

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0862.01 Chelsea Princell x4335

HOUSE BILL 26-1335

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HOUSE SPONSORSHIP

Garcia and Nguyen,

SENATE SPONSORSHIP

Wallace,

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House Committees  
Education

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING ACCESS TO ABORTION MEDICATION SERVICES ON  
102 COLORADO COLLEGE CAMPUSES.

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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>.)*

The bill requires an institution of higher education (institution) that operates a student health center to provide on-site abortion medication services through the student health center.

The bill requires an institution that has an on-site pharmacy to maintain a stock of abortion medication to dispense to students enrolled at the institution.

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.*

The bill requires an institution that does not have an on-site pharmacy to either submit a prescription for abortion medication to a pharmacy located off campus or dispense abortion medication through the institution's student health center if permitted by the student health center's licensure.

An institution is not required to provide access to or stock abortion medication if doing so would conflict with the institution's bona fide religious beliefs or practices.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Access to reproductive health care is a fundamental right for  
5 every individual in Colorado under the state constitution;

6 (b) The state equal rights amendment, or ERA, article II, section  
7 29 of the state constitution, establishes that "[e]quality of rights under the  
8 law shall not be denied or abridged by the state of Colorado or any of its  
9 political subdivisions on account of sex";

10 (c) Gender equality is fundamental to ensure full participation in  
11 society for all individuals, and true equality cannot be achieved without  
12 access to reproductive health care, including abortion;

13 (d) Despite the state ERA, sex discrimination in Colorado persists,  
14 including discrimination based on sexual orientation, gender identity, and  
15 pregnancy, resulting in inequitable access to reproductive health care,  
16 including abortion;

17 (e) Institutions of higher education serve a diverse student body,  
18 including women, transgender men, and nonbinary individuals, all of  
19 whom may require abortion medication services as part of their  
20 reproductive health care;

21 (f) Providing reproductive health care, including abortion

1 medication, is a generally accepted standard of medical practice that  
2 promotes gender equity for students at all institutions of higher education,  
3 including rural and underserved areas; and

4 (g) It is necessary to establish requirements for institutions of  
5 higher education that operate student health centers to ensure access to  
6 abortion medication services consistent with that right.

7 **SECTION 2.** In Colorado Revised Statutes, **add 23-5-151** as  
8 follows:

9 **23-5-151. Abortion medication access - student health centers**  
10 **- data privacy - definitions.**

11 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
12 REQUIRES:

13 (a) "ABORTION MEDICATION" MEANS A PRESCRIPTION DRUG OR A  
14 COMBINATION OF PRESCRIPTION DRUGS USED TO TERMINATE THE  
15 PREGNANCY OF AN INDIVIDUAL KNOWN OR REASONABLY BELIEVED TO BE  
16 PREGNANT.

17 (b) "INSTITUTION" MEANS A STATE INSTITUTION OF HIGHER  
18 EDUCATION, AS DEFINED IN SECTION 23-18-102 (10)(a); A LOCAL DISTRICT  
19 COLLEGE, AS DEFINED IN SECTION 23-71-102; A PRIVATE INSTITUTION OF  
20 HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102 (9); AND A  
21 PARTICIPATING PRIVATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED  
22 IN SECTION 23-18-102 (8).

23 (c) "LEGALLY PROTECTED HEALTH-CARE ACTIVITY" HAS THE  
24 MEANING SET FORTH IN SECTION 12-30-121 (1)(d).

25 (d) "STUDENT HEALTH CENTER" MEANS A HEALTH CLINIC OR  
26 HEALTH-CARE FACILITY LOCATED ON AN INSTITUTION'S CAMPUS THAT  
27 PROVIDES HEALTH-CARE SERVICES TO STUDENTS ENROLLED AT THE

1 INSTITUTION.

2 (2) ON AND AFTER AUGUST 1, 2027, AN INSTITUTION THAT  
3 OPERATES A STUDENT HEALTH CENTER SHALL PROVIDE ACCESS TO  
4 ABORTION MEDICATION TO ALL STUDENTS ENROLLED AT THE INSTITUTION.  
5 ACCESS TO ABORTION MEDICATION MUST BE PROVIDED IN ACCORDANCE  
6 WITH GENERALLY ACCEPTED STANDARDS OF MEDICAL PRACTICE.

