

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 23-1005.02 Jane Ritter x4342

HOUSE BILL 23-1296

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House Committees

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A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A TASK FORCE TO STUDY ISSUES**
102 **RELATED TO THE RIGHTS OF COLORADANS WITH DISABILITIES,**
103 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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 creates the task force on the rights of Coloradans with disabilities (task force) in the Colorado civil rights commission. The task force shall create a minimum of 4 subcommittees to study and make recommendations on specific issues related to persons with disabilities:

- The rewrite subcommittee, which must study and make

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
2nd Reading Unamended
May 4, 2023

HOUSE
3rd Reading Unamended
April 29, 2023

HOUSE
Amended 2nd Reading
April 26, 2023

- recommendations concerning the various issues related to the rewrite and modernization of the Colorado Revised Statutes concerning civil rights of persons with disabilities;
- The outdoors subcommittee, which must study and make recommendations related to the basic accessibility of outdoor spaces for persons with disabilities;
- The housing subcommittee, which must study and make recommendations related to the affordability, accessibility, and attainability of housing for persons with disabilities; and
- The government subcommittee, which must focus on basic physical and programmatic accessibility within state and local government.

Minimum mandatory membership and reporting requirements are outlined for the task force and each subcommittee. The task force shall produce a final report, including recommendations, to submit the governor and general assembly on or before January 30, 2025.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 10 to article
 3 34 of title 24 as follows:

4 PART 10

5 TASK FORCE ON THE RIGHTS OF
 6 COLORADANS WITH DISABILITIES

7 **24-34-1001. Legislative declaration.** (1) THE GENERAL
 8 ASSEMBLY FINDS AND DECLARES THAT:

9 (a) APPROXIMATELY TWENTY PERCENT OF COLORADANS LIVE
 10 WITH A DISABILITY;

11 (b) COLORADO IS COMMITTED TO PROTECTING THE CIVIL RIGHTS
 12 OF PERSONS WITH DISABILITIES; AND

13 (c) PROTECTION FROM DISCRIMINATION AND BASIC ACCESS TO
 14 GOVERNMENT SERVICES, HOUSING, EMPLOYMENT, AND RECREATION ARE
 15 IMPORTANT FOR THE WELL-BEING OF COLORADANS WITH DISABILITIES.

16 (2) THEREFORE, THE GENERAL ASSEMBLY DETERMINES IT IS IN THE

1 BEST INTERESTS OF ALL COLORADANS, AND ESPECIALLY COLORADANS
2 LIVING WITH DISABILITIES, TO FORM SEVERAL GROUPS TO STUDY AND
3 MAKE RECOMMENDATIONS FOR CHANGE ON ISSUES RELATED TO CIVIL
4 RIGHTS AND BASIC ACCESSIBILITY FOR PERSONS WITH DISABILITIES.

5 **24-34-1002. Definitions.** AS USED IN THIS PART 10, UNLESS THE
6 CONTEXT OTHERWISE REQUIRES:

7 (1) "ADAPTIVE OUTDOOR RECREATION USER" MEANS A PERSON
8 WITH A DISABILITY WHO USES THE COLORADO OUTDOORS, INCLUDING BUT
9 NOT LIMITED TO THOSE PERSONS USING SKI AREAS AND PERSONS USING
10 ADAPTIVE OR SPECIALIZED RECREATION EQUIPMENT.

11 (2) "BASIC ACCESS", OR "BASIC ACCESSIBILITY", CONSTITUTE
12 PUBLIC SAFETY ISSUES AND MEAN THE GENERAL PRACTICE OF MAKING
13 INFORMATION, ACTIVITIES, AND ENVIRONMENTS SENSIBLE, MEANINGFUL,
14 USABLE, AND SAFE FOR AS MANY PEOPLE AS POSSIBLE.

15 (3) "COLORADO OUTDOORS" MEANS COLORADO'S OPEN SPACES,
16 STATE PARKS, PUBLIC LANDS, AND ANY OTHER OUTDOOR RECREATION
17 AREAS OPEN TO THE PUBLIC IN THE STATE.

18 (4) "COMMISSION" MEANS THE COLORADO CIVIL RIGHTS
19 COMMISSION CREATED IN SECTION 24-34-303.

