

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

**REENGROSSED**

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

LLS NO. 19-0032.03 Shelby Ross x4510

**HOUSE BILL 19-1032**

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**A BILL FOR AN ACT**

101 **CONCERNING COMPREHENSIVE HUMAN SEXUALITY EDUCATION, AND,**  
102 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**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 moves provisions of the statutory legislative declaration to a nonstatutory legislative declaration.

The bill clarifies content requirements for public schools that offer comprehensive human sexuality education and prohibits instruction from explicitly or implicitly teaching or endorsing religious ideology or sectarian tenets or doctrines, using shame-based or stigmatizing language

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

HOUSE  
3rd Reading Unamended  
February 19, 2019

HOUSE  
Amended 2nd Reading  
February 15, 2019

or instructional tools, employing gender norms or gender stereotypes, or excluding the relational or sexual experiences of lesbian, gay, bisexual, or transgender individuals.

Current law provides for a comprehensive human sexuality education grant program. The bill amends certain provisions of the grant program to:

- ! Require the department of public health and environment to submit an annual report concerning the outcomes of the grant program indefinitely;
- ! Add 8 representatives to the oversight entity and require membership of the oversight entity to be comprised of at least 7 members who are members of groups of people who have been or might be discriminated against;
- ! Require grant applicants to demonstrate a need for money to implement comprehensive human sexuality education; and
- ! Require that rural public schools or public schools that do not currently offer comprehensive human sexuality education receive priority when selecting grant applicants.

The bill provides a general appropriation of at least \$1 million annually for the grant program.

The bill prohibits the state board of education from waiving the content requirements for any public school that provides comprehensive human sexuality education.

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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) The decisions an individual makes regarding the individual's  
5 sexual health impacts the public health and welfare of the community in  
6 which the individual lives;

7 (b) The liberty of parents and legal guardians to direct the  
8 upbringing, education, and care of their children is a fundamental right,  
9 and a parent's or legal guardian's interest and effort to guide his or her  
10 children in healthy and appropriate cultural and sexual relationships is a  
11 fundamental part of parenting;

1           (c) Sexual assault, interpersonal violence, and bullying are  
2 pervasive and serious public health concerns, placing impacted youth at  
3 increased risk for unintended pregnancy, sexually transmitted infections,  
4 low academic performance, truancy, dropout, self-harm, and other  
5 harmful behaviors. According to the 2017 Healthy Kids Colorado Survey,  
6 9.6% of youth who identify as female, 3% of youth who identify as male,  
7 and 18.5% of youth who identify as lesbian, gay, or bisexual (LGB)  
8 reported being physically forced to have sexual intercourse against their  
9 will. Approximately 11.1% of youth who identify as female, 7.1% of  
10 youth who identify as male, and 18.2% of youth who identify as LGB  
11 reported being physically hurt on purpose by someone they were dating.  
12 Over 28% of youth who identify as LGB reported being bullied or  
13 name-called because of their sexual orientation, and 18.6% of all youth  
14 reported being bullied on school property during the last year. These  
15 statistics reflect a dire need for all Colorado youth to have access to  
16 comprehensive human sexuality education that teaches consent, hallmarks  
17 of safe and healthy relationships, self-acceptance, and respect for others.

18           (d) According to the centers for disease control and prevention  
19 and the Colorado department of public health and environment, Colorado  
20 has a lower rate of teen births and certain sexually transmitted infections  
21 compared to the national average. In spite of this data, Colorado youth  
22 still face barriers to obtaining the medically accurate information and  
23 resources they need to make informed and responsible decisions  
24 concerning their sexual health.

25           (e) When accounting for all fifty states and the District of  
26 Columbia, Colorado is the only state that does not have a health  
27 graduation requirement. Twenty-four states and the District of Columbia

1 mandate sexual health education as a graduation requirement, and  
2 thirty-four states and the District of Columbia mandate human  
3 immunodeficiency virus (HIV) education as a graduation requirement.  
4 Colorado does not mandate sexual health education or HIV education.

5 (f) The Colorado general assembly and Colorado state board of  
6 education have long recognized the value of comprehensive health  
7 education, including comprehensive human sexuality education, by taking  
8 the following actions:

9 (I) The Colorado general assembly passed House Bill 07-1292,  
10 enacted in 2007, to establish content standards for the provision of human  
11 sexuality courses taught in public schools throughout the state;

12 (II) The Colorado general assembly passed Senate Bill 08-194,  
13 enacted in 2008, commonly known as the "Public Health Reauthorization  
14 Act", to create a statewide public health improvement plan to eliminate  
15 geographic-based and other disparities in the accessibility and availability  
16 of services through the state's public health agencies;

17 (III) The Colorado general assembly passed the "Preschool to  
18 Postsecondary Education Alignment Act", Senate Bill 08-212, enacted in  
19 2008, which states that all school district standards must meet or exceed  
20 established state standards, and that school districts must adopt  
21 curriculum and assessments that are consistent with these standards;

22 (IV) The Colorado general assembly passed House Bill 13-1081,  
23 enacted in 2013, which states that all Colorado youth have a right to  
24 access comprehensive human sexuality education, and requires school  
25 districts, boards of cooperative services, district charter schools, and  
26 institute charter schools that provide human sexuality instruction to  
27 ensure the instruction is comprehensive;

1 (V) In 2009, the Colorado state board of education adopted  
2 academic content standards for comprehensive health education that  
3 support youth in making informed and responsible decisions about their  
4 health and in having access to the tools they need to lead healthy lives;  
5 and

6 (VI) In 2018, the Colorado state board of education adopted  
7 academic content standards for comprehensive health education,  
8 including physical and personal wellness, social and emotional wellness,  
9 and prevention and risk management; and

10 (g) Short of mandating comprehensive human sexuality education  
11 as a graduation requirement, state law requires all human sexuality  
12 instruction provided in public schools to be comprehensive, pursuant to  
13 section 22-1-128, Colorado Revised Statutes. If the instruction is not  
14 comprehensive, it is a violation of state law.

15 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**  
16 **with amendments,** 22-1-128 as follows:

17 **22-1-128. Comprehensive human sexuality education -**  
18 **guidelines and content standards - short title - legislative declaration**  
19 **- definitions.** (1) **Short title.** THE SHORT TITLE OF THIS SECTION IS THE  
20 "COLORADO YOUTH WELLNESS ACT".

