

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. 24-0504.01 Jed Franklin x5484

HOUSE BILL 24-1124

HOUSE SPONSORSHIP

Soper and Mabrey,

SENATE SPONSORSHIP

Will and Gonzales,

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING DISCRIMINATION IN PLACES OF PUBLIC**
102 **ACCOMMODATION.**

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 makes the place of business of any person that is listed as an exempt organization in 26 U.S.C. sec. 501 (c), that is exempt from taxation pursuant to 26 U.S.C. sec. 501 (a) of the federal "Internal Revenue Code of 1986", as amended, and that is operating a place of business engaged in any sales to the public or offering services, facilities, privileges, advantages, or accommodations to the public is a place of

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
April 10, 2024

public accommodation subject to the provisions of the Colorado anti-discrimination act (act). A person may be fined \$10,000 for violating the act.

The bill prohibits viewpoint discrimination in places of public accommodation, unless the reason for the discrimination is based on a bona fide concern for the well-being of the nonprofit.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-601, **amend**
3 **(1)**; and **add** (4) and (5) as follows:

4 **24-34-601. Discrimination in places of public accommodation**
5 **- definition.** (1) As used in this part 6, "place of public accommodation"
6 means any place of **business** engaged in any sales to the public and any
7 place offering services, facilities, privileges, advantages, or
8 accommodations to the public, including but not limited to any **business**
9 offering wholesale or retail sales to the public; any place to eat, drink,
10 sleep, or rest, or any combination thereof; any sporting or recreational
11 area and facility; any public transportation facility; a barber shop,
12 bathhouse, swimming pool, bath, steam or massage parlor, gymnasium,
13 or other establishment conducted to serve the health, appearance, or
14 physical condition of a person; a campsite or trailer camp; a dispensary,
15 clinic, hospital, convalescent home, or other institution for the sick,
16 ailing, aged, or infirm; a mortuary, undertaking parlor, or cemetery; an
17 educational institution; or any public building, park, arena, theater, hall,
18 auditorium, museum, library, exhibit, or public facility of any kind
19 whether indoor or outdoor. "Place of public accommodation" ~~shall~~ DOES
20 not include a church, synagogue, mosque, or other place that is principally
21 used for religious purposes.

22 (2) (a) It is a discriminatory practice and unlawful for a person,

1 directly or indirectly, to refuse, withhold from, or deny to an individual
2 or a group, because of disability, race, creed, color, sex, sexual
3 orientation, gender identity, gender expression, marital status, national
4 origin, or ancestry the full and equal enjoyment of the goods, services,
5 facilities, privileges, advantages, or accommodations of a place of public
6 accommodation or, directly or indirectly, to publish, circulate, issue,
7 display, post, or mail any written, electronic, or printed communication,
8 notice, or advertisement that indicates that the full and equal enjoyment
9 of the goods, services, facilities, privileges, advantages, or
10 accommodations of a place of public accommodation will be refused,
11 withheld from, or denied an individual or that an individual's patronage
12 or presence at a place of public accommodation is unwelcome,
13 objectionable, unacceptable, or undesirable because of disability, race,
14 creed, color, sex, sexual orientation, gender identity, gender expression,
15 marital status, national origin, or ancestry.

16 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
17 REQUIRES, "NONPROFIT" MEANS ANY PERSON THAT IS LISTED AS AN
18 EXEMPT ORGANIZATION IN 26 U.S.C. SEC. 501 (c) AND THAT IS EXEMPT
19 FROM TAXATION PURSUANT TO 26 U.S.C. SEC. 501 (a) OF THE FEDERAL
20 "INTERNAL REVENUE CODE OF 1986", AS AMENDED.

21 (5) A NONPROFIT DOES NOT DIRECTLY OR INDIRECTLY PARTICIPATE
22 OR INTERVENE IN A POLITICAL CAMPAIGN MERELY BY RENTING OUT SPACE
23 FOR A POLITICAL EVENT AT THE NONPROFIT'S CUSTOMARY AND USUAL
24 RATES.

25
26 **SECTION 2.** In Colorado Revised Statutes, 24-34-602, **amend**
27 (1)(a) as follows:

1 **24-34-602. Penalty and civil liability.** (1) (a) Any person who
2 violates section 24-34-601 shall be fined ~~not less than fifty dollars nor~~
3 ~~more than five hundred~~ **THREE THOUSAND FIVE HUNDRED** dollars for each
4 violation. A person aggrieved by the violation of section 24-34-601 shall
5 MAY bring an action in any court of competent jurisdiction in the county
6 where the violation occurred. Upon finding a violation, the court shall
7 order the defendant to pay the fine to the aggrieved party **AND TO COMPLY**
8 **WITH THE PROVISIONS OF SECTION 24-34-601.**

9 **SECTION 3. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly; except
12 that, if a referendum petition is filed pursuant to section 1 (3) of article V
13 of the state constitution against this act or an item, section, or part of this
14 act within such period, then the act, item, section, or part will not take
15 effect unless approved by the people at the general election to be held in
16 November 2024 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.