20 (5) "GOVERNMENT SUBCOMMITTEE" MEANS THE SUBCOMMITTEE
21 CREATED IN SECTION 24-34-1007 TO STUDY AND MAKE
22 RECOMMENDATIONS RELATED TO PHYSICAL AND PROGRAMMATIC BASIC
23 ACCESSIBILITY WITHIN STATE AND LOCAL GOVERNMENT.

24 (6) "HOUSING SUBCOMMITTEE" MEANS THE SUBCOMMITTEE
25 CREATED IN SECTION 24-34-1006 TO STUDY AND MAKE
26 RECOMMENDATIONS RELATED TO THE AFFORDABILITY, ACCESSIBILITY,
27 AND ATTAINABILITY OF HOUSING FOR PERSONS WITH DISABILITIES.

1 (7) "OUTDOORS SUBCOMMITTEE" MEANS THE SUBCOMMITTEE
2 CREATED IN SECTION 24-34-1005 TO STUDY AND MAKE
3 RECOMMENDATIONS RELATED TO BASIC ACCESS TO THE COLORADO
4 OUTDOORS FOR PERSONS WITH DISABILITIES.

5 (8) "REWRITE SUBCOMMITTEE" MEANS THE SUBCOMMITTEE
6 CREATED IN SECTION 24-34-1004 TO STUDY AND MAKE
7 RECOMMENDATIONS CONCERNING THE VARIOUS ISSUES RELATED TO THE
8 REWRITE AND MODERNIZATION OF THE COLORADO REVISED STATUTES
9 CONCERNING CIVIL RIGHTS FOR PERSONS WITH DISABILITIES.

10 (9) "TASK FORCE" MEANS THE TASK FORCE ON THE RIGHTS OF
11 COLORADANS WITH DISABILITIES CREATED IN SECTION 24-34-1003.

12 **24-34-1003. Task force on the rights of Coloradans with**
13 **disabilities - creation - membership - report.** (1) THERE IS CREATED IN
14 THE COMMISSION THE TASK FORCE ON THE RIGHTS OF COLORADANS WITH
15 DISABILITIES. THE MISSION OF THE TASK FORCE IS TO BRING TOGETHER THE
16 APPROPRIATE STAKEHOLDERS, EXPERTS, AND IMPACTED GROUPS TO STUDY
17 AND MAKE RECOMMENDATIONS CONCERNING ISSUES RELATED TO PERSONS
18 WITH DISABILITIES. THE TASK FORCE SHALL CREATE SUBCOMMITTEES TO
19 STUDY AND REPORT FINDINGS ON THE FOLLOWING ISSUES:

20 (a) REWRITING AND MODERNIZING THE COLORADO REVISED
21 STATUTES CONCERNING CIVIL RIGHTS FOR PERSONS WITH DISABILITIES;

22 (b) BASIC ACCESS TO THE COLORADO OUTDOORS FOR PERSONS
23 WITH DISABILITIES;

24 (c) THE AFFORDABILITY, ACCESSIBILITY, AND ATTAINABILITY OF
25 HOUSING FOR PERSONS WITH DISABILITIES;

26 (d) PHYSICAL AND PROGRAMMATIC BASIC ACCESS WITHIN STATE
27 AND LOCAL GOVERNMENT; AND

1 (e) ANY OTHER ISSUE RELATED TO ACCESSIBILITY AND THE CIVIL
2 RIGHTS OF PERSONS WITH DISABILITIES.

3 (2) THE TASK FORCE INCLUDES THE FOLLOWING MEMBERS,
4 APPOINTED ON OR BEFORE AUGUST 1, 2023:

5 (a) THE LIEUTENANT GOVERNOR, OR THE LIEUTENANT GOVERNOR'S
6 DESIGNEE, WHO IS A NON-VOTING MEMBER EXCEPT AS NECESSARY TO
7 BREAK A TIE;

8 (b) FOUR VOTING MEMBERS WHO ARE EITHER FROM A DISABILITY
9 RIGHTS ADVOCACY ORGANIZATION OR A VETERANS SERVICE
10 ORGANIZATION THAT SERVES VETERANS WITH A DISABILITY. THE SPEAKER
11 OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE
12 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES, AND THE
13 MINORITY LEADER OF THE SENATE SHALL EACH APPOINT ONE VOTING
14 MEMBER.