21 (2) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS AND  
22 DECLARES THAT:

23 (a) ALL COLORADO YOUTH HAVE A RIGHT TO RECEIVE MEDICALLY  
24 ACCURATE INFORMATION ABOUT THEIR SEXUAL HEALTH IN ORDER TO  
25 EMPOWER THEM TO MAKE INFORMED DECISIONS THAT PROMOTE THEIR  
26 PHYSICAL, MENTAL, AND SOCIAL-EMOTIONAL WELL-BEING;

27 (b) THIS RIGHT APPLIES TO ALL YOUTH, REGARDLESS OF

1 GEOGRAPHIC LOCATION, ETHNIC OR RACIAL BACKGROUND, IMMIGRATION  
2 STATUS, FAMILY INCOME, PHYSICAL OR INTELLECTUAL ABILITY, SEXUAL  
3 ORIENTATION, SEX, GENDER, OR GENDER EXPRESSION;

4 (c) PARENTS, CAREGIVERS, AND OTHER TRUSTED ADULTS SERVE AS  
5 AN ESSENTIAL PART OF THE EDUCATION PROCESS AND MAY RELY ON  
6 HEALTH AND EDUCATION PROFESSIONALS AND BROAD COMMUNITY-BASED  
7 PARTNERSHIPS TO PROVIDE MEDICALLY ACCURATE INFORMATION THAT  
8 EMPOWERS YOUTH TO MAKE DECISIONS THAT ARE CONSISTENT WITH THEIR  
9 INDIVIDUAL NEEDS, VALUES, AND LIFE GOALS;

10 (d) THE INFORMATION, EDUCATION, AND SKILLS THAT COLORADO  
11 YOUTH RECEIVE DURING THEIR FORMATIVE YEARS PROVIDE THE  
12 FOUNDATION FOR RESPONSIBLE DECISION-MAKING ABOUT PERSONAL  
13 BEHAVIORS AND IMPORTANT LIFE DECISIONS THROUGHOUT THE REST OF  
14 THEIR LIVES;

15 (e) IT IS IMPORTANT FOR YOUTH TO UNDERSTAND THE POSSIBLE  
16 OUTCOMES OF THE INCONSISTENT OR IMPROPER USE OF SEXUAL  
17 ABSTINENCE, CONTRACEPTION, OR CONDOMS. COMPREHENSIVE HUMAN  
18 SEXUALITY EDUCATION STRESSES THE IMPORTANCE OF THE CORRECT AND  
19 CONSISTENT USE OF SEXUAL ABSTINENCE, CONTRACEPTION, AND CONDOMS  
20 TO PREVENT PREGNANCY AND SEXUALLY TRANSMITTED INFECTIONS.

21 (f) IT IS IMPORTANT FOR YOUTH TO LEARN ABOUT SEX AND  
22 SEXUALITY IN THE CONTEXT OF HEALTHY RELATIONSHIPS.  
23 COMPREHENSIVE HUMAN SEXUALITY EDUCATION TEACHES YOUTH ABOUT  
24 CONSENT, SEXUAL ASSAULT, SEXUAL HARASSMENT, AND THE HALLMARKS  
25 OF SAFE AND HEALTHY RELATIONSHIPS. IT ALSO TEACHES YOUTH ABOUT  
26 THE DIFFERENT RELATIONSHIP MODELS THEY AND THEIR PEERS MAY  
27 ENGAGE IN, INCLUDING LESBIAN, GAY, BISEXUAL, AND TRANSGENDER

1 PEERS, AND HOW TO BE A SAFE AND HEALTHY PARTNER IN A  
2 RELATIONSHIP.

3 (g) COMPREHENSIVE HUMAN SEXUALITY EDUCATION FOSTERS  
4 YOUTH SOCIAL-EMOTIONAL HEALTH AND WELL-BEING BY TEACHING  
5 SELF-ACCEPTANCE AND RESPECT FOR THOSE WHOSE SEXUALITY, GENDER,  
6 GENDER EXPRESSION, OR LIVED EXPERIENCE DIFFER FROM THEIR OWN.  
7 COMPREHENSIVE HUMAN SEXUALITY EDUCATION REJECTS THE USE OF  
8 SHAME, STIGMA, FEAR, AND GENDER NORMS OR GENDER STEREOTYPES AS  
9 INSTRUCTIONAL TOOLS AND RECOGNIZES THAT SUCH TACTICS ARE  
10 COUNTERPRODUCTIVE TO YOUTH EMPOWERMENT AND PARTICULARLY  
11 HARMFUL TO VULNERABLE AND QUESTIONING YOUTH.

12 (h) THERE IS A NEED TO CONTINUE AND EXPAND EFFORTS TO  
13 ENSURE THAT ALL COLORADO YOUTH HAVE ACCESS TO MEDICALLY  
14 ACCURATE, CULTURALLY SENSITIVE, AND AGE-APPROPRIATE INFORMATION  
15 AND RESOURCES CONVEYED BY COMPREHENSIVE HUMAN SEXUALITY  
16 EDUCATION; AND

17 (i) THE STATE OF COLORADO AND ELIGIBLE STATE AGENCIES AND  
18 OTHER ORGANIZATIONS MUST PURSUE FUNDING AND OTHER FEDERAL  
19 SUPPORT TO IMPLEMENT COMPREHENSIVE HUMAN SEXUALITY EDUCATION  
20 PROGRAMS. HOWEVER, COMPLIANCE WITH THIS SECTION IS NOT  
21 CONTINGENT ON RECEIPT OF STATE FUNDS, FEDERAL FUNDS, OR PUBLIC OR  
22 PRIVATE GIFTS, GRANTS, OR DONATIONS.

23 (3) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT  
24 OTHERWISE REQUIRES:

25 (a) "AGE-APPROPRIATE" MEANS TOPICS, MESSAGES, AND TEACHING  
26 METHODS SUITABLE TO A PARTICULAR AGE OR AGE GROUP, BASED ON  
27 DEVELOPING COGNITIVE, EMOTIONAL, AND BEHAVIORAL CAPACITY

1 TYPICAL FOR THE AGE OR AGE GROUP.

2 (b) "COMPREHENSIVE HUMAN SEXUALITY EDUCATION" MEANS  
3 HUMAN SEXUALITY INSTRUCTION THAT IS MEDICALLY ACCURATE,  
4 AGE-APPROPRIATE, CULTURALLY SENSITIVE, AND INCLUSIVE OF A POSITIVE  
5 YOUTH DEVELOPMENT FRAMEWORK. COMPREHENSIVE HUMAN SEXUALITY  
6 EDUCATION TEACHES YOUTH PREVENTIVE METHODS FOR AVOIDING  
7 UNINTENDED PREGNANCY AND SEXUALLY TRANSMITTED INFECTIONS.  
8 PREVENTIVE METHODS TAUGHT MUST INCLUDE INFORMATION ABOUT THE  
9 CORRECT AND CONSISTENT USE OF SEXUAL ABSTINENCE, CONTRACEPTION,  
10 INCLUDING ALL FEDERAL FOOD AND DRUG ADMINISTRATION-APPROVED  
11 FORMS OF CONTRACEPTION, EMERGENCY CONTRACEPTION, CONDOMS,  
12 OTHER BARRIER METHODS, AND OTHER PREVENTIVE METHODS.

13 (c) "CONSENT" MEANS THE AFFIRMATIVE, UNAMBIGUOUS,  
14 VOLUNTARY, CONTINUOUS, KNOWING AGREEMENT BETWEEN ALL  
15 PARTICIPANTS IN EACH PHYSICAL ACT WITHIN THE COURSE OF A SEXUAL  
16 ENCOUNTER OR INTERPERSONAL RELATIONSHIP.

