

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

PREAMENDED

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

LLS NO. 24-1099.01 Michael Dohr x4347

SENATE BILL 24-189

SENATE SPONSORSHIP

Fields and Hansen,

HOUSE SPONSORSHIP

Weissman,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING GENDER-RELATED CHANGES TO CRIMES THAT INVOLVE**
102 **BIAS.**

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 adds gender identity and gender expression to the classes identified in bias-motivated crimes and harassment. The bill redefines sexual orientation for purposes of bias-motivated crimes as an individual's identity, or another individual's perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the

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.*

attraction.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-9-121, **amend** (2)
3 introductory portion and (5)(b) as follows:

4 **18-9-121. Bias-motivated crimes.** (2) A person commits a
5 bias-motivated crime if, with the intent to intimidate or harass another
6 person, in whole or in part, because of that person's actual or perceived
7 race; color; religion; ancestry; national origin; physical or mental
8 disability; or sexual orientation; ~~he or she~~ GENDER IDENTITY; OR GENDER
9 EXPRESSION, THE PERSON;

10 (5) For purposes of this section:

11 (b) "Sexual orientation" means ~~a person's actual or perceived~~
12 ~~orientation toward heterosexuality, homosexuality, bisexuality, or~~
13 ~~transgender status~~ AN INDIVIDUAL'S IDENTITY, OR ANOTHER INDIVIDUAL'S
14 PERCEPTION THEREOF, IN RELATION TO THE GENDER OR GENDERS TO
15 WHICH THE INDIVIDUAL IS SEXUALLY OR EMOTIONALLY ATTRACTED AND
16 THE BEHAVIOR OR SOCIAL AFFILIATION THAT MAY RESULT FROM THE
17 ATTRACTION.

18 **SECTION 2.** In Colorado Revised Statutes, 18-9-111, **amend**
19 (2)(a) as follows:

20 **18-9-111. Harassment - Kiana Arellano's Law.** (2) (a) A
21 person who violates subsection (1)(a) or (1)(c) of this section or violates
22 any provision of subsection (1) of this section with the intent to intimidate
23 or harass another person, in whole or in part, because of that person's
24 actual or perceived race; color; religion; ancestry; national origin;
25 physical or mental disability, as defined in section 18-9-121; ~~(5)(a); or~~

1 sexual orientation, as defined in section 18-9-121; ~~(5)(b)~~; GENDER
2 IDENTITY; OR GENDER EXPRESSION, commits a class 1 misdemeanor.

3 **SECTION 3. Effective date - applicability.** This act takes effect
4 July 1, 2024, and applies to offenses committed on or after said date.

5 **SECTION 4. Safety clause.** The general assembly finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety or for appropriations for
8 the support and maintenance of the departments of the state and state
9 institutions.