15 (c) FOUR VOTING MEMBERS AS APPOINTED BY THE GOVERNOR; AND

16 (d) SUBJECT MATTER EXPERTS MUST BE ALLOWED TO PARTICIPATE
17 IN TASK FORCE DISCUSSIONS UPON THE INVITATION OF THE TASK FORCE.
18 THE SUBJECT MATTER EXPERTS PRESENCE IS NOT REQUIRED OR INCLUDED
19 IN DETERMINING A QUORUM OF THE TASK FORCE. THE SUBJECT MATTER
20 EXPERTS MUST INCLUDE, BUT NEED NOT BE LIMITED TO:

21 (I) REPRESENTATION FROM THE DEPARTMENT OF LOCAL AFFAIRS;

22 (II) REPRESENTATION FROM THE DIVISION OF HOUSING WITHIN THE
23 DEPARTMENT OF LOCAL AFFAIRS;

24 (III) REPRESENTATION FROM THE DEPARTMENT OF REGULATORY
25 AGENCIES;

26 (IV) REPRESENTATION FROM THE COLORADO CIVIL RIGHTS
27 COMMISSION;

1 (V) REPRESENTATION FROM THE COLORADO OFFICE OF ECONOMIC
2 DEVELOPMENT AND INTERNATIONAL TRADE;

3 (VI) REPRESENTATION FROM THE OFFICE OF STATE PLANNING AND
4 BUDGETING;

5 (VII) REPRESENTATION FROM VARYING ADVOCACY
6 ORGANIZATIONS AS DEEMED APPROPRIATE;

7 (VIII) DISABILITY LAW EXPERTS;

8 (IX) OTHER LEGAL EXPERTS; AND

9 (X) PERSONS WHO REPRESENT COLORADO'S FEDERAL PARTNERS.

10 (3) THE TASK FORCE SHALL CREATE THE SUBCOMMITTEES
11 IDENTIFIED IN SECTIONS 24-34-1004 TO 24-34-1007, AND THE GOVERNOR
12 SHALL MAKE APPOINTMENTS TO EACH SUBCOMMITTEE, BASED ON
13 RECOMMENDATIONS FROM THE TASK FORCE. EACH SUBCOMMITTEE SHALL
14 MAKE SEPARATE REPORTS ON ITS FINDINGS AND RECOMMENDATIONS AND
15 PROVIDE THE REPORTS TO THE TASK FORCE.

16 (4) THE TASK FORCE SHALL PRODUCE A FINAL REPORT, INCLUDING
17 RECOMMENDATIONS, AND SUBMIT IT TO THE GOVERNOR AND GENERAL
18 ASSEMBLY ON OR BEFORE JANUARY 30, 2025. THE TASK FORCE SHALL
19 CONSIDER THE REPORTS OF THE SUBCOMMITTEES BUT IS NOT BOUND BY
20 ANY FINDINGS OR CONCLUSIONS OF ANY SUBCOMMITTEE IN PRODUCING ITS
21 FINAL REPORT.

22 (5) THE TASK FORCE MAY EMPLOY ONE-AND-A-HALF FULL-TIME
23 EMPLOYEES AND CONTRACT WITH A VENDOR TO FACILITATE AND ASSIST
24 WITH THE OPERATIONS AND DUTIES OF THE TASK FORCE AND
25 SUBCOMMITTEES. TASK FORCE MEMBERS AND SUBCOMMITTEE MEMBERS
26 MAY RECEIVE PER DIEM COMPENSATION AND MAY BE REIMBURSED FOR
27 ACTUAL AND NECESSARY EXPENSES INCURRED WHILE ON OFFICIAL TASK