17 (d) "CULTURALLY SENSITIVE" MEANS THE INTEGRATION OF  
18 KNOWLEDGE ABOUT INDIVIDUALS AND GROUPS OF PEOPLE INTO SPECIFIC  
19 STANDARDS, REQUIREMENTS, POLICIES, PRACTICES, AND ATTITUDES USED  
20 TO INCREASE THE QUALITY OF SERVICES. "CULTURALLY SENSITIVE"  
21 INCLUDES RESOURCES, REFERENCES, AND INFORMATION THAT IS  
22 MEANINGFUL TO THE EXPERIENCES AND NEEDS OF COMMUNITIES OF  
23 COLOR; IMMIGRANT COMMUNITIES; LESBIAN, GAY, BISEXUAL, AND  
24 TRANSGENDER COMMUNITIES; PEOPLE WITH PHYSICAL OR INTELLECTUAL  
25 AND DEVELOPMENTAL DISABILITIES; PEOPLE WHO HAVE EXPERIENCED  
26 SEXUAL VICTIMIZATION; AND OTHERS WHOSE EXPERIENCES HAVE  
27 TRADITIONALLY BEEN LEFT OUT OF SEXUAL HEALTH EDUCATION,



1 PROGRAMS, AND POLICIES.

2 (e) "HUMAN SEXUALITY INSTRUCTION" OR "INSTRUCTION" REFERS  
3 TO ANY SINGLE ORAL, WRITTEN, OR DIGITAL LESSON, LECTURE, OR  
4 PRESENTATION, GIVEN BY SCHOOL STAFF OR NONSCHOOL STAFF, THAT  
5 COVERS TWO OR MORE OF THE FOLLOWING TOPICS:

6 (I) BIOLOGY AS IT RELATES TO HUMAN REPRODUCTION OR HUMAN  
7 SEXUAL DEVELOPMENT;

8 (II) SEXUAL ORIENTATION, SEXUALITY, OR SEXUAL ACTIVITY; OR

9 (III) THE DEVELOPMENT OF SAFE AND HEALTHY RELATIONSHIPS.

10 (f) "MEDICALLY ACCURATE" MEANS VERIFIED OR SUPPORTED BY  
11 RESEARCH CONDUCTED IN COMPLIANCE WITH SCIENTIFIC METHODS AND  
12 PUBLISHED IN PEER-REVIEWED JOURNALS, WHERE APPROPRIATE, AND  
13 RECOGNIZED AS ACCURATE, OBJECTIVE, AND UNBIASED BY THE AMERICAN  
14 PUBLIC HEALTH ASSOCIATION, THE AMERICAN ACADEMY OF PEDIATRICS,  
15 OR THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS.

16 (g) "POSITIVE YOUTH DEVELOPMENT" MEANS AN APPROACH THAT  
17 EMPHASIZES THE MANY POSITIVE ATTRIBUTES OF YOUTH AND FOCUSES ON  
18 DEVELOPING INHERENT STRENGTHS AND ASSETS TO PROMOTE HEALTH.  
19 POSITIVE YOUTH DEVELOPMENT IS CULTURALLY SENSITIVE, INCLUSIVE OF  
20 ALL YOUTH, COLLABORATIVE, AND STRENGTH-BASED.

21 (h) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, A  
22 DISTRICT CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, A FACILITY  
23 SCHOOL, OR A SCHOOL OPERATED BY A BOARD OF COOPERATIVE SERVICES.

24 (i) "SEXUAL ABSTINENCE" MEANS NOT ENGAGING IN ORAL,  
25 VAGINAL, OR ANAL INTERCOURSE OR GENITAL SKIN-TO-SKIN CONTACT.

26 (4) **Comprehensive human sexuality education content**  
27 **requirements.** EXCEPT AS DESCRIBED IN SUBSECTION (11) OF THIS

1 SECTION, A PUBLIC SCHOOL THAT OFFERS HUMAN SEXUALITY INSTRUCTION  
2 MUST ENSURE THE INSTRUCTION MEETS COMPREHENSIVE HUMAN  
3 SEXUALITY EDUCATION CONTENT REQUIREMENTS. THESE REQUIREMENTS  
4 MUST:

5 (a) PROMOTE YOUTH UNDERSTANDING OF SEXUAL ACTIVITY,  
6 SEXUALITY, AND SEXUAL ORIENTATION AS A NORMAL PART OF HUMAN  
7 DEVELOPMENT AND ENCOURAGE YOUTH COMMUNICATION WITH PARENTS,  
8 FAMILY, AND OTHER TRUSTED ADULTS ABOUT GENDER, GENDER  
9 EXPRESSION, SEXUAL ACTIVITY, SEXUALITY, AND SEXUAL ORIENTATION;

10 (b) INCLUDE MEDICALLY ACCURATE INFORMATION ABOUT ALL  
11 PREVENTIVE METHODS TO AVOID UNINTENDED PREGNANCY AND  
12 SEXUALLY TRANSMITTED INFECTIONS, INCLUDING HIV/AIDS.  
13 PREVENTIVE METHODS TAUGHT MUST:

14 (I) INCLUDE INFORMATION ABOUT THE CORRECT AND CONSISTENT  
15 USE OF SEXUAL ABSTINENCE, CONTRACEPTION, INCLUDING ALL FEDERAL  
16 FOOD AND DRUG ADMINISTRATION-APPROVED FORMS OF CONTRACEPTION,  
17 EMERGENCY CONTRACEPTION, CONDOMS, AND OTHER BARRIER METHODS;

18 (II) BE TAUGHT IN A COHESIVE, INTEGRATED, OBJECTIVE MANNER  
19 SO THAT YOUTH LEARN THE FULL SCOPE OF PREVENTIVE METHODS  
20 AVAILABLE TO THEM AND ARE EMPOWERED TO DECIDE FOR THEMSELVES  
21 WHICH PREVENTIVE METHODS ARE BEST SUITED FOR THEIR INDIVIDUAL  
22 NEEDS, BELIEFS, AND VALUES; AND

23 (III) NOT ENDORSE SEXUAL ABSTINENCE AS THE PRIMARY OR SOLE  
24 ACCEPTABLE PREVENTIVE METHOD AVAILABLE TO STUDENTS. SUCH  
25 INSTRUCTION IS NOT COMPREHENSIVE AND IS INCONSISTENT WITH THE  
26 REQUIREMENTS OF THIS SECTION.

