

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 26-0691.01 Chelsea Princell x4335

HOUSE BILL 26-1322

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A BILL FOR AN ACT

101 **CONCERNING CIVIL ACTIONS AGAINST CERTAIN INDIVIDUALS**
102 **ENGAGING IN CONVERSION THERAPY EFFORTS.**

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 establishes a cause of action for claims of injury caused by sexual orientation or gender identity change efforts (efforts) against a mental health professional and allows the cause of action to be commenced at any time without limitation.

The bill applies to a cause of action brought against a licensed mental health professional who conducted the efforts; an individual or

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.

SENATE
3rd Reading Unamended
May 5, 2026

SENATE
Amended 2nd Reading
May 4, 2026

HOUSE
3rd Reading Unamended
April 2, 2026

HOUSE
Amended 2nd Reading
April 1, 2026

entity that hired, supervised, or otherwise exercised authority over the mental health professional; and a person who negligently hired, supervised, or retained a licensed mental health professional to engage in the efforts.

The bill permits the injured individual, or the individual's personal representative or estate if the individual is deceased, to be awarded economic, noneconomic, and exemplary damages and sets forth the manner in which causation may be established to show a connection between the efforts the individual underwent and the harm the individual suffers.

The bill states what an expert witness may address in the expert's testimony regarding the efforts the individual underwent and the harm the individual suffered.

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) The American Psychological Association, the American
5 Psychiatric Association, the American Academy of Pediatrics, the
6 American Medical Association, the American Counseling Association,
7 the American Academy of Child and Adolescent Psychiatry, the
8 American School Counselor Association, the National Association of
9 Social Workers, and other mental health and medical organizations in the
10 United States have determined that efforts to change an individual's
11 sexual orientation or gender identity are harmful and ineffective;

12 (b) In 2009, the American Psychological Association Task Force
13 on Appropriate Therapeutic Responses to Sexual Orientation conducted
14 a systematic review of peer-reviewed research and concluded that sexual
15 orientation change efforts are unlikely to be successful and involve risk
16 of harm, including depression, suicidality, and anxiety;

17 (c) In 2021, the American Psychological Association adopted a
18 resolution calling for the elimination of sexual orientation and gender

1 identity change efforts, concluding that sexual orientation and gender
2 identity change efforts are harmful and ineffective in changing a person's
3 sexual orientation or gender identity;

4 (d) The scientific and clinical consensus establishes that sexual
5 orientation or gender identity change efforts pose serious risks of harm to
6 patients, including depression, guilt, helplessness, hopelessness, shame,
7 social withdrawal, suicidality, substance abuse, stress, self-blame,
8 decreased self-esteem, feelings of anger and betrayal, loss of religious
9 faith, alienation from family, problems in sexual and emotional intimacy,
10 sexual dysfunction, high-risk sexual behaviors, feelings of being
11 dehumanized, and a sense of having wasted time and resources;

12 (e) The psychological harm caused by sexual orientation or gender
13 identity change efforts often do not manifest until years or decades after
14 the efforts occurred. Survivors frequently fail to recognize such treatment
15 as harmful and fail to connect their psychological injuries to the treatment
16 until much later in life or are deterred from coming forward by shame
17 instilled by the treatment itself.

18 (f) The dynamics of the therapeutic relationship, including the
19 trust placed on mental health professionals, the age and vulnerability of
20 patients, the authority exercised by professionals, and the shame and
21 internalized stigma resulting from such treatment, create barriers to timely
22 disclosure and recognition of harm similar to those recognized by this
23 state in the context of childhood sexual abuse;

24 (g) The existing statute of limitations for professional negligence
25 does not adequately account for the delayed recognition of psychological
26 injury that is characteristic of harm caused by sexual orientation or gender
27 identity change efforts;

1 (h) The psychological harms described in this declaration result
2 from efforts to direct a patient toward a predetermined outcome regarding
3 the patient's sexual orientation or gender identity, regardless of the nature
4 of that predetermined outcome;

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6 (i) The general assembly has previously recognized, in enacting
7 Senate Bill 21-073, that survivors of sexual misconduct frequently do not
8 recognize or connect their psychological injuries to the underlying
9 conduct until well into adulthood and that an extended limitations period
10 is appropriate to account for this delayed recognition. The same
11 considerations apply to survivors of sexual orientation or gender identity
12 change efforts.

13 (j) It is the intent of the general assembly to provide individuals
14 who suffer harm as a result of sexual orientation or gender identity
15 change efforts with adequate time to seek civil remedies for the harms
16 they have suffered.

