

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

February 29, 2024  
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB24-1164 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend page 3, strike lines 8 through 27 and substitute:

2 "(2) (a) (I) ON OR BEFORE JUNE 30, 2025, A LOCAL EDUCATION  
3 PROVIDER SHALL PROVIDE MENSTRUAL PRODUCTS AT NO EXPENSE TO  
4 STUDENTS IN AT LEAST TWENTY-FIVE PERCENT OF APPLICABLE STUDENT  
5 BATHROOMS IN ALL APPLICABLE SCHOOL BUILDINGS.

6 (II) ON OR BEFORE JUNE 30, 2026, A LOCAL EDUCATION PROVIDER  
7 SHALL PROVIDE MENSTRUAL PRODUCTS AT NO EXPENSE TO STUDENTS IN  
8 AT LEAST FIFTY PERCENT OF APPLICABLE STUDENT BATHROOMS IN ALL  
9 APPLICABLE SCHOOL BUILDINGS.

10 (III) ON OR BEFORE JUNE 30, 2027, A LOCAL EDUCATION PROVIDER  
11 SHALL PROVIDE MENSTRUAL PRODUCTS AT NO EXPENSE TO STUDENTS IN  
12 AT LEAST SEVENTY-FIVE PERCENT OF APPLICABLE STUDENT BATHROOMS  
13 IN ALL APPLICABLE SCHOOL BUILDINGS.

14 (IV) ON OR BEFORE JUNE 30, 2028, A LOCAL EDUCATION  
15 PROVIDER; THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND,  
16 CREATED AND EXISTING PURSUANT TO SECTION 22-80-102 (1)(a); AND AN  
17 APPROVED FACILITY SCHOOL, AS DEFINED IN SECTION 22-2-402, SHALL  
18 PROVIDE MENSTRUAL PRODUCTS AT NO EXPENSE TO STUDENTS IN ALL  
19 APPLICABLE STUDENT BATHROOMS IN ALL APPLICABLE SCHOOL BUILDINGS.

20 (b) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION TO  
21 THE CONTRARY, A LOCAL EDUCATION PROVIDER THAT IS A SMALL RURAL  
22 SCHOOL DISTRICT, INCLUDING A CHARTER SCHOOL OF THE SMALL RURAL  
23 SCHOOL DISTRICT, OR AN INSTITUTE CHARTER SCHOOL LOCATED WITHIN  
24 THE GEOGRAPHIC BOUNDARIES OF A SMALL RURAL SCHOOL DISTRICT IS  
25 NOT REQUIRED TO COMPLY WITH SUBSECTION (2)(a)(I), (2)(a)(II), OR  
26 (2)(a)(III) OF THIS SECTION.

27 (3) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION, IF AN

1 APPLICABLE SCHOOL BUILDING DOES NOT HAVE A GENDER-NEUTRAL  
2 BATHROOM, THE LOCAL EDUCATION PROVIDER, THE COLORADO SCHOOL  
3 FOR THE DEAF AND THE BLIND, OR THE APPROVED FACILITY SCHOOL SHALL  
4 PROVIDE MENSTRUAL PRODUCTS IN FEMALE-DESIGNATED BATHROOMS  
5 AND IN A HEALTH OFFICE LOCATED IN THE APPLICABLE SCHOOL BUILDING  
6 THAT IS ACCESSIBLE TO STUDENTS WHO MENSTRUATE; EXCEPT THAT, IF  
7 THERE IS NOT A HEALTH OFFICE, THE LOCAL EDUCATION PROVIDER, THE  
8 COLORADO SCHOOL FOR THE DEAF AND THE BLIND, OR THE APPROVED  
9 FACILITY SCHOOL SHALL PROVIDE THE MENSTRUAL PRODUCTS IN AN  
10 ADMINISTRATIVE OFFICE LOCATED IN THE APPLICABLE SCHOOL BUILDING  
11 ACCESSIBLE TO STUDENTS WHO MENSTRUATE."

12 Page 4, strike lines 1 through 14 and substitute:

13 "(4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
14 CONTRARY, IF AN APPLICABLE SCHOOL BUILDING IS USED BY THE LOCAL  
15 EDUCATION PROVIDER, THE COLORADO SCHOOL FOR THE DEAF AND THE  
16 BLIND, OR THE APPROVED FACILITY SCHOOL TO PROVIDE EDUCATIONAL  
17 SERVICES ONLY TO STUDENTS WHO ARE ENROLLED IN KINDERGARTEN  
18 THROUGH GRADE SIX, THE LOCAL EDUCATION PROVIDER SHALL PROVIDE  
19 MENSTRUAL PRODUCTS BUT MAY PROVIDE MENSTRUAL PRODUCTS IN A  
20 HEALTH OFFICE LOCATED IN THE APPLICABLE SCHOOL BUILDING THAT IS  
21 ACCESSIBLE TO STUDENTS WHO MENSTRUATE; EXCEPT THAT, IF THERE IS  
22 NOT A HEALTH OFFICE, THE LOCAL EDUCATION PROVIDER SHALL PROVIDE  
23 THE MENSTRUAL PRODUCTS IN AN ADMINISTRATIVE OFFICE LOCATED IN  
24 THE APPLICABLE SCHOOL BUILDING ACCESSIBLE TO STUDENTS WHO  
25 MENSTRUATE.