27 (c) PROMOTE THE DEVELOPMENT OF SAFE AND HEALTHY

1 RELATIONSHIPS FREE OF PHYSICAL, SEXUAL, AND EMOTIONAL ABUSE AND  
2 VIOLENCE BY PROVIDING HUMAN SEXUALITY INSTRUCTION ON:

3 (I) HOW TO COMMUNICATE CONSENT, RECOGNIZE  
4 COMMUNICATION OF CONSENT, AND RECOGNIZE WITHDRAWAL OF  
5 CONSENT;

6 (II) HOW TO AVOID MAKING UNWANTED VERBAL, PHYSICAL, AND  
7 SEXUAL ADVANCES;

8 (III) HOW TO AVOID MAKING ASSUMPTIONS ABOUT A PERSON'S  
9 SUPPOSED SEXUAL INTENTIONS BASED ON THAT PERSON'S APPEARANCE OR  
10 SEXUAL HISTORY;

11 (IV) HOW TO AVOID PURSUING A SEXUAL ENCOUNTER WITH A  
12 PERSON OR PERSUADING A PERSON TO PARTICIPATE IN A SEXUAL  
13 ENCOUNTER WHEN THAT PERSON HAS NOT PROVIDED CONSENT OR HAS  
14 WITHDRAWN CONSENT; AND

15 (V) HOW TO RECOGNIZE AND RESPOND SAFELY AND EFFECTIVELY  
16 IN SITUATIONS WHERE PHYSICAL, SEXUAL, OR EMOTIONAL ABUSE OR  
17 VIOLENCE MAY BE OCCURRING OR WHERE THERE MAY BE A RISK FOR THESE  
18 BEHAVIORS TO OCCUR;

19 (d) TEACH HOW ALCOHOL AND DRUG USE CAN AFFECT  
20 DECISION-MAKING, IMPACT SEXUAL HEALTH, AND FACILITATE INCIDENCES  
21 OF GENDER-BASED VIOLENCE, INCLUDING THE DELIBERATE USE OF  
22 ALCOHOL AND DRUGS TO PERPETRATE SEXUAL VIOLENCE;

23 (e) TEACH THAT SEXUAL HEALTH IS AN INTEGRAL PART OF ONE'S  
24 OVERALL HEALTH AND WELLNESS; AND

25 (f) FOR SCHOOL DISTRICTS THAT HAVE ESTABLISHED A CHARACTER  
26 EDUCATION PROGRAM PURSUANT TO SECTION 22-29-103, PROMOTE THE  
27 GUIDELINES OF BEHAVIOR ESTABLISHED IN THE CHARACTER EDUCATION

1 PROGRAM.

2 (5) COMPREHENSIVE HUMAN SEXUALITY EDUCATION DOES NOT  
3 REQUIRE INSTRUCTION ON PREGNANCY OUTCOME OPTIONS. HOWEVER, IF  
4 A PUBLIC SCHOOL OPTS TO PROVIDE INSTRUCTION ON PREGNANCY  
5 OUTCOME OPTIONS, THE INSTRUCTION MUST COVER ALL PREGNANCY  
6 OUTCOME OPTIONS, INCLUDING BUT NOT LIMITED TO ADOPTION,  
7 ABORTION, PARENTING, AND INFORMATION CONCERNING SECTIONS  
8 18-6-401 (9) AND 19-3-304.5, OR ANY SUCCESSOR LAWS, REFERRED TO  
9 GENERALLY AS "SAFE HAVEN LAWS." INSTRUCTION ON PREGNANCY  
10 OUTCOME OPTIONS MUST BE PROVIDED IN AN OBJECTIVE, UNBIASED  
11 MANNER AND MUST NOT ENDORSE OR FAVOR ONE OR MORE PREGNANCY  
12 OUTCOME OPTIONS.

13 (6) (a) NOTHING IN SUBSECTION (4) OR (5) OF THIS SECTION SHALL  
14 BE INTERPRETED TO PROHIBIT DISCUSSION OF MORAL, ETHICAL, OR  
15 RELIGIOUS VALUES OF INDIVIDUALS AS THEY PERTAIN TO HUMAN  
16 SEXUALITY, HEALTHY RELATIONSHIPS, OR FAMILY FORMATION.

17 (b) HOWEVER, HUMAN SEXUALITY INSTRUCTION MUST NOT  
18 EXPLICITLY OR IMPLICITLY:

19 (I) TEACH OR ENDORSE RELIGIOUS IDEOLOGY OR SECTARIAN  
20 TENETS OR DOCTRINE;

21 (II) USE SHAME-BASED OR STIGMATIZING LANGUAGE OR  
22 INSTRUCTIONAL TOOLS;

23 (III) EMPLOY GENDER NORMS OR GENDER STEREOTYPES; OR

24 (IV) EXCLUDE THE RELATIONAL OR SEXUAL EXPERIENCES OF  
25 LESBIAN, GAY, BISEXUAL, OR TRANSGENDER INDIVIDUALS.

26 (c) INSTRUCTION THAT INCLUDES ONE OR MORE OF THE  
27 RESTRICTIONS IN SUBSECTION (6)(b) OF THIS SECTION IS NOT

1 COMPREHENSIVE AND IS NOT COMPLIANT WITH STATE LAW.

2 (7) PUBLIC SCHOOLS, SCHOOL DISTRICTS, AND BOARDS OF  
3 COOPERATIVE SERVICES ARE ENCOURAGED TO INVOLVE TEACHERS,  
4 SCHOOL NURSES, PARENTS, YOUTH, SEXUAL HEALTH ADVOCATES, AND  
5 COMMUNITY PARTNERS IN THE DEVELOPMENT OF HUMAN SEXUALITY  
6 INSTRUCTION THAT MEETS THE CONTENT REQUIREMENTS SET FORTH IN  
7 SUBSECTION (4) OF THIS SECTION AND TO INTEGRATE AVAILABLE  
8 COMMUNITY RESOURCES INTO PROGRAMS RELATED TO COMPREHENSIVE  
9 HUMAN SEXUALITY EDUCATION.

10 (8) **Written notification required.** (a) EXCEPT AS OTHERWISE  
11 PROVIDED IN SUBSECTION (4) OF THIS SECTION, A PUBLIC SCHOOL THAT  
12 OFFERS HUMAN SEXUALITY INSTRUCTION SHALL PROVIDE TO THE PARENT  
13 OR GUARDIAN OF EACH STUDENT, PRIOR TO COMMENCING THE  
14 INSTRUCTION:

15 (I) WRITTEN NOTIFICATION OF THE ABILITY TO EXCUSE A STUDENT,  
16 WITHOUT PENALTY OR ADDITIONAL ASSIGNMENT, UPON THE WRITTEN  
17 REQUEST OF THE STUDENT'S PARENT OR GUARDIAN; AND

18 (II) A DETAILED, SUBSTANTIVE OUTLINE OF THE TOPICS AND  
19 MATERIALS TO BE PRESENTED DURING THE HUMAN SEXUALITY  
20 INSTRUCTION.

21 (b) HOWEVER, NOTHING IN THIS SECTION REQUIRES WRITTEN  
22 NOTIFICATION FOR PROGRAMMING ON GENDER, GENDER EXPRESSION,  
23 SEXUAL ORIENTATION, OR HEALTHY RELATIONSHIPS THAT OCCURS  
24 OUTSIDE THE CONTEXT OF HUMAN SEXUALITY INSTRUCTION.