17 **SECTION 2.** In Colorado Revised Statutes, **add** 13-20-1302 as
18 follows:

19 **13-20-1302. Actions based on sexual orientation or gender**
20 **identity change efforts - limitation - == damages - legislative intent**
21 **- definitions.**

22 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
23 REQUIRES:

24 (a) "LICENSED MENTAL HEALTH PROFESSIONAL" MEANS A MENTAL
25 HEALTH PROVIDER WHO HOLDS OR HELD A VALID LICENSE, CERTIFICATION,
26 OR REGISTRATION ISSUED PURSUANT TO ARTICLE 245 OF TITLE 12 AT THE
27 TIME THE SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS

1 OCCURRED.

2 (b) (I) "SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE
3 EFFORTS" MEANS ANY PRACTICE BY A LICENSED MENTAL HEALTH
4 PROFESSIONAL THAT SEEKS TO DIRECT A PATIENT TOWARD A
5 PREDETERMINED SEXUAL ORIENTATION OR GENDER IDENTITY OUTCOME,
6 OR TO ELIMINATE OR REDUCE SEXUAL OR ROMANTIC ATTRACTIONS OR
7 FEELINGS TOWARD INDIVIDUALS OF A PARTICULAR SEX OR GENDER,
8 REGARDLESS OF THE SEXUAL ORIENTATION OR GENDER IDENTITY THE
9 PATIENT IS DIRECTED TOWARD.

10 (II) "SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE
11 EFFORTS" DOES NOT INCLUDE:

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13 (A) COUNSELING OR THERAPY THAT PROVIDES ACCEPTANCE,
14 SUPPORT, AND UNDERSTANDING OF A PATIENT OR FACILITATES A PATIENT'S
15 COPING, SOCIAL SUPPORT, AND IDENTITY EXPLORATION AND
16 DEVELOPMENT, WITHOUT SEEKING TO DIRECT THE PATIENT TOWARD A
17 PREDETERMINED SEXUAL ORIENTATION OR GENDER IDENTITY OUTCOME;

18 (B) COUNSELING OR THERAPY THAT IS NEUTRAL WITH RESPECT TO
19 SEXUAL ORIENTATION AND GENDER IDENTITY AND THAT DOES NOT SEEK
20 TO DIRECT THE PATIENT TOWARD A PREDETERMINED SEXUAL ORIENTATION
21 OR GENDER IDENTITY OUTCOME; OR

22 (C) COUNSELING OR THERAPY RELATED TO A PATIENT'S SEXUAL
23 BEHAVIORS, PRACTICES, OR RELATIONSHIPS, PROVIDED THAT THE
24 COUNSELING OR THERAPY DOES NOT SEEK TO DIRECT THE PATIENT
25 TOWARD A PREDETERMINED SEXUAL ORIENTATION OR GENDER IDENTITY.

26 (2) (a) A PERSON WHO SUFFERED AN INJURY AS A RESULT OF
27 SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS MAY BRING

1 A CIVIL ACTION FOR DAMAGES.

2 (b) NOTWITHSTANDING ANY OTHER STATUTE OF LIMITATIONS
3 SPECIFIED IN ARTICLE 80 OF THIS TITLE 13 OR ANY OTHER PROVISION OF
4 LAW THAT CAN BE CONSTRUED TO LIMIT THE TIME PERIOD TO COMMENCE
5 AN ACTION DESCRIBED IN THIS SECTION, A CIVIL ACTION TO RECOVER
6 DAMAGES FOR THE PROVISION OF SEXUAL ORIENTATION OR GENDER
7 IDENTITY CHANGE EFFORTS MAY BE COMMENCED AT ANY TIME WITHOUT
8 LIMITATION.

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10 (3) IN AN ACTION BROUGHT PURSUANT TO THIS SECTION, THE
11 PLAINTIFF MAY RECOVER DAMAGES THAT INCLUDE:

- 12 (a) ECONOMIC DAMAGES;
13 (b) NONECONOMIC DAMAGES;
14 (c) EXEMPLARY DAMAGES IF THE CONDUCT OF THE DEFENDANT
15 WAS WILLFUL OR WANTON, AS PROVIDED IN SECTION 13-21-102; AND
16 (d) ANY OTHER DAMAGES DEEMED APPROPRIATE BY THE COURT.

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18 (4) IN AN ACTION BROUGHT PURSUANT TO THIS SECTION, THE TRIER
19 OF FACT MAY CONSIDER THE NATURE, DURATION, AND INTENSITY OF THE
20 SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS, THE AGE
21 AND VULNERABILITY OF THE PLAINTIFF AT THE TIME THE SEXUAL
22 ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS TOOK PLACE, THE
23 RELATIONSHIP BETWEEN THE PLAINTIFF AND THE MENTAL HEALTH
24 PROFESSIONAL, THE TEMPORAL RELATIONSHIP BETWEEN THE SEXUAL
25 ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS AND THE ONSET OR
26 EXACERBATION OF SYMPTOMS, AND ANY OTHER RELEVANT FACTORS.

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1 (5) (a) THE CAUSE OF ACTION DESCRIBED IN THIS SECTION
2 SURVIVES THE DEATH OF THE PERSON WHO UNDERWENT SEXUAL
3 ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS AND MAY BE
4 BROUGHT OR MAINTAINED BY THE PERSON'S PERSONAL REPRESENTATIVE
5 OR ESTATE.

