFTER THE DATE A COMPLAINT  
16 IS FILED AND BEFORE THE DEPARTMENT ISSUES A WRITTEN  
17 DETERMINATION, AN AGGRIEVED PERSON MAY REQUEST AND THE  
18 DEPARTMENT SHALL GRANT SUCH AGGRIEVED PERSON WRITTEN  
19 AUTHORIZATION TO PROCEED WITH AN ACTION IN DISTRICT COURT.

20 (II) AT THE TIME THAT THE AGGRIEVED PERSON FILES AN ACTION  
21 IN DISTRICT COURT, THE AGGRIEVED PERSON SHALL PROVIDE WRITTEN  
22 NOTICE OF THE FILING TO THE DEPARTMENT AND THE DEPARTMENT SHALL  
23 TERMINATE ITS INVESTIGATION.

24 (III) AN AGGRIEVED PERSON WHO RECEIVES WRITTEN  
25 AUTHORIZATION PURSUANT TO THIS SUBSECTION (4) IS DEEMED TO HAVE  
26 EXHAUSTED ADMINISTRATIVE REMEDIES.

27 (g) IF, AFTER CONDUCTING AN INVESTIGATION, THE DEPARTMENT:

1 (I) DOES NOT FIND A VIOLATION, THE DEPARTMENT SHALL PROVIDE  
2 THE BASIS FOR ITS DETERMINATION IN WRITING AND AUTHORIZE THE  
3 AGGRIEVED PERSON TO PROCEED WITH AN ACTION IN A DISTRICT COURT OF  
4 COMPETENT JURISDICTION. THE AGGRIEVED PERSON IS DEEMED TO HAVE  
5 EXHAUSTED ALL ADMINISTRATIVE REMEDIES AFTER THE DETERMINATION  
6 AND AUTHORIZATION IS ISSUED.

7 (II) FINDS ONE OR MORE VIOLATIONS, THE DEPARTMENT SHALL  
8 PROVIDE THE BASIS FOR THE DETERMINATION IN WRITING AND MAY  
9 AWARD THE SAME AFFIRMATIVE RELIEF AS A DISTRICT COURT PURSUANT  
10 TO SUBSECTION (4)(j) OF THIS SECTION.

11 (h) (I) THE DETERMINATION OF THE DEPARTMENT IS A FINAL  
12 AGENCY ACTION PURSUANT TO SECTION 24-4-106, AND, AFTER THE  
13 DETERMINATION, SECTION 8-4-113 (2) APPLIES.

14 (II) THE DETERMINATION OF THE DEPARTMENT MAY BE APPEALED  
15 ONLY BY COMMENCING AN ACTION FOR JUDICIAL REVIEW IN THE DISTRICT  
16 COURT OF COMPETENT JURISDICTION WITHIN THIRTY-FIVE CALENDAR DAYS  
17 AFTER THE DATE OF MAILING OF THE DETERMINATION BY THE  
18 DEPARTMENT. JUDICIAL REVIEW IS LIMITED TO APPEAL BRIEFS AND THE  
19 RECORD DESIGNATED ON APPEAL.

20 (i) AN AGGRIEVED INDIVIDUAL MAY, WITHIN ONE HUNDRED  
21 EIGHTY DAYS AFTER EXHAUSTING ALL AVAILABLE ADMINISTRATIVE  
22 REMEDIES, COMMENCE AN ACTION IN DISTRICT COURT OF COMPETENT  
23 JURISDICTION AGAINST AN EMPLOYER FOR A VIOLATION OF THIS SECTION.

24 (j) IF THE DISTRICT COURT FINDS THAT AN EMPLOYER HAS  
25 VIOLATED THIS SECTION, THE COURT MAY ORDER AFFIRMATIVE RELIEF  
26 THAT INCLUDES:

27 (I) THE REINSTATEMENT OF AN AGGRIEVED EMPLOYEE WHO WAS

1 SEPARATED FROM EMPLOYMENT TO THE EMPLOYEE'S FORMER POSITION OF  
2 EMPLOYMENT;

3 (II) THE GREATER OF TEN THOUSAND DOLLARS AWARDED TO THE  
4 AGGRIEVED EMPLOYEE OR ACTUAL DAMAGES RESULTING FROM THE  
5 VIOLATION, INCLUDING BACK PAY AND BENEFITS TO A REINSTATED  
6 EMPLOYEE OR FRONT PAY TO AN EMPLOYEE WHO DOES NOT SEEK  
7 REINSTATEMENT;

