

CHAPTER 224

GOVERNMENT - STATE

HOUSE BILL 24-1124

BY REPRESENTATIVE(S) Soper and Mabrey, Bacon, Boesenecker, Brown, Clifford, Duran, Epps, Froelich, Hernandez, Kipp, Lieder, Lindsay, Martinez, Parenti, Rutinel, Story, Valdez, Vigil, Willford;
also SENATOR(S) Gonzales, Cutter, Exum, Jaquez Lewis, Kolker, Marchman, Michaelson Jenet, Priola, Winter F.

AN ACT**CONCERNING DISCRIMINATION IN PLACES OF PUBLIC ACCOMMODATION.**

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

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

24-34-601. Discrimination in places of public accommodation - definition.

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

(2) (a) It is a discriminatory practice and unlawful for a person, directly or indirectly, to refuse, withhold from, or deny to an individual or a group, because of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, or ancestry the full and equal enjoyment

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or, directly or indirectly, to publish, circulate, issue, display, post, or mail any written, electronic, or printed communication, notice, or advertisement that indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation will be refused, withheld from, or denied an individual or that an individual's patronage or presence at a place of public accommodation is unwelcome, objectionable, unacceptable, or undesirable because of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, or ancestry.

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

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

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

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

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

Approved: May 22, 2024