25 (9) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE  
26 AN ACT OR PROCEDURE IN ADDITION TO THE SIGNATURE OF THE PARENT OR  
27 GUARDIAN REQUIRED IN SUBSECTION (8) OF THIS SECTION TO EXCUSE A

1 STUDENT FROM COMPREHENSIVE HUMAN SEXUALITY EDUCATION.

2 (10) EACH SCHOOL DISTRICT BOARD OF EDUCATION, BOARD OF  
3 COOPERATIVE SERVICES, GOVERNING BOARD OF A DISTRICT CHARTER  
4 SCHOOL, OR THE STATE CHARTER SCHOOL INSTITUTE IS ENCOURAGED TO  
5 DISSEMINATE POLICIES OR GUIDELINES TO ITS PUBLIC SCHOOLS TO ENSURE  
6 THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION IN A MANNER  
7 THAT WILL NOT DRAW UNDUE ATTENTION TO, NOR CAUSE UNDUE  
8 EMBARRASSMENT FOR, STUDENTS EXCUSED FROM THE HUMAN SEXUALITY  
9 INSTRUCTION PURSUANT TO SUBSECTION (8)(a)(I) OF THIS SECTION.

10 (11) A PUBLIC SCHOOL THAT HAS RECEIVED, PRIOR TO JULY 1,  
11 2013, DIRECT OR INDIRECT MONEY FROM THE FEDERAL GOVERNMENT FOR  
12 THE PROVISION OF AN ABSTINENCE EDUCATION PROGRAM PURSUANT TO 42  
13 U.S.C. SEC. 710, AS AMENDED, IS NOT REQUIRED TO ADOPT THE CONTENT  
14 REQUIREMENTS FOR COMPREHENSIVE HUMAN SEXUALITY EDUCATION  
15 DESCRIBED IN THIS SECTION FOR THE YEAR OR YEARS FOR WHICH THE  
16 PUBLIC SCHOOL RECEIVED SUCH MONEY. ON AND AFTER JULY 1, 2013, A  
17 PUBLIC SCHOOL SHALL NOT USE ANY DIRECT OR INDIRECT MONEY FROM  
18 THE FEDERAL GOVERNMENT FOR THE PROVISION OF AN ABSTINENCE  
19 EDUCATION PROGRAM PURSUANT TO 42 U.S.C. SEC. 710, AS AMENDED. A  
20 PUBLIC SCHOOL SHALL NOT ENGAGE THE INSTRUCTIONAL SERVICES OF ANY  
21 ORGANIZATION OR INDIVIDUAL THAT IS A DIRECT OR INDIRECT RECIPIENT  
22 OF MONEY FROM THE FEDERAL GOVERNMENT PURSUANT TO 42 U.S.C. SEC.  
23 710, AS AMENDED, AS THE GUIDELINES SET FORTH IN 42 U.S.C. SEC. 710,  
24 AS AMENDED, ARE INCONSISTENT WITH THE PROVISIONS OF THIS SECTION.  
25 A PUBLIC SCHOOL MAY USE FEDERAL MONEY FOR COMPREHENSIVE HUMAN  
26 SEXUALITY EDUCATION, AS LONG AS THE INSTRUCTION OF THE PUBLIC  
27 SCHOOL MEETS THE COMPREHENSIVE HUMAN SEXUALITY EDUCATION

1 CONTENT REQUIREMENTS SET FORTH IN THIS SECTION.

2 (12) NOTHING IN THIS SECTION REQUIRES AMENDING ANY  
3 CONTENT STANDARDS RELATED TO COMPREHENSIVE HUMAN SEXUALITY  
4 EDUCATION DEVELOPED BY THE DEPARTMENT OF EDUCATION AND  
5 ADOPTED BY THE STATE BOARD OF EDUCATION PRIOR TO JULY 1, 2018.

6 (13) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO PUBLIC  
7 SCHOOL STUDENTS IN PRESCHOOL THROUGH THIRD GRADE UNLESS THE  
8 CONTENT OF THE INSTRUCTION RELATES TO PERSONAL HYGIENE, HEALTHY  
9 HABITS, HEALTHY EMOTIONAL EXPRESSION, POSITIVE SELF-CONCEPT AND  
10 RESPECT OF OTHERS, HEALTHY RELATIONSHIPS WITH ADULTS AND PEERS,  
11 RESPECTING PERSONAL SPACE AND BOUNDARIES, INTERPERSONAL  
12 COMMUNICATION SKILLS, AND PERSONAL SAFETY, AS IDENTIFIED IN THE  
13 CONTENT STANDARDS DEVELOPED BY THE DEPARTMENT OF EDUCATION  
14 AND ADOPTED BY THE STATE BOARD OF EDUCATION.

15 (14) A PUBLIC SCHOOL MAY SEEK GRANT MONEY PURSUANT TO  
16 ARTICLE 44 OF TITLE 25 TO IMPLEMENT THE COMPREHENSIVE HUMAN  
17 SEXUALITY EDUCATION CONTENT REQUIREMENTS SET FORTH IN THIS  
18 SECTION. HOWEVER, COMPLIANCE WITH THIS SECTION IS NOT CONTINGENT  
19 UPON RECEIPT OF GRANT MONEY PURSUANT TO ARTICLE 44 OF TITLE 25,  
20 NOR IS IT CONTINGENT ON RECEIPT OF ANY OTHER STATE OR FEDERAL  
21 FUNDS, OR PUBLIC OR PRIVATE GIFTS, GRANTS, OR DONATIONS.

22 **SECTION 3.** In Colorado Revised Statutes, 25-44-101, **amend**  
23 the introductory portion, (3), (6), (8), and (10); **repeal** (2); and **add** (10.5)  
24 as follows:

25 **25-44-101. Definitions.** As used in this ~~article~~ ARTICLE 44, unless  
26 the context otherwise requires:

27 (2) ~~"Cash fund" means the comprehensive human sexuality~~

1 ~~education grant program cash fund created in section 25-44-104.~~

2 (3) "Comprehensive human sexuality education" means HUMAN  
3 SEXUALITY INSTRUCTION THAT IS medically accurate, ~~information about~~  
4 ~~all methods to prevent unintended pregnancy and sexually transmitted~~  
5 ~~infections, including HIV, the link between human papillomavirus and~~  
6 ~~cancer, and other types of cancer involving the human reproductive~~  
7 ~~systems, including prostate, testicular, ovarian, and uterine cancer.~~  
8 **Methods** AGE-APPROPRIATE, CULTURALLY SENSITIVE, AND INCLUSIVE OF  
9 A POSITIVE YOUTH DEVELOPMENT FRAMEWORK. COMPREHENSIVE HUMAN  
10 SEXUALITY EDUCATION TEACHES YOUTH PREVENTIVE METHODS FOR  
11 AVOIDING UNINTENDED PREGNANCY AND SEXUALLY TRANSMITTED  
12 INFECTIONS. PREVENTIVE METHODS TAUGHT must include information  
13 about the correct and consistent use of SEXUAL abstinence,  
14 CONTRACEPTION, INCLUDING ALL FEDERAL FOOD AND DRUG  
15 ADMINISTRATION-APPROVED FORMS OF contraception, EMERGENCY  
16 CONTRACEPTION, condoms, other barrier methods, and other ~~prevention~~  
17 ~~measures. Additional contents of comprehensive human sexuality~~  
18 ~~education must include:~~