1 FORCE OR SUBCOMMITTEE BUSINESS, AS PROVIDED IN SECTION 12-20-103
2 (6).

3 **24-34-1004. Subcommittee on the rewrite and modernization**
4 **of the Colorado Revised Statutes concerning civil rights of persons**
5 **with disabilities - membership - purpose - reporting.** (1) ON OR
6 BEFORE SEPTEMBER 15, 2023, THE TASK FORCE SHALL CREATE THE
7 SUBCOMMITTEE ON THE REWRITE AND MODERNIZATION OF THE COLORADO
8 REVISED STATUTES CONCERNING THE CIVIL RIGHTS OF PERSONS WITH
9 DISABILITIES. THE PURPOSE OF THE REWRITE SUBCOMMITTEE IS TO STUDY
10 THE CURRENT COLORADO REVISED STATUTES CONCERNING THE CIVIL
11 RIGHTS OF PERSONS WITH DISABILITIES AND MAKE RECOMMENDATIONS
12 FOR A THOROUGH REVISION AND REWRITE TO IMPROVE CLARITY, ENSURE
13 THE CIVIL RIGHTS OF COLORADANS ARE PROTECTED, AND ENSURE THE
14 PROTECTIONS ARE ENFORCEABLE.

15 (2) THE REWRITE SUBCOMMITTEE MUST, AT A MINIMUM, INCLUDE
16 REPRESENTATION FROM DISABILITY ADVOCATES AND GOVERNMENT
17 REPRESENTATIVES WITH LEGAL EXPERTISE, APPOINTED BY THE GOVERNOR,
18 BASED ON RECOMMENDATIONS FROM THE TASK FORCE. AT A MINIMUM,
19 THE REWRITE SUBCOMMITTEE INCLUDES:

20 (a) FOUR MEMBERS WHO REPRESENT DISABILITY RIGHTS
21 ADVOCACY ORGANIZATIONS, WITH AT LEAST TWO MEMBERS WHO ARE
22 INDIVIDUALS LIVING WITH A DISABILITY, INCLUDING:

- 23 (I) TWO ATTORNEYS WITH LITIGATION EXPERIENCE;
- 24 (II) ONE MEMBER WITHOUT LITIGATION EXPERIENCE; AND
- 25 (III) ONE MEMBER WHO REPRESENTS A VETERANS SERVICE
26 ORGANIZATION THAT SERVES VETERANS WITH A DISABILITY.

27 (b) FOUR MEMBERS WHO REPRESENT GOVERNMENT AND BUSINESS

1 COMMUNITY INTERESTS.

2 (3) THE REWRITE SUBCOMMITTEE SHALL SUBMIT AN INITIAL
3 REPORT WITH ITS FINDINGS AND RECOMMENDATIONS TO THE TASK FORCE
4 ON OR BEFORE DECEMBER 1, 2023, AND A FINAL REPORT TO THE TASK
5 FORCE ON OR BEFORE DECEMBER 1, 2024. THE REPORT MUST INCLUDE, AT
6 A MINIMUM, RECOMMENDATIONS FOR CLARITY AND IMPROVEMENT OF THE
7 COLORADO REVISED STATUTES CONCERNING THE CIVIL RIGHTS OF
8 PERSONS WITH DISABILITIES; A DISCUSSION OF DAMAGES FOR EMOTIONAL
9 DISTRESS FOR PERSONS SUBJECT TO DISCRIMINATION; CONSIDERATIONS
10 FOR PUBLIC ENTITIES AND PRIVATE BUSINESSES, INCLUDING SIZES OF
11 ENTITIES AND GENERAL CLARITY ON REQUIREMENTS, TO COMPLY WITH THE
12 COLORADO REVISED STATUTES CONCERNING THE CIVIL RIGHTS OF
13 PERSONS WITH DISABILITIES.

14 **24-34-1005. Subcommittee on basic access to Colorado**
15 **outdoors for persons with disabilities - membership - purpose -**
16 **reporting.** (1) ON OR BEFORE OCTOBER 30, 2023, THE TASK FORCE SHALL
17 CREATE THE SUBCOMMITTEE ON BASIC ACCESS TO THE COLORADO
18 OUTDOORS FOR PERSONS WITH DISABILITIES. THE PURPOSE OF THE
19 OUTDOORS SUBCOMMITTEE IS TO IDENTIFY BARRIERS TO BASIC ACCESS TO
20 AND THE ENJOYMENT OF THE COLORADO OUTDOORS FOR PERSONS WITH
21 DISABILITIES AND TO MAKE RECOMMENDATIONS FOR ADDRESSING THOSE
22 BARRIERS.

