

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0047.03 Jessica Herrera x4218

HOUSE BILL 23-1057

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HOUSE SPONSORSHIP

McCormick and Vigil,

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House Committees

State, Civic, Military, & Veterans Affairs

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A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT CERTAIN PUBLIC BUILDINGS HAVE  
102 RESTROOMS WITH AMENITIES FOR ALL GENDERS.

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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>.)*

Effective January 1, 2024, the bill requires each newly constructed public building and each public building in which restroom renovations are estimated to cost \$10,000 or more that is wholly or partly owned by the state, a county, or a local municipality to:

- Provide a non-gendered restroom facility or a multi-stall

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.

non-gendered facility on each floor where restrooms are available;

- Ensure that all single-stall restrooms are not designated for exclusive use by any specific gender;
- Allow for the use of multi-stall restrooms by any gender if certain facility features are met under the 2021 International Plumbing Code; and
- Provide at least one safe, sanitary, and convenient baby diaper changing station that is accessible to the public on each floor where there is a public restroom in each gender-specific restroom, non-gendered multi-stall restroom, and non-gendered single-stall restroom.

The bill also requires each newly constructed public building and each public building in which restroom renovations are estimated to cost \$10,000 or more that is wholly or partly owned by the state, a county, or a local municipality to include signage indicating the presence of a baby diaper changing station with a pictogram that is void of gender in all restrooms with baby diaper changing stations, in all non-gendered restrooms, and in all single-stalled restrooms.

The bill also requires each newly constructed public building and each public building in which restroom renovations are estimated to cost \$10,000 or more that is wholly or partly owned by the state, a county, or a local municipality to indicate in the central building directory, if such a directory exists, the location of any baby diaper changing station and of any non-gendered restroom.

The bill exempts the requirements of including a baby diaper changing station in any restroom and any construction necessary to comply with providing an accessible non-gendered restroom if the requirement would result in failure to comply with applicable building standards governing the right of access for individuals with disabilities.

The bill clarifies that an employee with a designated workplace in a public building may undertake the complaint process for alleged discriminatory or unfair practices including the failure to comply with providing the required amenities to all genders, as required, with the Colorado civil rights division charged with the enforcement of the Colorado anti-discrimination act.

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

2       **SECTION 1.** In Colorado Revised Statutes, **add** article 5.7 to title  
3       9 as follows:

4                                       **ARTICLE 5.7**

1                                   **Amenities For All Genders In Public Buildings**

2                   **9-5.7-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
3 FINDS AND DECLARES:

4                   (a) THAT IT IS A MATTER OF STATEWIDE CONCERN TO PROMOTE  
5 THE PUBLIC WELFARE BY PROVIDING ACCESS TO NON-GENDERED  
6 RESTROOM FACILITIES INCLUDING BABY DIAPER CHANGING STATIONS FOR  
7 ALL GENDERS;

8                   (b) THE LACK OF ADEQUATE RESTROOM FACILITIES LEADS TO  
9 UNSAFE AND INEQUITABLE CONDITIONS FOR COLORADO CHILDREN,  
10 FAMILIES, AND COMMUNITIES. EXPERTS FROM HEALTH PROVIDERS TO  
11 FAITH LEADERS, INCLUDING THE OCCUPATIONAL SAFETY AND HEALTH  
12 ADMINISTRATION, STRESS THE NEED FOR SINGLE OCCUPANCY  
13 NON-GENDERED RESTROOMS AND MULTIPLE-OCCUPANT OR  
14 MULTIPLE-STALLED NON-GENDERED RESTROOMS TO BE ACCESSIBLE FOR  
15 ALL EMPLOYEES AND INDIVIDUALS. THE LACK OF ACCESSIBILITY TO  
16 RESTROOM FACILITIES THAT ARE CONSISTENT WITH AN INDIVIDUAL'S  
17 GENDER IDENTITY SINGLES OUT THOSE INDIVIDUALS AND CAN RESULT IN  
18 EXPERIENCES OF HARASSMENT AND CAUSE INDIVIDUALS TO AVOID  
19 RESTROOMS ENTIRELY, WHICH CAN LEAD TO POTENTIALLY SERIOUS  
20 PHYSICAL INJURY OR ILLNESS. ACCESS TO NON-GENDERED RESTROOMS  
21 HAS FAR-REACHING BENEFITS FOR PARENTS CARING FOR A CHILD OF THE  
22 OPPOSITE GENDER, INCLUDING PARENTS WITH YOUNG CHILDREN WHO NEED  
23 TO ACCESS A CHANGING TABLE AND DISABLED INDIVIDUALS WHO HAVE A  
24 CARETAKER OF A DIFFERENT GENDER TO ASSIST THEM.