19 (a) ~~Encouraging family communication about sexuality;~~

20 (b) ~~Teaching young people to avoid making unwanted verbal,~~  
21 ~~physical, and sexual advances;~~

22 (c) ~~Discussions and information on how to recognize and respond~~  
23 ~~safely and effectively in situations where sexual or physical violence may~~  
24 ~~be occurring or where there may be a risk for these behaviors to occur;~~

25 (d) ~~Focusing on the development of safe relationships, including~~  
26 ~~the prevention of sexual violence in dating; and~~

27 (e) ~~Teaching young people how alcohol and drug use can affect~~



1 ~~responsible decision-making~~ PREVENTIVE METHODS. HUMAN SEXUALITY  
2 INSTRUCTION MUST COMPLY WITH THE CONTENT REQUIREMENTS SET  
3 FORTH IN SECTION 22-1-128.

4 (6) ~~"Evidence-based program" means a program that:~~

5 ~~(a) Was evaluated using a rigorous research design, including:~~

6 ~~(I) Measuring knowledge, attitude, and behavior;~~

7 ~~(II) Having an adequate sample size;~~

8 ~~(III) Using sound research methods and processes;~~

9 ~~(IV) Replicating in different locations and finding similar~~  
10 ~~evaluation results; and~~

11 ~~(V) Publishing results in a peer-reviewed journal;~~

12 ~~(b) Research has shown to be effective in changing at least one of~~  
13 ~~the following behaviors that contribute to early pregnancy, sexually~~  
14 ~~transmitted infections and disease, and HIV infection:~~

15 ~~(I) Delaying sexual initiation;~~

16 ~~(II) Reducing the frequency of sexual intercourse;~~

17 ~~(III) Reducing the number of sexual partners; or~~

18 ~~(IV) Increasing the use of condoms and other contraceptives~~

19 "MEDICALLY ACCURATE" HAS THE SAME MEANING AS DEFINED IN SECTION  
20 22-1-128.

21 (8) "Positive youth development" means an approach that  
22 emphasizes the many positive attributes of ~~young people~~ YOUTH and  
23 focuses on developing inherent strengths and assets to promote health.  
24 Positive youth development is culturally sensitive, ~~age-appropriate~~,  
25 inclusive of all youth, collaborative, and strength-based.

26 (10) "Public school" means a school of a school district, a district  
27 charter school, an institute charter school, a facility school, or a SCHOOL

1 OPERATED BY A board of cooperative services. ~~as defined in section~~  
2 ~~22-5-103.~~

3 (10.5) "SEXUAL ABSTINENCE" HAS THE SAME MEANING AS DEFINED  
4 IN SECTION 22-1-128.

5 **SECTION 4.** In Colorado Revised Statutes, **amend** 25-44-102 as  
6 follows:

7 **25-44-102. Comprehensive human sexuality education grant**  
8 **program - creation - notification to schools - report - rules.** (1) There  
9 is ~~hereby~~ created in the department the comprehensive human sexuality  
10 education grant program. The purpose of the program is to provide  
11 ~~moneys~~ MONEY to public schools and school districts for use in the  
12 creation and implementation of comprehensive human sexuality  
13 education ~~programs in their curriculum~~ PURSUANT TO SECTION 22-1-128.

14 (2) Upon receipt of federal ~~moneys~~ MONEY or other  
15 appropriations, ~~to the cash fund,~~ the department, in conjunction with the  
16 oversight entity, shall notify the school districts, the state charter school  
17 institute, and boards of cooperative services throughout the state of grants  
18 available through the program.

19 (3) Based on the recommendations of the oversight entity, the  
20 department shall award grants to public schools and school districts for  
21 periods of one to three years.

22 (4) ~~Moneys~~ MONEY distributed to public schools and school  
23 districts through the program must only be used for the provision of  
24 ~~comprehensive human sexuality education programs~~ INSTRUCTION that  
25 ~~comply~~ COMPLIES with the provisions of and ~~meet or exceed~~  
26 requirements for comprehensive human sexuality ~~curriculum~~ EDUCATION  
27 set forth in section 22-1-128 C.R.S., and developed pursuant to section

1 22-25-104 (3). ~~C.R.S.~~

2 (5) On or before ~~December 1, 2013~~ DECEMBER 1, 2019, or not  
3 more than ninety days after the department receives sufficient ~~moneys~~  
4 MONEY to implement the program, whichever is later, the state board shall  
5 promulgate rules, IF NECESSARY, for the administration of this ~~article~~  
6 ARTICLE 44, using the recommendations developed by the oversight entity  
7 pursuant to section 25-44-103 (2)(b).

8 (6) (a) On or before ~~January 30, 2017~~ JANUARY 30, 2021, and  
9 every year thereafter in which grants have been awarded pursuant to this  
10 ~~article~~ ARTICLE 44, the department shall submit a report concerning the  
11 outcomes of the program to the state board of education, the department  
12 of education, and the education committees of the senate and house of  
13 representatives, the health and human services committee of the senate,  
14 and the public health care and human services committee of the house of  
15 representatives, or any successor committees. The report must include, at  
16 a minimum:

17 (I) The number of public schools and school districts that received  
18 a grant under the program;

19 (II) The number of students reached and the ~~curriculum~~  
20 INSTRUCTION utilized;

21 (III) The amount of each grant awarded;

22 (IV) The average amount of all grants awarded; and

23 (V) ~~The source and amount of each gift, grant, or donation~~  
24 ~~received by the department for the implementation of this article~~ AN  
25 ANALYSIS BY THE DEPARTMENT OF THE IMPACT OF FUNDING.

26 (b) ~~Pursuant to~~ NOTWITHSTANDING THE PROVISIONS OF section  
27 24-1-136 (11)(a)(I), THE REPORT REQUIRED IN this subsection (6) is

1 ~~repealed, effective July 2, 2020~~ CONTINUES INDEFINITELY.

