

SENATE COMMITTEE OF REFERENCE AMENDMENT
Committee on Education.

SB21-116 be amended as follows:

1 Amend printed bill, page 5, line 15, after "mascots" insert "-
2 exemptions".

3 Page 5, strike line 26 and substitute:

4 "(2) (a) EXCEPT AS PROVIDED FOR IN SUBSECTION (2)(b) OF THIS
5 SECTION, ON OR AFTER JUNE 1, 2022, A PUBLIC INSTITUTION OF HIGHER".

6 Page 6, after line 3, insert:

7 "(b) THE PROHIBITION SET FORTH IN SUBSECTION (2)(a) OF THIS
8 SECTION DOES NOT APPLY TO:

9 (I) (A) THE ABILITY OF ANY FEDERALLY RECOGNIZED INDIAN
10 TRIBE TO CREATE AND MAINTAIN A RELATIONSHIP OR AGREEMENT WITH A
11 PUBLIC SCHOOL THAT FOSTERS GOODWILL, EMPHASIZES EDUCATION AND
12 SUPPORTS A CURRICULUM THAT TEACHES AMERICAN INDIAN HISTORY,
13 AND ENCOURAGES A POSITIVE CULTURAL EXCHANGE. SUCH
14 RELATIONSHIPS AND AGREEMENTS MAY INCLUDE IMPORTANT HISTORICAL
15 FIGURES, NAMES, IMAGERY, TRIBAL NAMES, AND MORE.

16 (B) ANY SUCH AGREEMENT ENTERED INTO BETWEEN A PUBLIC
17 SCHOOL AND A FEDERALLY RECOGNIZED INDIAN TRIBE AFTER JUNE 30,
18 2021, MUST BE MADE IN CONSULTATION WITH THE FEDERALLY
19 RECOGNIZED INDIAN TRIBE AND ONLY IF SUCH TRIBE WISHES TO ENTER
20 INTO THE AGREEMENT. THE AGREEMENT MAY ALLOW THE PUBLIC SCHOOL
21 TO USE AN AMERICAN INDIAN MASCOT, BUT ONLY IF THE AMERICAN
22 INDIAN MASCOT IS SPECIFICALLY NAMED AFTER THE FEDERALLY
23 RECOGNIZED INDIAN TRIBE THAT IS A PARTY TO THE AGREEMENT. IN ANY
24 SUCH AGREEMENT, THE TRIBAL NAME USED IS SELECTED AT THE
25 DISCRETION OF THE FEDERALLY RECOGNIZED INDIAN TRIBE THAT IS A
26 PARTY TO THE AGREEMENT. ANY FEDERALLY RECOGNIZED INDIAN TRIBE
27 THAT HAS ENTERED INTO SUCH AN AGREEMENT HAS THE RIGHT AND
28 ABILITY TO REVOKE ANY SUCH AGREEMENT AT ANY TIME AT ITS
29 DISCRETION.

30 (C) FOR THE PURPOSES OF THIS SECTION, A "FEDERALLY
31 RECOGNIZED INDIAN TRIBE" IS ONE OF THE FORTY-EIGHT CONTEMPORARY
32 TRIBES WITH TIES TO COLORADO, DEVELOPED BY HISTORY COLORADO IN
33 PARTNERSHIP WITH THE COLORADO COMMISSION OF INDIAN AFFAIRS. THIS
34 LIST MAY CHANGE OVER TIME BUT IS THE OFFICIAL LIST TO BE USED FOR
35 THE PURPOSES OF THIS SECTION."

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