23 (2) THE OUTDOORS SUBCOMMITTEE MUST, AT A MINIMUM,
24 INCLUDE REPRESENTATION FROM DISABILITY ADVOCATES, ATHLETES AND
25 OUTDOOR ENTHUSIASTS WITH DISABILITIES, AND GOVERNMENT
26 REPRESENTATIVES FROM APPROPRIATE AGENCIES. INDIVIDUALS ARE
27 APPOINTED BY THE GOVERNOR BASED ON RECOMMENDATIONS FROM THE

1 TASK FORCE AND AT A MINIMUM, THE OUTDOORS SUBCOMMITTEE
2 INCLUDES:

3 (a) FOUR MEMBERS WHO REPRESENT ADAPTIVE OUTDOOR
4 RECREATION USERS, ADAPTIVE OUTDOOR RECREATION PROGRAMS, AND
5 ADAPTIVE TRAILS; VETERAN SERVICE ORGANIZATIONS THAT SERVE
6 VETERANS WITH A DISABILITY; AND DISABILITY RIGHTS ADVOCACY
7 ORGANIZATIONS; AND

8 (b) FOUR MEMBERS WHO REPRESENT COLORADO'S OUTDOOR
9 RECREATION INDUSTRY AND APPROPRIATE GOVERNMENT AGENCIES.

10 (3) THE OUTDOORS SUBCOMMITTEE SHALL SUBMIT A REPORT WITH
11 ITS FINDINGS AND RECOMMENDATIONS, INCLUDING RECOMMENDATIONS
12 ON BEST PRACTICES AND GUIDANCE FOR CREATING BASIC ACCESS TO
13 COLORADO OUTDOOR SPACES FOR PEOPLE WITH DISABILITIES, TO THE TASK
14 FORCE ON OR BEFORE DECEMBER 1, 2024.

15 **24-34-1006. Subcommittee on affordability, accessibility, and**
16 **attainability of housing for persons with disabilities - membership -**
17 **purpose - reporting.** (1) ON OR BEFORE OCTOBER 30, 2023, THE TASK
18 FORCE SHALL CREATE THE SUBCOMMITTEE ON THE AFFORDABILITY,
19 ACCESSIBILITY, AND ATTAINABILITY OF HOUSING FOR PERSONS WITH
20 DISABILITIES. THE PURPOSE OF THE HOUSING SUBCOMMITTEE IS TO
21 IDENTIFY BARRIERS TO SECURING AND ENJOYING SECURE AND
22 AFFORDABLE, ACCESSIBLE, AND ATTAINABLE HOUSING FOR PERSONS WITH
23 DISABILITIES AND TO MAKE RECOMMENDATIONS FOR ADDRESSING THOSE
24 BARRIERS.

25 (2) THE GOVERNOR SHALL APPOINT MEMBERS TO THE HOUSING
26 SUBCOMMITTEE BASED ON RECOMMENDATIONS FROM THE TASK FORCE.
27 THE HOUSING SUBCOMMITTEE INCLUDES, AT A MINIMUM:

1 (a) FOUR MEMBERS WHO REPRESENT DISABILITY RIGHTS
2 ADVOCACY ORGANIZATIONS AND VETERANS SERVICE ORGANIZATIONS
3 THAT SERVE DISABLED VETERANS; AND

4 (b) FOUR MEMBERS WHO REPRESENT THE COLORADO HOUSING
5 INDUSTRY AND APPROPRIATE GOVERNMENT AGENCIES.

6 (3) THE HOUSING SUBCOMMITTEE SHALL SUBMIT A REPORT WITH
7 ITS FINDINGS AND RECOMMENDATIONS OUTLINING THE CURRENT NEED FOR
8 AND INVENTORY OF ACCESSIBLE HOUSING IN COLORADO, THE PROJECTED
9 INCREASED NEED FOR ACCESSIBLE HOUSING IN THE NEXT DECADE, AND
10 RECOMMENDATIONS TO MEET FUTURE HOUSING DEMAND, INCLUDING
11 FINANCING FOR LOW-INCOME HOUSING DEVELOPMENT AND ANY
12 STATUTORY REQUIREMENTS, TO THE TASK FORCE ON OR BEFORE
13 DECEMBER 1, 2024.