8 (III) UP TO TEN THOUSAND DOLLARS IN ADDITIONAL PENALTIES IF  
9 THE EMPLOYER HAS ENGAGED IN THE SAME OR SIMILAR VIOLATIONS OF  
10 THIS SECTION IN THE SIX MONTHS PRIOR TO THE ALLEGED VIOLATION,  
11 WHICH PRIOR VIOLATIONS AFFECTED THE SAME OR SIMILARLY SITUATED  
12 EMPLOYEES;

13 (IV) EQUITABLE RELIEF DEEMED APPROPRIATE BY THE DISTRICT  
14 COURT; AND

15 (V) COURT COSTS AND ATTORNEY FEES INCURRED BY THE  
16 AGGRIEVED EMPLOYEE.

17 (5) FOR AN ALLEGED VIOLATION OF SUBSECTION (2) OF THIS  
18 SECTION AGAINST AN EMPLOYER, THE EMPLOYER HAS AN AFFIRMATIVE  
19 DEFENSE TO THE ALLEGATION IF THE EMPLOYER ESTABLISHES THAT THE  
20 EMPLOYER CONVEYED IN CLEAR AND CONSPICUOUS TERMS THAT THE  
21 EMPLOYEE HAD THE OPTION TO LEAVE THE MEETING WHERE THE  
22 VIOLATION ALLEGEDLY TOOK PLACE.

23 (6) THIS SECTION DOES NOT APPLY TO A RELIGIOUS CORPORATION,  
24 ENTITY, ASSOCIATION, EDUCATIONAL INSTITUTION, NONPROFIT  
25 FAITH-BASED HEALTH SYSTEM, NONPROFIT FAITH-BASED HEALTH  
26 FACILITY, OR SOCIETY THAT IS EXEMPT FROM THE REQUIREMENTS OF TITLE  
27 VII OF THE "CIVIL RIGHTS ACT OF 1964", 42 U.S.C. SEC. 2000e-1 (a), AS

1 AMENDED, WITH RESPECT TO SPEECH ON RELIGIOUS MATTERS TO  
2 EMPLOYEES WHO PERFORM WORK CONNECTED WITH THE ACTIVITIES  
3 UNDERTAKEN BY SUCH RELIGIOUS CORPORATION, ENTITY, ASSOCIATION,  
4 EDUCATIONAL INSTITUTION, **NONPROFIT FAITH-BASED HEALTH SYSTEM,**  
5 **NONPROFIT FAITH-BASED HEALTH FACILITY,** OR SOCIETY.

6 (7) NOTHING IN THIS SECTION IS INTENDED TO CIRCUMVENT ANY  
7 EMPLOYER OBLIGATIONS UNDER PART 4 OF ARTICLE 34 OF TITLE 24; **█**  
8 TITLE VII OF THE FEDERAL "CIVIL RIGHTS ACT OF 1964", 42 U.S.C. SEC.  
9 2000e ET SEQ.; AS AMENDED; OR ANY OTHER ANTIDISCRIMINATION LAW.

10 (8) AN EMPLOYER SHALL DISTRIBUTE A NOTICE PROVIDED BY THE  
11 DEPARTMENT **█** TO EACH EMPLOYEE TO INFORM THE EMPLOYEE OF THE  
12 EMPLOYEE'S RIGHTS PURSUANT TO THIS SECTION. THE EMPLOYER SHALL  
13 DISTRIBUTE THE NOTICE IN THE SAME MANNER THAT IT DISTRIBUTES  
14 OTHER LEGAL NOTICES, WHETHER BY POSTING AT EMPLOYER WORK SITES  
15 OR DISTRIBUTING THROUGH THE EMPLOYER'S E-MAIL SYSTEM OR OTHER  
16 REGULARLY USED COMMUNICATION.

17 **SECTION 3. Appropriation.** (1) For the 2024-25 state fiscal  
18 year, \$278,564 is appropriated to the department of labor and employment  
19 for use by the division of labor standards and statistics. This appropriation  
20 is from the general fund and is based on an assumption that the division  
21 will require an additional 2.8 FTE. To implement this act, the division  
22 may use this appropriation for program costs related to labor standards.

23 **SECTION 4. Safety clause.** The general assembly finds,  
24 determines, and declares that this act is necessary for the immediate  
25 preservation of the public peace, health, or safety or for appropriations for  
26 the support and maintenance of the departments of the state and state  
27 institutions.