

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

**PREAMENDED**

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

LLS NO. 23-0004.01 Chelsea Princell x4335

**SENATE BILL 23-202**

---

**SENATE SPONSORSHIP**

**Danielson and Jaquez Lewis,**

**HOUSE SPONSORSHIP**

**(None),**

---

**Senate Committees**  
Education

**House Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING THE WEARING OF TRADITIONAL NATIVE AMERICAN**  
102 **REGALIA AT GRADUATION CEREMONIES.**

---

**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 requires a school or school district to allow a qualified student to wear and display traditional Native American regalia at a school graduation ceremony.

The bill requires public colleges and universities to allow a qualified student to wear and display traditional Native American regalia at a college graduation ceremony.

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.

---

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 22-1-140 as  
3 follows:

4           **22-1-140. Tribal regalia at school graduation ceremonies -**  
5 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
6 OTHERWISE REQUIRES:

7           (a) "GRADUATION ATTIRE" MEANS ATTIRE THAT A SCHOOL OR  
8 SCHOOL DISTRICT REQUIRES A STUDENT TO WEAR AS PART OF THE DRESS  
9 CODE FOR A GRADUATION CEREMONY.

10           (b) "QUALIFYING STUDENT" MEANS A STUDENT THAT IS A  
11 DESCENDANT OF PEOPLE WHO WERE LIVING IN NORTH AMERICA PRIOR TO  
12 THE TIME PEOPLE FROM EUROPE BEGAN SETTLING IN NORTH AMERICA, IS  
13 AN ENROLLED MEMBER OF A FEDERALLY RECOGNIZED OR  
14 STATE-RECOGNIZED INDIAN TRIBE, OR IS A LINEAL DESCENDANT OF A  
15 TRIBALLY ENROLLED PARENT OR GRANDPARENT.

16           (c) "TRIBAL REGALIA" MEANS A TRIBE'S TRADITIONAL DRESS OR  
17 RECOGNIZED OBJECTS OF RELIGIOUS OR CULTURAL SIGNIFICANCE AND  
18 INCLUDES THE FOLLOWING ITEMS OF CULTURAL SIGNIFICANCE:

19           (I) TRIBAL SYMBOLS;

20           (II) BEADS; AND

21           (III) FEATHERS, IN LINE WITH THE MIGRATORY BIRD TREATY ACT  
22 OF 1918.

23           (d) "TRIBE" MEANS A TRIBE, BAND, NATION, OR ALASKAN NATIVE  
24 VILLAGE THAT IS RECOGNIZED BY FEDERAL LAW OR THAT A STATE  
25 FORMALLY ACKNOWLEDGES.

26           (2) A QUALIFYING STUDENT MAY WEAR TRIBAL REGALIA DURING

1 A GRADUATION CEREMONY; EXCEPT THAT A QUALIFYING STUDENT WHO IS  
2 NOT AN ENROLLED MEMBER OF A TRIBE SHALL NOT WEAR EAGLE  
3 FEATHERS. WEARING TRIBAL REGALIA INCLUDES DECORATING  
4 GRADUATION ATTIRE WITH TRIBAL REGALIA; EXCEPT THAT A QUALIFYING  
5 STUDENT WHO IS NOT AN ENROLLED MEMBER OF A TRIBE SHALL NOT  
6 DECORATE WITH EAGLE FEATHERS.

7 (3)(a) AN IMMEDIATE FAMILY MEMBER OF A QUALIFYING STUDENT  
8 MAY WEAR AND DISPLAY TRIBAL REGALIA DURING THE QUALIFYING  
9 STUDENT'S GRADUATION CEREMONY IF THE IMMEDIATE FAMILY MEMBER  
10 IS:

- 11 (I) AN ENROLLED MEMBER OF A TRIBE;
- 12 (II) ELIGIBLE TO BE ENROLLED AS A MEMBER OF A TRIBE; OR
- 13 (III) IS A LINEAL DESCENDANT OF A TRIBALLY ENROLLED PARENT  
14 OR GRANDPARENT.

15 (b) NOTWITHSTANDING SUBSECTION (3)(a) OF THIS SECTION, AN  
16 IMMEDIATE FAMILY MEMBER WHO IS NOT AN ENROLLED MEMBER OF A  
17 TRIBE SHALL NOT WEAR EAGLE FEATHERS.

18 (4) A SCHOOL OR SCHOOL DISTRICT SHALL NOT PROHIBIT A  
19 QUALIFYING STUDENT OR THE QUALIFYING STUDENT'S IMMEDIATE FAMILY  
20 FROM WEARING AND DISPLAYING TRIBAL REGALIA AT A GRADUATION  
21 CEREMONY.

22 (5) THIS SECTION APPLIES TO ALL PUBLIC SCHOOL GRADUATIONS,  
23 INCLUDING, BUT NOT LIMITED TO, PRE-KINDERGARTEN, KINDERGARTEN,  
24 MIDDLE SCHOOL, JUNIOR HIGH SCHOOL, AND HIGH SCHOOL GRADUATIONS.

