

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0862.01 Chelsea Princell x4335

**HOUSE BILL 26-1335**

---

**HOUSE SPONSORSHIP**

**Garcia and Nguyen,**

**SENATE SPONSORSHIP**

**Wallace,**

---

**House Committees**  
Education

**Senate Committees**

---

**A BILL FOR AN ACT**

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

---

**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.

---

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) "OTHER OUTLET" HAS THE MEANING SET FORTH IN SECTION  
26 12-280-103.

27 (e) "PRESCRIPTION DRUG OUTLET" HAS THE MEANING SET FORTH

1 IN SECTION 12-280-103.

2 (f) "STUDENT HEALTH CENTER" MEANS A HEALTH CLINIC OR  
3 HEALTH-CARE FACILITY LOCATED ON AN INSTITUTION'S CAMPUS THAT  
4 PROVIDES PRIMARY CARE SERVICES OR REPRODUCTIVE HEALTH-CARE  
5 SERVICES TO STUDENTS ENROLLED AT THE INSTITUTION.

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

11 (3) (a) IF AN INSTITUTION'S STUDENT HEALTH CENTER INCLUDES  
12 AN ON-SITE PRESCRIPTION DRUG OUTLET OR OTHER OUTLET, THE  
13 INSTITUTION'S ON-SITE PRESCRIPTION DRUG OUTLET OR OTHER OUTLET  
14 MUST MAINTAIN A STOCK OF ABORTION MEDICATION AND PROVIDE ACCESS  
15 TO ABORTION MEDICATION TO STUDENTS ENROLLED AT THE INSTITUTION  
16 AT A PHYSICAL LOCATION ON THE INSTITUTION'S CAMPUS, WHICH MAY  
17 INCLUDE:

18 (I) THE ON-SITE PRESCRIPTION DRUG OUTLET OR OTHER OUTLET;

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

21 (III) ANOTHER PHYSICAL LOCATION ON THE INSTITUTION'S CAMPUS  
22 WHERE STUDENTS ENROLLED AT THE INSTITUTION CUSTOMARILY ACCESS  
23 PRESCRIPTION MEDICATIONS.

24 (b) A STUDENT ENROLLED AT AN INSTITUTION MAY ELECT TO FILL  
25 A PRESCRIPTION FOR ABORTION MEDICATION AT AN OFF-SITE PRESCRIPTION  
26 DRUG OUTLET OR OTHER OUTLET THAT IS UNAFFILIATED WITH THE  
27 INSTITUTION OR OTHERWISE SEEK ABORTION CARE FROM A HEALTH-CARE

1 PROVIDER THAT IS UNAFFILIATED WITH THE INSTITUTION.

2 (c) NOTHING IN THIS SUBSECTION (3) PROHIBITS AN INSTITUTION  
3 THAT HAS AN ON-SITE PRESCRIPTION DRUG OUTLET OR OTHER OUTLET  
4 FROM UTILIZING TELEHEALTH SERVICES OR FROM CONTRACTING WITH AN  
5 EXTERNAL HEALTH-CARE PROVIDER TO ENSURE STUDENT ACCESS TO  
6 ABORTION MEDICATION.

7 (4) IF AN INSTITUTION'S STUDENT HEALTH CENTER DOES NOT  
8 INCLUDE AN ON-SITE PRESCRIPTION DRUG OUTLET OR OTHER OUTLET, THE  
9 STUDENT HEALTH CENTER SHALL MAKE ABORTION MEDICATION  
10 AVAILABLE TO STUDENTS ENROLLED AT THE INSTITUTION EITHER BY:

11 (a) SUBMITTING A PRESCRIPTION FOR ABORTION MEDICATION TO  
12 BE FILLED AT AN OFF-CAMPUS PRESCRIPTION DRUG OUTLET OR OTHER  
13 OUTLET; OR

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

17 (5) EXCEPT AS OTHERWISE REQUIRED BY FEDERAL LAW OR VALID  
18 COURT ORDER ISSUED BY A COURT OF THIS STATE, AN INSTITUTION SHALL  
19 NOT KNOWINGLY PROVIDE PERSONALLY IDENTIFIABLE INFORMATION  
20 CONTAINED IN A STUDENT'S PATIENT RECORDS, BILLING RECORDS, OR  
21 PRECISE LOCATION DATA RELATED TO A LEGALLY PROTECTED  
22 HEALTH-CARE ACTIVITY IN RESPONSE TO A REQUEST FROM ANOTHER  
23 STATE SEEKING TO IMPOSE LIABILITY FOR THE LEGALLY PROTECTED  
24 HEALTH-CARE ACTIVITY. AN INSTITUTION SHALL MAINTAIN PERSONALLY  
25 IDENTIFIABLE INFORMATION IN COMPLIANCE WITH THE LAWS OF THIS  
26 STATE, INCLUDING LIMITATIONS ON INFORMATION DISCLOSURE PURSUANT  
27 TO SECTION 24-116-102.

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

5 (7) THIS SECTION DOES NOT:

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

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

11

12 (c) REQUIRE AN INSTITUTION'S STUDENT HEALTH CENTER TO  
13 PROVIDE ACCESS TO OR STOCK ABORTION MEDICATION IF DOING SO IS  
14 CONTRARY TO THE INSTITUTION'S SINCERELY HELD RELIGIOUS BELIEFS OR  
15 PRACTICES;

16 (d) REQUIRE A HEALTH-CARE PROVIDER, INSTITUTION, OR STUDENT  
17 HEALTH CENTER TO PROVIDE ACCESS TO OR STOCK ABORTION MEDICATION  
18 IF DOING SO WOULD VIOLATE FEDERAL LAW OR REGULATIONS OR WOULD  
19 JEOPARDIZE AN INSTITUTION'S FEDERAL GRANT PARTICIPATION;

20 (e) REQUIRE AN INSTITUTION OR A STUDENT HEALTH CENTER TO  
21 DEVIATE FROM GENERALLY ACCEPTED BILLING PRACTICES; OR

22 (f) MODIFY THE GENERALLY ACCEPTED STANDARDS OF MEDICAL  
23 PRACTICE IN THIS STATE OR PROHIBIT A HEALTH-CARE PROVIDER FROM  
24 MAKING A REFERRAL TO ANOTHER HEALTH-CARE PROVIDER OR  
25 HEALTH-CARE FACILITY WHEN, IN THE HEALTH-CARE PROVIDER'S CLINICAL  
26 JUDGEMENT, A STUDENT'S INDIVIDUAL CIRCUMSTANCES REQUIRE THE  
27 REFERRAL.

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