6 (b) NOTWITHSTANDING THE STATUTE OF LIMITATIONS DESCRIBED
7 IN SECTION 13-80-112, AN ACTION BROUGHT AS A SURVIVAL ACTION
8 PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION MUST BE BROUGHT
9 WITHIN FIVE YEARS AFTER THE PERSON'S DEATH.

10 (c) NOTWITHSTANDING THE LIMITATION ON DAMAGES IN SECTION
11 13-20-101 (1), THE PERSON'S PERSONAL REPRESENTATIVE OR ESTATE MAY
12 RECOVER ALL DAMAGES AVAILABLE PURSUANT TO SUBSECTION (3) OF THIS
13 SECTION IN AN ACTION BROUGHT OR MAINTAINED PURSUANT TO THIS
14 SUBSECTION (5).

15 (6) THIS SECTION DOES NOT CREATE A NEW CAUSE OF ACTION.

16 (7) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THIS
17 SECTION BE INTERPRETED BROADLY TO EFFECTUATE ITS REMEDIAL
18 PURPOSE OF PROVIDING CIVIL REMEDIES TO PERSONS HARMED BY SEXUAL
19 ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS.

20 (8) THIS SECTION APPLIES TO CAUSES OF ACTION ACCRUING ON OR
21 AFTER JULY 1, 2026, AND TO CAUSES OF ACTION ACCRUING BEFORE JULY
22 1, 2026, IF THE APPLICABLE STATUTE OF LIMITATIONS, AS IT EXISTED PRIOR
23 TO JULY 1, 2026, HAS NOT YET RUN ON JULY 1, 2026.

24 **SECTION 3.** In Colorado Revised Statutes, 12-245-202, **amend**
25 **(3.5)** as follows:

26 **12-245-202. Definitions.**

27 As used in this article 245, unless the context otherwise requires:

1 (3.5) (a) "Conversion therapy" means any practice or treatment by
2 a licensee, registrant, or certificate holder that attempts or purports to
3 change an individual's sexual orientation or gender identity, including
4 efforts to change behaviors or gender expressions or to eliminate or
5 reduce sexual or romantic attraction or feelings toward individuals of the
6 same sex MEANS ANY PRACTICE OR TREATMENT BY A LICENSED MENTAL
7 HEALTH-CARE PROVIDER THAT SEEKS TO DIRECT A PATIENT TOWARD A
8 PREDETERMINED SEXUAL ORIENTATION OR GENDER IDENTITY OUTCOME,
9 OR ELIMINATE OR REDUCE SEXUAL OR ROMANTIC ATTRACTIONS OR
10 FEELINGS TOWARD INDIVIDUALS OF A PARTICULAR SEX OR GENDER,
11 REGARDLESS OF THE SEXUAL ORIENTATION OR GENDER IDENTITY THE
12 PATIENT IS DIRECTED TOWARD.

13 (b) "Conversion therapy" does not include practices or treatments
14 that provide INCLUDE:

15 (I) Acceptance, support, and understanding for the facilitation of
16 an individual's coping, social support, and identity exploration and
17 development, including sexual-orientation-neutral interventions to
18 prevent or address unlawful conduct or unsafe sexual practices, as long
19 as the counseling does not seek to change sexual orientation or gender
20 identity, or

21 (II) Assistance to a person undergoing gender transition.
22 COUNSELING OR THERAPY THAT PROVIDES ACCEPTANCE, SUPPORT, AND
23 UNDERSTANDING OF A PATIENT OR FACILITATES A PATIENT'S COPING,
24 SOCIAL SUPPORT, AND IDENTITY EXPLORATION AND DEVELOPMENT,
25 WITHOUT SEEKING TO DIRECT THE PATIENT TOWARD A PREDETERMINED
26 SEXUAL ORIENTATION OR GENDER IDENTITY OUTCOME;

27 (III) COUNSELING OR THERAPY THAT IS NEUTRAL WITH RESPECT TO

1 SEXUAL ORIENTATION AND GENDER IDENTITY AND THAT DOES NOT SEEK
2 TO DIRECT THE PATIENT TOWARD A PREDETERMINED SEXUAL ORIENTATION
3 OR GENDER IDENTITY OUTCOME; OR

4 (IV) COUNSELING OR THERAPY RELATED TO A PATIENT'S SEXUAL
5 BEHAVIORS, PRACTICES, OR RELATIONSHIPS, PROVIDED THAT THE
6 COUNSELING OR THERAPY DOES NOT SEEK TO DIRECT THE PATIENT
7 TOWARD A PREDETERMINED SEXUAL ORIENTATION OR GENDER IDENTITY.

8 **SECTION 4. Effective date - applicability.** This act takes effect
9 July 1, 2026, and applies to a cause of action filed on or after said date.

10 **SECTION 5. Safety clause.** The general assembly finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety or for appropriations for
13 the support and maintenance of the departments of the state and state
14 institutions.