2 (7) Notwithstanding any other provision of this ~~article~~ ARTICLE 44,  
3 the department ~~shall~~ IS not be required to implement the provisions of this  
4 ~~article~~ ARTICLE 44 until sufficient ~~moneys have~~ MONEY HAS been received  
5 and transferred or appropriated. ~~to the cash fund.~~

6 (8) ~~The provisions of this article shall not apply to students in~~  
7 ~~kindergarten through third grade unless the content of the instruction~~  
8 ~~relates to personal hygiene, healthy habits, respecting personal space and~~  
9 ~~boundaries, interpersonal communication skills, and personal safety, as~~  
10 ~~identified in the content standards developed by the department of~~  
11 ~~education and adopted by the state board of education.~~

12 **SECTION 5.** In Colorado Revised Statutes, **amend** 25-44-103 as  
13 follows:

14 **25-44-103. Comprehensive human sexuality education grant**  
15 **program - oversight entity - duties - application process.** (1) On or  
16 before ~~July 1, 2013~~ JULY 1, 2019, the department shall convene the  
17 interagency youth sexual health team, referred to in this ~~article~~ ARTICLE  
18 44 as the "oversight entity". Membership of the oversight entity must  
19 include:

20 (a) The executive director of the department of public health and  
21 environment, or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee;

22 (b) The executive director of the department of health care policy  
23 and financing, or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee;

24 (c) The commissioner of education, or ~~his or her~~ THE  
25 COMMISSIONER'S designee;

26 (d) The executive director of the department of human services,  
27 or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee; **and**

1 (e) A parent representative; ~~appointed by the department of health.~~

2 (f) A YOUTH REPRESENTATIVE;

3 (g) A REPRESENTATIVE OF KINDERGARTEN THROUGH  
4 TWELFTH-GRADE EDUCATORS;

5 (h) A REPRESENTATIVE OF SCHOOL-BASED HEALTH CENTERS OR A  
6 SCHOOL NURSE;

7 (i) A REPRESENTATIVE OF A STATEWIDE COALITION FOR SURVIVORS  
8 OF SEXUAL ASSAULT;

9 (j) A REPRESENTATIVE OF AN ORGANIZATION SERVING THE NEEDS  
10 OF YOUTH OF COLOR;

11 (k) A REPRESENTATIVE OF AN ORGANIZATION SERVING THE NEEDS  
12 OF IMMIGRANTS;

13 (l) A REPRESENTATIVE OF AN ORGANIZATION SERVING THE NEEDS  
14 OF LESBIAN, GAY, BISEXUAL, AND TRANSGENDER YOUTH; AND

15 (m) A REPRESENTATIVE FROM AN INTERFAITH ORGANIZATION.

16 (1.5) THE MEMBERS SPECIFIED IN SUBSECTIONS (1)(e) TO (1)(m)  
17 OF THIS SECTION SHALL BE APPOINTED BY THE DEPARTMENT. THE  
18 MEMBERSHIP OF THE OVERSIGHT ENTITY SHALL AT ALL TIMES REPRESENT  
19 DIVERSE COMMUNITY PERSPECTIVE AND MAKE AN EFFORT TO INCLUDE  
20 COMMITTEE MEMBERS WHO ARE DIVERSE WITH REGARDS TO DISABILITY,  
21 RACE, CREED, COLOR, GENDER, GENDER EXPRESSION, IMMIGRATION  
22 STATUS, SEXUAL ORIENTATION, NATIONAL ORIGIN, ANCESTRY, MARITAL  
23 STATUS, RELIGION, AGE, ENGLISH PROFICIENCY, INCOME, AND  
24 GEOGRAPHIC REGION OF THE STATE, INCLUDING BOTH URBAN AND RURAL  
25 AREAS.

26 (1.7) THE PARENT REPRESENTATIVE AND YOUTH REPRESENTATIVE  
27 DESCRIBED IN SUBSECTIONS (1)(e) AND (1)(f) OF THIS SECTION ARE

1 ENTITLED TO RECEIVE REIMBURSEMENT FOR NECESSARY EXPENSES  
2 INCURRED IN THE PERFORMANCE OF THE MEMBER'S DUTIES, INCLUDING  
3 DEPENDENT OR ATTENDANT CARE.

4 (2) The oversight entity has the following duties:

5 (a) During the ~~2013-14~~ 2019-20 academic year and every  
6 academic year thereafter, to assess opportunities for available federal and  
7 state ~~moneys to fund~~ MONEY FOR the program; except that the oversight  
8 entity shall not recommend applying for any federal or state ~~moneys~~  
9 MONEY that ~~promote~~ PROMOTES SEXUAL abstinence as the sole ~~behavioral~~  
10 ACCEPTABLE PREVENTIVE method for youth or ~~funding~~ MONEY requiring  
11 adherence to the ~~A-H~~ guidelines of section 510 ~~(b)~~ of title V of the  
12 federal "Social Security Act", ~~Pub. L. 104-193~~ 42 U.S.C. SEC. 710, AS  
13 AMENDED, which are inconsistent with the provisions of section 22-1-128.  
14 ~~C.R.S.~~ The oversight entity ~~will~~ SHALL provide information to the  
15 appropriate state departments concerning available federal and state  
16 ~~moneys~~ MONEY related to comprehensive human sexuality education  
17 ~~funds~~ for which a given department is eligible to apply.

18 (b) To develop policies and procedures for the implementation of  
19 the program and recommend such policies and procedures to the state  
20 board for adoption by rule pursuant to section 25-44-102. The policies  
21 and procedures must include but are not limited to:

22 (I) A process by which public schools and school districts ~~will be~~  
23 ARE notified of available program ~~funds~~ MONEY for comprehensive  
24 human sexuality education;

25 (II) The procedures by which public schools and school districts  
26 may apply for grants pursuant to this ~~article~~ ARTICLE 44. Each grant  
27 application must, at a minimum, describe:

1 (A) How the applicant public school or school district ~~will~~ MUST  
2 use any awarded grant ~~moneys~~ MONEY to provide comprehensive human  
3 sexuality education to its student population;

4 (B) How the proposed comprehensive human sexuality education  
5 program complies with THE CONTENT REQUIREMENTS OF section 22-1-128  
6 ~~€:R:S.~~, and article 25 of title 22 ~~€:R:S.~~, and is ~~evidence-based~~  
7 MEDICALLY ACCURATE, culturally sensitive, and represents positive youth  
8 development principles;

9 (C) How many students the public school or school district  
10 expects to reach through the comprehensive human sexuality education  
11 program; ~~and~~

12 (D) The length of time for which the applicant is requesting grant  
13 ~~moneys~~ MONEY; AND

14 (E) DEMONSTRATED EVIDENCE OF THE NEED FOR MONEY NEEDED  
15 FOR AN APPLICANT SCHOOL DISTRICT OR PUBLIC SCHOOL TO IMPLEMENT  
16 COMPREHENSIVE HUMAN SEXUALITY EDUCATION PURSUANT TO SECTION  
17 22-1-128;

18 (III) Criteria for the oversight entity to apply in selecting public  
19 schools and school districts that may receive grants and how to determine  
20 the amount of grant ~~moneys~~ MONEY to be awarded to each grant recipient.  
21 The criteria must include a requirement that the proposed comprehensive  
22 human sexuality education program complies with sections 22-1-128 and  
23 22-25-104 ~~€:R:S.~~, and is ~~evidence-based~~ MEDICALLY ACCURATE,  
24 culturally sensitive, and represents positive youth development principles.  
25 THE CRITERIA MUST ALSO INCLUDE A REQUIREMENT THAT RURAL PUBLIC  
26 SCHOOLS OR PUBLIC SCHOOLS THAT DO NOT CURRENTLY OFFER  
27 COMPREHENSIVE HUMAN SEXUALITY EDUCATION RECEIVE PRIORITY WHEN

1 SELECTING GRANT RECIPIENTS.

2 (c) In conjunction with the department, to solicit grant  
3 applications from public schools and school districts; AND

4 (d) To review grant applications and, based on the criteria  
5 developed pursuant to ~~paragraph (b)~~ SUBSECTION (2)(b) of this ~~subsection~~  
6 SECTION, make recommendations to the department concerning which  
7 public schools or school districts should receive grants and in what  
8 amount.