14 **24-34-1007. Subcommittee on physical and programmatic**
15 **basic access within state and local government for persons with**
16 **disabilities - membership - purpose - reporting.** (1) ON OR BEFORE
17 OCTOBER 30, 2023, THE TASK FORCE SHALL CREATE THE SUBCOMMITTEE
18 ON PHYSICAL AND PROGRAMMATIC BASIC ACCESS WITHIN STATE AND
19 LOCAL GOVERNMENT FOR PERSONS WITH DISABILITIES. THE PURPOSE OF
20 THE GOVERNMENT SUBCOMMITTEE IS TO STUDY AND MAKE
21 RECOMMENDATIONS ON ISSUES TO ENSURE PEOPLE WITH DISABILITIES
22 HAVE ACCESS TO THE SERVICES THEY NEED, ARE ABLE TO EFFECTIVELY
23 PARTICIPATE IN PUBLIC DISCUSSION, ARE ABLE TO BE EMPLOYED BY
24 GOVERNMENTAL AGENCIES, AND CAN RUN FOR AND EFFECTIVELY SERVE
25 IN ELECTED POSITIONS.

26 (2) THE GOVERNMENT SUBCOMMITTEE MUST, AT A MINIMUM,
27 INCLUDE REPRESENTATION FROM DISABILITY ADVOCATES. THE GOVERNOR

1 SHALL APPOINT MEMBERS TO THE GOVERNMENT SUBCOMMITTEE BASED ON
2 RECOMMENDATIONS FROM THE TASK FORCE AND SHALL APPOINT MORE
3 MEMBERS WHO REPRESENT DISABILITY ADVOCATES THAN MEMBERS WHO
4 REPRESENT GOVERNMENT AGENCIES. AT A MINIMUM, THE GOVERNMENT
5 SUBCOMMITTEE INCLUDES:

6 (a) FOUR MEMBERS WHO REPRESENT DISABILITY RIGHTS
7 ADVOCACY ORGANIZATIONS AND VETERANS SERVICE ORGANIZATIONS
8 THAT SERVE VETERANS WITH DISABILITIES; AND

9 (b) FOUR MEMBERS WHO REPRESENT LOCAL AND STATE
10 GOVERNMENT.

11 (3) THE GOVERNMENT SUBCOMMITTEE SHALL SUBMIT A REPORT
12 WITH ITS FINDINGS AND RECOMMENDATIONS TO THE TASK FORCE ON OR
13 BEFORE DECEMBER 1, 2024.

14 **24-34-1008. Repeal of part.** THIS PART 10 IS REPEALED,
15 EFFECTIVE JUNE 30, 2025.

16 **SECTION 2.** In Colorado Revised Statutes, **amend** 24-34-301 as
17 follows:

18 **24-34-301. Definitions.** As used in parts 3 to 8 **10** of this article
19 34, unless the context otherwise requires:

20 (1) "Age" means a chronological age of at least forty years.

21 ~~(1.1)~~ (2) "Agency" or "state agency" means any board, bureau,
22 commission, department, institution, division, section, or officer of the
23 state.

24 (3) "BASIC ACCESS", OR "BASIC ACCESSIBILITY" CONSTITUTE
25 PUBLIC SAFETY ISSUES AND MEAN THE GENERAL PRACTICE OF MAKING
26 INFORMATION, ACTIVITIES, AND ENVIRONMENTS SENSIBLE, MEANINGFUL,
27 USABLE, AND SAFE FOR AS MANY PEOPLE AS POSSIBLE.

1 ~~(1.5)~~ (4) "Commission" means the Colorado civil rights
2 commission created in section 24-34-303.

3 ~~(1.6)~~ (5) "Commissioner" means a member of the Colorado civil
4 rights commission.

5 ~~(2)~~ (6) "Director" means the director of the Colorado civil rights
6 division ~~which office is~~ created in section 24-34-302.

7 ~~(2.5)~~ (7) "Disability" has the same meaning as set forth in the
8 federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12101
9 et seq., and its related amendments and implementing regulations.

10 ~~(3)~~ (8) "Division" means the Colorado civil rights division,
11 created in section 24-34-302.

12 ~~(3.3)~~ (9) "Gender expression" means an individual's way of
13 reflecting and expressing the individual's gender to the outside world,
14 typically demonstrated through appearance, dress, and behavior.