25 ==  
26 **SECTION 2.** In Colorado Revised Statutes, **add** 23-1-137.5 as  
27 follows:

1           **23-1-137.5. Tribal regalia at college graduation ceremonies -**

2           **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
3 OTHERWISE REQUIRES:

4           (a) "GRADUATION ATTIRE" MEANS ATTIRE THAT A PUBLIC  
5 INSTITUTION OF HIGHER EDUCATION REQUIRES A STUDENT TO WEAR AS  
6 PART OF THE DRESS CODE FOR A GRADUATION CEREMONY.

7           (b) "PUBLIC INSTITUTION OF HIGHER EDUCATION" MEANS A PUBLIC  
8 COLLEGE, UNIVERSITY, COMMUNITY COLLEGE, AREA TECHNICAL COLLEGE,  
9 EDUCATIONAL CENTER, LOCAL DISTRICT COLLEGE, OR JUNIOR COLLEGE  
10 THAT IS SUPPORTED IN WHOLE OR IN PART BY GENERAL FUND MONEY.

11           (c) "QUALIFYING STUDENT" MEANS A STUDENT THAT IS A  
12 DESCENDANT OF PEOPLE WHO WERE LIVING IN NORTH AMERICA PRIOR TO  
13 THE TIME PEOPLE FROM EUROPE BEGAN SETTLING IN NORTH AMERICA, IS  
14 AN ENROLLED MEMBER OF A FEDERALLY RECOGNIZED OR STATE-  
15 RECOGNIZED INDIAN TRIBE, OR IS A LINEAL DESCENDANT OF A TRIBALLY  
16 ENROLLED PARENT OR GRANDPARENT.

17           (d) "TRIBAL REGALIA" MEANS A TRIBE'S TRADITIONAL DRESS OR  
18 RECOGNIZED OBJECTS OF RELIGIOUS OR CULTURAL SIGNIFICANCE AND  
19 INCLUDES THE FOLLOWING ITEMS OF CULTURAL SIGNIFICANCE:

- 20           (I) TRIBAL SYMBOLS;
- 21           (II) BEADS; AND
- 22           (III) FEATHERS, IN LINE WITH THE MIGRATORY BIRD TREATY ACT  
23 OF 1918.

24           (e) "TRIBE" MEANS A TRIBE, BAND, NATION, OR ALASKAN NATIVE  
25 VILLAGE THAT IS RECOGNIZED BY FEDERAL LAW OR THAT A STATE  
26 FORMALLY ACKNOWLEDGES.

27           (2) A QUALIFYING STUDENT MAY WEAR AND DISPLAY TRIBAL

1 REGALIA DURING A GRADUATION CEREMONY; EXCEPT THAT A QUALIFYING  
2 STUDENT WHO IS NOT AN ENROLLED MEMBER OF A TRIBE SHALL NOT WEAR  
3 EAGLE FEATHERS. WEARING TRIBAL REGALIA INCLUDES DECORATING  
4 GRADUATION ATTIRE WITH TRIBAL REGALIA; EXCEPT THAT A QUALIFYING  
5 STUDENT WHO IS NOT AN ENROLLED MEMBER OF A TRIBE SHALL NOT  
6 DECORATE WITH EAGLE FEATHERS.

7 (3)(a) AN IMMEDIATE FAMILY MEMBER OF A QUALIFYING STUDENT  
8 MAY WEAR AND DISPLAY TRIBAL REGALIA DURING THE QUALIFYING  
9 STUDENT'S GRADUATION CEREMONY IF THE IMMEDIATE FAMILY MEMBER  
10 IS:

- 11 (I) AN ENROLLED MEMBER OF A TRIBE;
- 12 (II) ELIGIBLE TO BE ENROLLED AS A MEMBER OF A TRIBE; OR
- 13 (III) IS A LINEAL DESCENDANT OF A TRIBALLY ENROLLED PARENT  
14 OR GRANDPARENT.

15 (b) NOTWITHSTANDING SUBSECTION (3)(a) OF THIS SECTION, AN  
16 IMMEDIATE FAMILY MEMBER WHO IS NOT AN ENROLLED MEMBER OF A  
17 TRIBE SHALL NOT WEAR EAGLE FEATHERS.

18 (4) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL NOT  
19 PROHIBIT A QUALIFYING STUDENT OR IMMEDIATE FAMILY MEMBER OF THE  
20 QUALIFYING STUDENT FROM WEARING AND DISPLAYING TRIBAL REGALIA  
21 AT A GRADUATION CEREMONY.

22

23 **SECTION 3. Safety clause.** The general assembly hereby finds,  
24 determines, and declares that this act is necessary for the immediate  
25 preservation of the public peace, health, or safety.