9 **SECTION 6.** In Colorado Revised Statutes, **repeal and reenact,**  
10 **with amendments,** 25-44-104 as follows:

11 **25-44-104. Appropriation - gifts, grants, and donations - uses.**

12 (1) BEGINNING IN THE 2019-20 BUDGET YEAR AND EACH BUDGET YEAR  
13 THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE AT  
14 LEAST ONE MILLION DOLLARS TO THE DEPARTMENT FOR THE  
15 COMPREHENSIVE HUMAN SEXUALITY EDUCATION GRANT PROGRAM.

16 (2) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND PUBLIC OR  
17 PRIVATE GIFTS, GRANTS, AND DONATIONS FROM PUBLIC AND PRIVATE  
18 SOURCES TO IMPLEMENT THIS ARTICLE 44; EXCEPT THAT THE DEPARTMENT  
19 SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO  
20 CONDITIONS THAT ARE INCONSISTENT WITH THE PROVISIONS OF SECTION  
21 25-44-102 (2) OR ANY OTHER STATE LAW. THE DEPARTMENT IS  
22 AUTHORIZED TO EXPEND A REASONABLE AMOUNT OF THE MONEY  
23 APPROPRIATED OR RECEIVED FOR THE PROGRAM FOR THE DIRECT AND  
24 INDIRECT COSTS ASSOCIATED WITH ADMINISTERING THE PROGRAM, UNLESS  
25 OTHERWISE PROVIDED BY ANY PROVISION RELATED TO THE DEPARTMENT'S  
26 RECEIPT OF FEDERAL MONEY THAT IS APPLIED TO THE PROGRAM.

27 **SECTION 7.** In Colorado Revised Statutes, 22-2-117, **amend**



1 (1)(b)(VI) and (1)(b)(VII); and **add** (1)(b)(VIII) as follows:

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

5 (VI) The requirement to post on the internet the statutes for which  
6 waivers are granted as provided in section 22-44-305; ~~or~~

7 (VII) Any provisions of section 22-1-130, relating to notification  
8 to parents of alleged criminal conduct by school district employees; OR

9 (VIII) ANY PROVISIONS OF SECTION 22-1-128, RELATING TO  
10 COMPREHENSIVE HUMAN SEXUALITY EDUCATION CONTENT  
11 REQUIREMENTS.

12 **SECTION 8.** In Colorado Revised Statutes, 22-25-110, **amend**  
13 (2) introductory portion; and **repeal** (2)(c) as follows:

14 **22-25-110. Funding of existing programs - operation of other**  
15 **health education programs.** (2) Nothing in this ~~article shall be~~  
16 ~~interpreted to require~~ ARTICLE 25 REQUIRES a school district or board of  
17 cooperative services to establish a local comprehensive health education  
18 program nor shall it be interpreted to prevent a school district or board of  
19 cooperative services from offering a health education program ~~which~~  
20 THAT is not operated under the requirements of this ~~article~~ ARTICLE 25;  
21 except that any school district or board of cooperative services offering  
22 such a health education program shall:

23 (c) ~~Unless the school district or board of cooperative services is~~  
24 ~~receiving direct or indirect funding from the federal government for the~~  
25 ~~provision of an abstinence education program pursuant to 42 U.S.C. sec.~~  
26 ~~710 as described in section 22-1-128 (9), comply with the requirements~~  
27 ~~specified in section 22-1-128 (6) regarding the adoption of science-based~~

1 ~~content standards for instruction regarding human sexuality.~~

2 **SECTION 9.** In Colorado Revised Statutes, 22-30.5-104, **amend**  
3 (6)(c)(VI) and (6)(c)(VII); and **add** (6)(c)(VIII) as follows:

4 **22-30.5-104. Charter school - requirements - authority - rules.**

5 (6) (c) A school district, on behalf of a charter school, may apply to the  
6 state board for a waiver of a state statute or state rule that is not an  
7 automatic waiver. Notwithstanding any provision of this subsection (6)  
8 to the contrary, the state board may not waive any statute or rule relating  
9 to:

10 (VI) The requirement to post on the internet the statutes for which  
11 waivers are granted as provided in section 22-44-305; ~~or~~

12 (VII) Any provisions of section 22-1-130, relating to notification  
13 to parents of alleged criminal conduct by charter school employees; OR

14 (VIII) ANY PROVISIONS OF SECTION 22-1-128, RELATING TO  
15 COMPREHENSIVE HUMAN SEXUALITY EDUCATION CONTENT  
16 REQUIREMENTS.

17 **SECTION 10.** In Colorado Revised Statutes, 22-30.5-507,  
18 **amend** (7)(b)(VI) and (7)(b)(VII); and **add** (7)(b)(VIII) as follows:

19 **22-30.5-507. Institute charter school - requirements -**

20 **authority - rules.** (7) (b) An institute charter school may apply to the  
21 state board, through the institute, for a waiver of state statutes and state  
22 rules that are not automatic waivers. The state board may waive state  
23 statutory requirements or rules promulgated by the state board; except that  
24 the state board may not waive any statute or rule relating to:

25 (VI) The requirement to post on the internet the statutes for which  
26 waivers are granted as provided in section 22-44-305; ~~or~~

27 (VII) Any provisions of section 22-1-130, relating to notification

1 to parents of alleged criminal conduct by institute charter school  
2 employees; OR

3 (VIII) ANY PROVISIONS OF SECTION 22-1-128, RELATING TO THE  
4 COMPREHENSIVE HUMAN SEXUALITY EDUCATION CONTENT  
5 REQUIREMENTS.

6 **SECTION 11. Appropriation.** (1) For the 2019-20 state fiscal  
7 year, \$12,405 is appropriated to the department of public health and  
8 environment. This appropriation is from the general fund. To implement  
9 this act, the department may use this appropriation as follows:

10 (a) \$11,274 for personal services related to administration and  
11 support, which amount is based on an assumption that the department will  
12 require an additional 0.2 FTE; and

13 (b) \$1,131 for operating expenses related to administration and  
14 support.

15 (2) For the 2019-20 state fiscal year, \$987,595 is appropriated to  
16 the department of public health and environment for use by the prevention  
17 services division. This appropriation is from the general fund, and is  
18 based on an assumption that the division will require an additional 1.3  
19 FTE. To implement this act, the division may use this appropriation for  
20 sexual health education.

21 **SECTION 12. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, and safety.