

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 24-0228.01 Chelsea Princell x4335

HOUSE BILL 24-1039

HOUSE SPONSORSHIP

Vigil,

SENATE SPONSORSHIP

Winter F. and Marchman,

House Committees

Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING NON-LEGAL NAME CHANGES FOR STUDENTS IN SCHOOLS.

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/>.)

Colorado Youth Advisory Council Review Committee. Section 1 of the bill:

- Requires public schools and institute charter schools (school) to use a student's preferred name, if a preferred name is requested by the student; and
- Deems a school's refusal to use a student's preferred name a form of discrimination.

Section 2 of the bill:

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.

HOUSE
Amended 2nd Reading
February 23, 2024

- Creates the non-legal name changes in schools task force (task force) in the department of education (department) consisting of 9 members appointed by the department to examine existing school policies and provide recommendations to schools on how to best implement student non-legal name change policies;
- Requires the department to appoint members to the task force by June 30, 2024;
- Requires the task force to submit a report to the department detailing the recommended policy guidelines by January 1, 2025;
- Requires the department to publish the report on its website and submit the report to the superintendent of each school district and chief administrator of each institute charter school by February 1, 2025;
- Requires a school to implement the task force's policy recommendations by July 1, 2025; and
- Repeals the task force, effective July 1, 2026.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-2-117, **amend**

3 (1)(b)(IX) and (1)(b)(X); and **add** (1)(b)(XI) and (7) as follows:

4 **22-2-117. Additional power - state board - waiver of**
5 **requirements - rules - definitions.** (1) (b) The state board shall not
6 waive any of the requirements specified in any of the following statutory
7 provisions:

8 (IX) Any provisions of section 22-1-128 relating to
9 comprehensive human sexuality education content requirements; **or**

10 (X) Any provision of section 22-30.5-104 (3), 22-30.5-507 (3),
11 22-32-109 (1)(ll), 22-32-110 (1)(k), 22-38-104 (1)(d), or 22-63-206 (1)
12 relating to discrimination based on hair texture, hair type, or a protective
13 hairstyle that is commonly or historically associated with race; **OR**

14 (XI) ANY PROVISION OF SECTION 22-32-109 (1)(ll), 22-32-110
15 (1)(k), 22-38-104 (1)(d), OR 22-63-206(1) RELATING TO DISCRIMINATION

1 BASED ON GENDER EXPRESSION THROUGH THE USE OF A CHOSEN NAME.

2 (7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE

3 REQUIRES:

4 (a) "CHOSEN NAME" MEANS ANY NAME THAT AN INDIVIDUAL
5 REQUESTS TO BE KNOWN AS, OTHER THAN THE INDIVIDUAL'S LEGAL NAME,
6 TO REFLECT THAT INDIVIDUAL'S GENDER IDENTITY.

7 (b) "GENDER EXPRESSION" MEANS AN INDIVIDUAL'S WAY OF
8 REFLECTING AND EXPRESSING THE INDIVIDUAL'S GENDER TO THE OUTSIDE
9 WORLD, TYPICALLY DEMONSTRATED THROUGH APPEARANCE, DRESS, AND
10 BEHAVIOR, OR USE OF A CHOSEN NAME.

11 **SECTION 2.** In Colorado Revised Statutes, 22-32-109, **amend**
12 (1)(ll)(II); and **add** (1)(ll)(I.5) as follows:

13 **22-32-109. Board of education - specific duties - definitions.**

14 (1) In addition to any other duty required to be performed by law, each
15 board of education has the following specific duties:

16 (II) (I.5) A SCHOOL'S WRITTEN POLICY ADOPTED PURSUANT TO
17 SUBSECTION (1)(ll)(I) OF THIS SECTION MUST SPECIFY THAT A KNOWING OR
18 INTENTIONAL USE OF A NAME OTHER THAN A STUDENT'S CHOSEN NAME IS
19 DISCRIMINATORY.

20 (II) As used in this subsection (1)(ll):

21 (A) "CHOSEN NAME" MEANS ANY NAME THAT AN INDIVIDUAL
22 REQUESTS TO BE KNOWN AS, OTHER THAN THE INDIVIDUAL'S LEGAL NAME,
23 TO REFLECT THAT INDIVIDUAL'S GENDER IDENTITY.

24 (B) "GENDER EXPRESSION" MEANS AN INDIVIDUAL'S WAY OF
25 REFLECTING AND EXPRESSING THE INDIVIDUAL'S GENDER TO THE OUTSIDE
26 WORLD, TYPICALLY DEMONSTRATED THROUGH APPEARANCE, DRESS, AND
27 BEHAVIOR, OR USE OF A CHOSEN NAME.

1 (A) (C) "Protective hairstyle" includes such hairstyles as braids,
2 locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and
3 headwraps.

4 (B) (D) "Race" includes hair texture, hair type, or a protective
5 hairstyle that is commonly or historically associated with race.

6 **SECTION 3.** In Colorado Revised Statutes, 22-38-104, **amend**
7 (1)(d)(II); and **add** (1)(d)(I.5) as follows:

8 **22-38-104. Pilot schools - requirements - authority -**
9 **definitions.** (1) The state board may provide for the establishment and
10 operation of not more than one full-time residential pilot school and not
11 more than three year-round nonresidential pilot schools pursuant to the
12 following provisions:

13 (d) (I.5) A PILOT SCHOOL'S WRITTEN POLICY MUST SPECIFY THAT
14 A KNOWING OR INTENTIONAL USE OF A NAME OTHER THAN A STUDENT'S
15 CHOSEN NAME IS DISCRIMINATORY.

16 (II) As used in this subsection (1)(d):

17 (A) "CHOSEN NAME" MEANS ANY NAME THAT AN INDIVIDUAL
18 REQUESTS TO BE KNOWN AS, OTHER THAN THE INDIVIDUAL'S LEGAL NAME,
19 TO REFLECT THAT INDIVIDUAL'S GENDER IDENTITY.

20 (B) "GENDER EXPRESSION" MEANS AN INDIVIDUAL'S WAY OF
21 REFLECTING AND EXPRESSING THE INDIVIDUAL'S GENDER TO THE OUTSIDE
22 WORLD, TYPICALLY DEMONSTRATED THROUGH APPEARANCE, DRESS, AND
23 BEHAVIOR, OR USE OF A CHOSEN NAME.

24 (A) (C) "Protective hairstyle" includes such hairstyles as braids,
25 locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and
26 headwraps.

27 (B) (D) "Race" includes hair texture, hair type, or a protective

1 hairstyle that is commonly or historically associated with race.

2 **SECTION 4.** In Colorado Revised Statutes, 24-34-301, **amend**
3 (9); and **add** (3.5) as follows:

4 **24-34-301. Definitions.** As used in parts 3 to 10 of this article 34,
5 unless the context otherwise requires:

6 (3.5) "CHOSEN NAME" MEANS ANY NAME THAT AN INDIVIDUAL
7 REQUESTS TO BE KNOWN AS, OTHER THAN THE INDIVIDUAL'S LEGAL NAME,
8 TO REFLECT THAT INDIVIDUAL'S GENDER IDENTITY.

9 (9) "Gender expression" means an individual's way of reflecting
10 and expressing the individual's gender to the outside world, typically
11 demonstrated through appearance, dress, and behavior, OR USE OF A
12 CHOSEN NAME.

13 **SECTION 5. Safety clause.** The general assembly finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety or for appropriations for
16 the support and maintenance of the departments of the state and state
17 institutions.