26 (5) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION, IF A  
27 LOCAL EDUCATION PROVIDER, THE COLORADO SCHOOL FOR THE DEAF AND  
28 THE BLIND, OR AN APPROVED FACILITY SCHOOL IS EXPERIENCING  
29 VANDALISM OR DESTRUCTION OF PROPERTY AS A RESULT OF COMPLYING  
30 WITH THE REQUIREMENTS OF THIS SECTION, THE LOCAL EDUCATION  
31 PROVIDER, THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND, OR THE  
32 APPROVED FACILITY SCHOOL MAY REMOVE THE MENSTRUAL PRODUCTS  
33 FROM THE APPLICABLE STUDENT BATHROOM. IF A LOCAL EDUCATION  
34 PROVIDER, THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND, OR AN  
35 APPROVED FACILITY SCHOOL REMOVES MENSTRUAL PRODUCTS FROM AN  
36 APPLICABLE STUDENT BATHROOM PURSUANT TO THIS SUBSECTION (4), THE  
37 LOCAL EDUCATION PROVIDER, THE COLORADO SCHOOL FOR THE DEAF AND  
38 THE BLIND, OR THE APPROVED FACILITY SCHOOL SHALL POST INFORMATION  
39 IN THE APPLICABLE STUDENT BATHROOM REGARDING WHERE MENSTRUAL  
40 PRODUCTS ARE AVAILABLE IN THE APPLICABLE SCHOOL BUILDING.

41 (6) (a) A LOCAL EDUCATION PROVIDER THAT IS REQUIRED TO  
42 COMPLY WITH SUBSECTIONS (2)(a)(I), (2)(a)(II), AND (2)(a)(III) OF THIS

- 1 SECTION SHALL POST INFORMATION IN APPLICABLE SCHOOL BATHROOMS  
2 WHERE THERE ARE NOT YET MENSTRUAL PRODUCTS REGARDING WHERE  
3 MENSTRUAL PRODUCTS ARE AVAILABLE IN THE APPLICABLE SCHOOL  
4 BUILDING.
- 5 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2030.  
6 (7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE".
- 7 Page 4, line 20, after "A" insert "FEMALE-DESIGNATED BATHROOM OR A  
8 GENDER-NEUTRAL".
- 9 Page 4, strike lines 23 and 24 and substitute "MENSTRUATE."
- 10 Page 5, strike line 14 and substitute "(3)(b), (3)(c), and (6); and **add**  
11 (3)(d), (5.3), (5.7), (8)(d), and (8)(e) as follows:".
- 12 Page 5, strike lines 21 through 27.
- 13 Page 6, strike lines 1 through 14 and substitute:  
14 "(b) The Colorado school for the deaf and the blind, created and  
15 existing pursuant to section 22-80-102 (1)(a); ~~or~~  
16 (c) An approved facility school, as defined in section 22-2-402  
17 (1); OR  
18 (d) A RURAL SCHOOL DISTRICT, A SMALL RURAL DISTRICT, A  
19 CHARTER SCHOOL OF A RURAL SCHOOL DISTRICT OR A SMALL RURAL  
20 DISTRICT, OR AN INSTITUTE CHARTER SCHOOL LOCATED WITHIN THE  
21 GEOGRAPHIC BOUNDARIES OF A RURAL SCHOOL DISTRICT OR SMALL RURAL  
22 SCHOOL DISTRICT."
- 23 Page 6, strike lines 18 through 26 and substitute "SECTION."
- 24 Page 6, line 27, strike "FIVE" and substitute "TEN".
- 25 Page 7, strike line 1 and substitute "OF THE TOTAL AMOUNT  
26 APPROPRIATED PURSUANT TO SUBSECTION (5.3) OF THIS SECTION FOR THE  
27 GRANT PROGRAM TO OFFSET THE".
- 28 Page 7, after line 18 insert:  
29 "(8) As used in this section, unless the context otherwise requires:  
30 (d) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT THAT  
31 THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON THE  
32 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE  
33 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.  
34 (e) "SMALL RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT

1 THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON  
2 THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE  
3 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT  
4 ENROLLS FEWER THAN ONE THOUSAND TWO HUNDRED STUDENTS IN  
5 KINDERGARTEN THROUGH TWELFTH GRADE."

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