

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

SB21-116 be amended as follows:

1 Amend printed bill, page 4, line 12, after "**mascots**" insert "-  
2 **exemptions**".

3 Page 5, strike line 1 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 SCHOOL IN THE STATE IS".

6 Page 5, after line 5, 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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