25                   (c) MEN'S RESTROOMS AND SINGLE-STALL RESTROOMS TYPICALLY  
26 DO NOT PROVIDE BABY DIAPER CHANGING STATIONS. THIS CREATES  
27 ACCESSIBILITY INEQUITY FOR PARENTS AND CARE PROVIDERS WHO DO NOT

1 IDENTIFY AS WOMEN OR WHO MAY NOT BE COMFORTABLE USING WOMEN'S  
2 RESTROOMS AND CREATES A HEALTH AND SAFETY PROBLEM FOR BABIES.  
3 WITHOUT CLEAN, SAFE DIAPER CHANGING STATIONS, THESE CARE  
4 PROVIDERS MAY BE FORCED TO RESORT TO UNSAFE AND UNSANITARY  
5 LOCATIONS, SUCH AS RESTROOM FLOORS, TO CHANGE BABIES' DIAPERS.  
6 REQUIRING EQUITABLE ACCESS TO AMENITIES IN PUBLIC RESTROOMS  
7 WOULD MAKE IT EASIER FOR PARENTS AND CARE PROVIDERS OF ALL  
8 GENDERS TO FIND A SAFE, SUITABLE PLACE TO CHANGE DIAPERS.  
9 PROVIDING SAFE, RELIABLE, AND CLEAN BABY DIAPER CHANGING  
10 STATIONS IN ALL RESTROOM FACILITIES ENABLES BETTER CARETAKING FOR  
11 INFANTS BY ALL PARENTS AND CARE PROVIDERS, AND SAFER CONDITIONS  
12 FOR INFANTS.

13 (d) REQUIRING ALL SINGLE-STALL RESTROOMS TO BE DESIGNATED  
14 FOR USE BY ANY GENDER REDUCES WAIT TIMES AND INCREASES COMFORT  
15 AND ACCESSIBILITY FOR CARE PROVIDERS AND PEOPLE RECEIVING CARE,  
16 INDIVIDUALS WITH DIVERSE GENDER EXPRESSIONS, AND LGBT  
17 INDIVIDUALS. FOR INDIVIDUALS WITH DIVERSE GENDER EXPRESSIONS OR  
18 LGBT INDIVIDUALS, USING GENDERED FACILITIES CAN POSE HEALTH AND  
19 SAFETY ISSUES STEMMING FROM EXPERIENCES OF HARASSMENT AND  
20 PHYSICAL THREATS IN GENDERED FACILITIES, REGARDLESS OF WHICH  
21 GENDERED FACILITY THEY USE OR OF THEIR PHYSICAL PRESENTATION. DUE  
22 TO THESE EXPERIENCES AND ASSOCIATED STIGMA, SOME PEOPLE AVOID  
23 USING PUBLIC RESTROOMS WHENEVER POSSIBLE AND MAY REFRAIN FROM  
24 EATING, DRINKING, OR RELIEVING THEMSELVES FOR EXTENDED PERIODS  
25 OF TIME IN ORDER TO AVOID GENDERED FACILITIES. DELAYING OR  
26 AVOIDING USING THE RESTROOM CAN HAVE PHYSICAL HEALTH  
27 IMPLICATIONS.

1 (e) THE "INTERNATIONAL PLUMBING CODE" (I.P.C.), 2021,  
2 INCLUDES TWO AMENDMENTS REGARDING NON-GENDERED RESTROOMS.  
3 ONE AMENDMENT REQUIRES SIGNAGE ON SINGLE-USER RESTROOMS TO  
4 INDICATE THAT THEY ARE OPEN TO ANY USER REGARDLESS OF GENDER.  
5 THE OTHER AMENDMENT ALLOWS THE CREATION OF NON-GENDERED  
6 MULTI-STALL DESIGNS WITH SHARED SINKS AND EACH TOILET IN A PRIVATE  
7 COMPARTMENT.

8 (f) THE "INTERNATIONAL BUILDING CODE" (I.B.C.), 2021,  
9 REQUIRES THAT SINGLE-OCCUPANCY RESTROOMS BE IDENTIFIED FOR USE  
10 BY ALL INDIVIDUALS REGARDLESS OF SEX AND ALLOWS FOR MULTI-USER  
11 FACILITIES TO SERVE ALL GENDERS. THE COLORADO STATE ARCHITECT  
12 ADOPTS CODES FOR CONSTRUCTION AT ALL STATE-OWNED BUILDINGS AND  
13 FACILITIES, AND HAS ADOPTED THE 2021 EDITION OF THE "INTERNATIONAL  
14 BUILDING CODE".

15 (g) IT IS A MATTER OF STATEWIDE CONCERN AND THE POLICY OF  
16 THE STATE TO PROMOTE PUBLIC WELFARE BY PROVIDING SAFE, SANITARY,  
17 AND CONVENIENT BABY DIAPER CHANGING STATIONS FOR PEOPLE OF ALL  
18 GENDERS INCLUDING THOSE OUTSIDE THE GENDER BINARY.