7 (3) (a) IF AN INSTITUTION'S STUDENT HEALTH CENTER INCLUDES  
8 AN ON-SITE PHARMACY, THE INSTITUTION'S ON-SITE PHARMACY MUST  
9 MAINTAIN A STOCK OF ABORTION MEDICATION AND PROVIDE ACCESS TO  
10 ABORTION MEDICATION TO STUDENTS ENROLLED AT THE INSTITUTION AT  
11 A PHYSICAL LOCATION ON THE INSTITUTION'S CAMPUS, WHICH MAY  
12 INCLUDE:

13 (I) THE ON-SITE PHARMACY;

14 (II) THE STUDENT HEALTH CENTER, THROUGH A HEALTH-CARE  
15 PROVIDER LICENSED TO DISPENSE ABORTION MEDICATION; OR

16 (III) ANOTHER PHYSICAL LOCATION ON THE INSTITUTION'S CAMPUS  
17 WHERE STUDENTS ENROLLED AT THE INSTITUTION CUSTOMARILY ACCESS  
18 PRESCRIPTION MEDICATIONS.

19 (b) A STUDENT ENROLLED AT AN INSTITUTION MAY ELECT TO FILL  
20 A PRESCRIPTION FOR ABORTION MEDICATION AT A PHARMACY LOCATED  
21 OFF CAMPUS THAT IS UNAFFILIATED WITH THE INSTITUTION.

22 (c) NOTHING IN THIS SUBSECTION (3) PROHIBITS AN INSTITUTION  
23 THAT HAS AN ON-SITE PHARMACY FROM UTILIZING TELEHEALTH SERVICES  
24 OR FROM CONTRACTING WITH AN EXTERNAL HEALTH-CARE PROVIDER TO  
25 ENSURE STUDENT ACCESS TO ABORTION MEDICATION.

26 (4) IF AN INSTITUTION'S STUDENT HEALTH CENTER DOES NOT  
27 INCLUDE AN ON-SITE PHARMACY, THE STUDENT HEALTH CENTER SHALL

1 MAKE ABORTION MEDICATION AVAILABLE TO STUDENTS ENROLLED AT THE  
2 INSTITUTION EITHER BY:

3 (a) SUBMITTING A PRESCRIPTION FOR ABORTION MEDICATION TO  
4 BE FILLED AT AN OFF-CAMPUS PHARMACY; OR

5 (b) DISPENSING ABORTION MEDICATION THROUGH A PROVIDER ON  
6 STAFF AT THE STUDENT HEALTH CENTER, IF PERMITTED BY THE STUDENT  
7 HEALTH CENTER'S LICENSURE.

8 (5) EXCEPT AS OTHERWISE REQUIRED BY FEDERAL LAW, AN  
9 INSTITUTION SHALL NOT KNOWINGLY PROVIDE PERSONALLY IDENTIFIABLE  
10 INFORMATION CONTAINED IN A STUDENT'S PATIENT RECORDS, BILLING  
11 RECORDS, OR PRECISE LOCATION DATA RELATED TO A LEGALLY  
12 PROTECTED HEALTH-CARE ACTIVITY IN RESPONSE TO A REQUEST FROM  
13 ANOTHER STATE SEEKING TO IMPOSE LIABILITY FOR THE LEGALLY  
14 PROTECTED HEALTH-CARE ACTIVITY.

15 (6) A PROFESSIONAL LIABILITY INSURER MUST NOT CANCEL,  
16 REFUSE TO RENEW, OR INCREASE PREMIUMS ON A POLICY COVERING AN  
17 INSTITUTION AS A RESULT OF THE INSTITUTION'S COMPLIANCE WITH THIS  
18 SECTION.

19 (7) THIS SECTION DOES NOT:

20 (a) PERMIT AN INSTITUTION OR HEALTH-CARE PROVIDER TO  
21 VIOLATE APPLICABLE FEDERAL LAW OR REGULATION, INCLUDING THE  
22 UNITED STATES FOOD AND DRUG ADMINISTRATION'S REGULATIONS;

23 (b) REQUIRE AN INDIVIDUAL OR ENTITY TO ACT IN VIOLATION OF  
24 A VALID COURT ORDER ISSUED BY A COURT OF COMPETENT JURISDICTION;  
25 OR

26 (c) REQUIRE AN INSTITUTION'S STUDENT HEALTH CENTER TO  
27 PROVIDE ACCESS TO OR STOCK ABORTION MEDICATION IF DOING SO IS

1 CONTRARY TO THE INSTITUTION'S BONA FIDE RELIGIOUS BELIEFS OR  
2 PRACTICES.

3           **SECTION 3. Safety clause.** The general assembly finds,  
4 determines, and declares that this act is necessary for the immediate  
5 preservation of the public peace, health, or safety or for appropriations for  
6 the support and maintenance of the departments of the state and state  
7 institutions.