15 ~~(3.5)~~ (10) "Gender identity" means an individual's innate sense of
16 the individual's own gender, which may or may not correspond with the
17 individual's sex assigned at birth.

18 ~~(4) (Deleted by amendment, L. 93, p. 1655, § 59, effective July 1,~~
19 ~~1993.)~~

20 ~~(4.1)~~ (11) "Housing" means a building, structure, vacant land, or
21 part thereof offered for sale, lease, rent, or transfer of ownership; except
22 that "housing" does not include any room offered for rent or lease in a
23 single-family dwelling maintained and occupied in part by the owner or
24 lessee of ~~said~~ THE dwelling as ~~his or her~~ THE OWNER'S OR LESSEE'S
25 household.

26 ~~(4.2)~~ (12) "Housing accommodations" means any real property or
27 portion thereof that is used or occupied, or intended, arranged, or

1 designed to be used or occupied, as the home, residence, or sleeping place
2 of one or more persons but does not include any single family residence,
3 the occupants of which rent, lease, or furnish for compensation not more
4 than one room in that residence.

5 (13) "INDIVIDUAL WITH A DISABILITY" MEANS AN INDIVIDUAL WITH
6 A DISABILITY OR DISABILITIES.

7 ~~(4.5)~~ (14) "Marital status" means a relationship or a spousal status
8 of an individual, including, but not limited to, being single, cohabitating,
9 engaged, widowed, married, in a civil union, or legally separated, or a
10 relationship or a spousal status of an individual who has had or is in the
11 process of having a marriage or civil union dissolved or declared invalid.

12 ~~(5)~~ (15) (a) "Person" means one or more individuals, limited
13 liability companies, partnerships, associations, corporations, legal
14 representatives, trustees, receivers, or the state of Colorado and all of its
15 political subdivisions and agencies.

16 (b) For the purposes of part 5 of this article 34, "person" does not
17 include any private club not open to the public that, as an incident to its
18 primary purpose or purposes, provides lodgings that it owns or operates
19 for other than a commercial purpose, unless the club has the purpose of
20 promoting discrimination in the matter of housing against any person
21 because of disability, race, creed, color, religion, sex, sexual orientation,
22 gender identity, gender expression, marital status, familial status, national
23 origin, or ancestry.

24 ~~(5.1)~~ (16) "Place of public accommodation" or "public
25 accommodation" has the same meaning as set forth in Title III of the
26 federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12181
27 (7), and its related amendments and implementing regulations.

1 ~~(5.3)~~(17) "Protective hairstyle" includes such hairstyles as braids,
2 locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and
3 headwraps.

4 ~~(5.4)~~(18) "Public entity" means:

5 (a) Any state or local government; or

6 (b) Any department, agency, special district, or other
7 instrumentality of a state or local government.

8 ~~(5.5)~~(19) "Public transportation service" means a common carrier
9 of passengers or any other means of public conveyance or modes of
10 transportation, including, but not limited to, airplanes, motor vehicles,
11 railroad trains, motor buses, streetcars, boats, or taxis.

12 ~~(5.6)~~(20) "Qualified individual with a disability" or "individual
13 with a disability" has the same meaning as set forth in the federal
14 "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12131, and its
15 related amendments and implementing regulations.

16 ~~(5.8)~~(21) "Race" includes hair texture, hair type, or a protective
17 hairstyle that is commonly or historically associated with race.

18 ~~(6)~~(22) "Respondent" means any person, agency, organization, or
19 other entity against whom a charge is filed pursuant to any of the
20 provisions of parts 3 to 8 of this ~~article~~ ARTICLE 34.

21 ~~(6.5)~~(23) "Service animal" has the same meaning as set forth in
22 the implementing regulations of Title II and Title III of the federal
23 "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12101 et seq.

24 ~~(7)~~(24) "Sexual orientation" means an individual's identity, or
25 another individual's perception thereof, in relation to the gender or
26 genders to which the individual is sexually or emotionally attracted and
27 the behavior or social affiliation that may result from the attraction.

1 ~~(8)~~ (25) "Trainer of a service animal" means a person who
2 individually trains a service animal.