19 **9-5.7-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
20 CONTEXT OTHERWISE REQUIRES:

21 (1) "GENDER-SPECIFIC RESTROOM" MEANS A RESTROOM THAT IS  
22 DESIGNATED FOR USE BY ONLY ONE GENDER.

23 (2) "LGBT INDIVIDUAL" MEANS AN INDIVIDUAL WHO IS A MEMBER  
24 OF THE LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND NON-BINARY  
25 COMMUNITY.

26 (3) "NON-GENDERED MULTI-STALL RESTROOM" MEANS A  
27 RESTROOM WITH MULTIPLE TOILETS THAT IS AVAILABLE FOR USE BY

1 PEOPLE OF ANY GENDER, INCLUDING A RESTROOM WITH SHARED SINKS BUT  
2 EACH TOILET IS IN A PRIVATE COMPARTMENT.

3 (4) "NON-GENDERED SINGLE-STALL RESTROOM" MEANS A  
4 RESTROOM AVAILABLE FOR USE BY PEOPLE OF ANY GENDER THAT IS A  
5 FULLY ENCLOSED ROOM WITH A LOCKING MECHANISM CONTROLLED BY  
6 THE USER AND CONTAINS A SINK, TOILET, AND NO MORE THAN ONE  
7 URINAL.

8 **9-5.7-103. Restrooms - baby diaper changing stations -**  
9 **applicability - signage - enforcement.** (1) ON AND AFTER JANUARY 1,  
10 2024, A PUBLIC BUILDING THAT IS WHOLLY OR PARTIALLY OWNED,  
11 OPERATED, OR CONTROLLED BY THE STATE, INCLUDING A STATE AGENCY,  
12 BY A COUNTY, OR BY A LOCAL MUNICIPALITY THAT IS CONSTRUCTED OR  
13 RENOVATED MUST:

14 (a) PROVIDE A NON-GENDERED SINGLE-STALL RESTROOM OR A  
15 NON-GENDERED MULTI-STALL RESTROOM ON EACH FLOOR WHERE A  
16 RESTROOM IS PUBLICLY AVAILABLE;

17 (b) ENSURE THAT ANY SINGLE-STALL RESTROOM IS NOT A  
18 GENDER-SPECIFIC RESTROOM; AND

19 (c) ALLOW FOR THE USE OF A MULTI-STALL RESTROOM BY ANY  
20 GENDER IF CERTAIN FACILITY FEATURES ARE MET PURSUANT TO THE  
21 "INTERNATIONAL PLUMBING CODE" (I.P.C.), 2021; AND

22 (d) PROVIDE AT LEAST ONE SAFE, SANITARY, AND CONVENIENT  
23 BABY DIAPER CHANGING STATION THAT IS ACCESSIBLE TO THE PUBLIC ON  
24 EACH FLOOR WHERE THERE IS A PUBLIC RESTROOM IN EACH  
25 GENDER-SPECIFIC RESTROOM, NON-GENDERED MULTI-STALL RESTROOM,  
26 ANDNON-GENDERED SINGLE-STALL RESTROOM IF SUCH RESTROOMS EXIST;  
27 AND

1           (e) ENSURE THAT EACH BABY DIAPER CHANGING STATION IS  
2 MAINTAINED, REPAIRED, AND REPLACED AS NECESSARY TO ENSURE  
3 SAFETY AND EASE OF USE AND MUST BE CLEANED WITH THE SAME  
4 FREQUENCY AS THE RESTROOM IN WHICH IT IS LOCATED.

5           (2)(a) ANY RESTROOM IN A PUBLIC BUILDING WITH A BABY DIAPER  
6 CHANGING STATION MUST HAVE SIGNAGE THAT HAS A PICTOGRAM VOID OF  
7 GENDER THAT INDICATES THE PRESENCE OF THE BABY DIAPER CHANGING  
8 STATION. ANY NON-GENDERED MULTI-STALL RESTROOM OR  
9 NON-GENDERED SINGLE-STALL RESTROOM IN A PUBLIC BUILDING MUST  
10 HAVE SIGNAGE THAT HAS A PICTOGRAM VOID OF GENDER.

11           (b) EACH PUBLIC BUILDING MUST INCLUDE SIGNAGE AT OR NEAR  
12 THE ENTRANCE TO THE BUILDING INDICATING THE LOCATION OF ANY BABY  
13 DIAPER CHANGING STATION. IF THERE IS A CENTRAL DIRECTORY  
14 IDENTIFYING, FOR THE BENEFIT OF THE PUBLIC, THE LOCATION OF OFFICES,  
15 RESTROOMS, AND OTHER FACILITIES IN THE BUILDING, THAT CENTRAL  
16 DIRECTORY MUST INDICATE WITH A PICTOGRAM VOID OF GENDER THE  
17 LOCATION OF ANY BABY DIAPER CHANGING STATION AND THE LOCATION  
18 OF ANY NON-GENDERED MULTI-STALL RESTROOM OR NON-GENDERED  
19 SINGLE-STALL RESTROOM.

20           (c) ALL PUBLIC BUILDINGS WITH EXISTING GENDER-SPECIFIC  
21 RESTROOMS, NON-GENDERED MULTI-STALL RESTROOMS, OR  
22 NON-GENDERED SINGLE-STALL RESTROOMS MUST UPDATE SIGNAGE, IF  
23 NECESSARY, TO A PICTOGRAM VOID OF GENDER.

24           (3)(a) SUBSECTIONS (1) AND (2) OF THIS SECTION APPLY TO A  
25 PUBLIC BUILDING CONSTRUCTED ON OR AFTER JANUARY 1, 2024, AND,  
26 EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3)(b) OF THIS SECTION,  
27 TO ALL RENOVATIONS OF RESTROOMS MADE ON OR AFTER JANUARY 1,

1 2024, FOR WHICH A PERMIT HAS BEEN OBTAINED AND FOR WHICH THE  
2 ESTIMATED COST OF THE NEW CONSTRUCTION OR RENOVATION IS TEN  
3 THOUSAND DOLLARS OR MORE.

4 (b) SUBSECTION (1)(d) OF THIS SECTION DOES NOT APPLY TO A  
5 RENOVATION IF A LOCAL BUILDING PERMITTING ENTITY OR BUILDING  
6 INSPECTOR DETERMINES THAT THE INSTALLATION OF A BABY DIAPER  
7 CHANGING STATION IN ACCORDANCE WITH SUBSECTION (1)(d) OF THIS  
8 SECTION WOULD RESULT IN A FAILURE TO COMPLY WITH APPLICABLE  
9 BUILDING STANDARDS GOVERNING THE RIGHT OF ACCESS FOR INDIVIDUALS  
10 WITH DISABILITIES. THE PERMITTING ENTITY OR BUILDING INSPECTOR MAY  
11 GRANT AN EXEMPTION FROM THE REQUIREMENTS OF THIS SECTION UNDER  
12 THOSE CIRCUMSTANCES, PROVIDED THAT THERE IS DOCUMENTATION  
13 DEMONSTRATING THAT NO ALTERNATIVE DESIGN IS POSSIBLE THAT  
14 COMPLIES WITH THE RIGHT OF ACCESS FOR INDIVIDUALS WITH DISABILITIES  
15 AND A GOOD FAITH ATTEMPT HAS BEEN MADE TO DESIGN A RESTROOM IN  
16 A MANNER THAT WOULD ACCOMMODATE INDIVIDUALS WITH DISABILITIES  
17 AND THE INSTALLATION OF A BABY DIAPER CHANGING STATION IN  
18 ACCORDANCE WITH SUBSECTION (1)(d) OF THIS SECTION.

19 (4) ANY EMPLOYEE WITH A DESIGNATED WORKPLACE THAT IS A  
20 PUBLIC BUILDING WHO CLAIMS TO BE AGGRIEVED BY A DISCRIMINATORY  
21 OR UNFAIR PRACTICE AS DEFINED BY PART 4 OF ARTICLE 34 OF TITLE 24,  
22 INCLUDING FAILURE TO COMPLY WITH THIS ARTICLE 5.7, MAY  
23 INDIVIDUALLY OR THROUGH THEIR ATTORNEY-AT-LAW MAKE, SIGN, AND  
24 FILE WITH THE COLORADO CIVIL RIGHTS DIVISION, CREATED IN SECTION  
25 24-34-302, A VERIFIED WRITTEN CHARGE STATING THE NAME AND  
26 ADDRESS OF THE RESPONDENT ALLEGED TO HAVE COMMITTED THE  
27 DISCRIMINATORY OR UNFAIR PRACTICE, SETTING FORTH THE PARTICULARS



1 OF THE ALLEGED DISCRIMINATORY OR UNFAIR PRACTICE, AND CONTAINING  
2 ANY OTHER INFORMATION REQUIRED BY THE COLORADO CIVIL RIGHTS  
3 DIVISION.

4 **SECTION 2. Act subject to petition - effective date.** This act  
5 takes effect at 12:01 a.m. on the day following the expiration of the  
6 ninety-day period after final adjournment of the general assembly; except  
7 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
8 of the state constitution against this act or an item, section, or part of this  
9 act within such period, then the act, item, section, or part will not take  
10 effect unless approved by the people at the general election to be held in  
11 November 2023 and, in such case, will take effect on the date of the  
12 official declaration of the vote thereon by the governor.