3 **SECTION 3.** In Colorado Revised Statutes, 18-13-107, **amend**
4 (1) and (3) as follows:

5 **18-13-107. Interference with persons with disabilities.** (1) A
6 person shall not falsely impersonate an individual with a disability, as that
7 term is defined in ~~section 24-34-301 (5.6), C.R.S.~~ SECTION 24-34-301.

8 (3) A person shall not knowingly deny an individual with a
9 disability, as defined in ~~section 24-34-301 (5.6), C.R.S.~~ SECTION
10 24-34-301, any right or privilege protected in section 24-34-502,
11 24-34-502.2, 24-34-601, 24-34-802, ~~(1)~~, or 24-34-803. ~~C.R.S.~~

12 **SECTION 4.** In Colorado Revised Statutes, 24-32-706, **amend**
13 (1) as follows:

14 **24-32-706. State housing board.** (1) There is created, within the
15 division of housing, the state housing board. The governor shall appoint
16 one member from each congressional district in the state TO THE BOARD.
17 The member must be a qualified elector of the congressional district from
18 which the member is appointed. In making appointments to the board, the
19 governor shall include representation by at least one member who is a
20 person with a disability, as defined in ~~section 24-34-301 (2.5)~~ SECTION
21 24-34-301, a family member of a person with a disability, or a member of
22 an advocacy group for persons with disabilities.

23 **SECTION 5.** In Colorado Revised Statutes, 24-34-501, **amend**
24 (3) as follows:

25 **24-34-501. Definitions.** As used in this part 5, unless the context
26 otherwise requires:

27 (3) "Person" has the ~~meaning ascribed to such term in section~~

1 ~~24-34-301 (5)~~ SAME MEANING AS SET FORTH IN SECTION 24-34-301 and
2 includes any owner, lessee, proprietor, manager, employee, or any agent
3 of a person; but, for purposes of this part 5, "person" does not include any
4 private club not open to the public that, as an incident to its primary
5 purpose or purposes, provides lodgings that it owns or operates for other
6 than a commercial purpose, unless the club has the purpose of promoting
7 discrimination in the matter of housing against any person because of
8 disability, race, creed, color, religion, sex, sexual orientation, gender
9 identity, gender expression, marital status, familial status, veteran or
10 military status, national origin, or ancestry.

11 **SECTION 6.** In Colorado Revised Statutes, 24-34-802, **amend**
12 (1)(b) and (2)(a) introductory portion as follows:

13 **24-34-802. Violations - penalties - immunity.** (1) (b) An
14 individual with a disability, as defined in ~~section 24-34-301 (5.6)~~ SECTION
15 24-34-301, must not, by reason of the individual's disability, be excluded
16 from participation in or be denied the benefits of services, programs, or
17 activities provided by a public entity, as defined in section 24-34-301, or
18 a state agency, as defined in section 24-37.5-102, or be subjected to
19 discrimination by any such public entity or state agency.

20 (2) (a) An individual with a disability, as defined in ~~section~~
21 ~~24-34-301 (5.6)~~ SECTION 24-34-301, who is subject to a violation of
22 subsection (1) of this section or of section 24-34-502, 24-34-502.2,
23 24-34-601, or 24-34-803 based on the individual's disability may bring a
24 civil suit in a court of competent jurisdiction and, except as provided in
25 section 24-85-103, is entitled to any of the following remedies:

26 **SECTION 7.** In Colorado Revised Statutes, 25-1-103, **amend**
27 (1)(d) as follows:

1 **25-1-103. State board of health created.** (1) (d) The term of
2 office for each appointed member is four years. In making appointments
3 to the board, the governor shall ensure that no business or professional
4 group constitutes a majority of the board. In making appointments to the
5 board, the governor is encouraged to include representation by at least
6 one member who is a person with a disability, as defined in ~~section~~
7 ~~24-34-301 (2.5)~~ SECTION 24-34-301, a family member of a person with a
8 disability, or a member of an advocacy group for persons with disabilities
9 if the other requirements of this subsection (1) are met.

10 **SECTION 8.** In Colorado Revised Statutes, 25-4-1615, **amend**
11 (4) as follows:

12 **25-4-1615. Pet dogs in retail food establishments - prohibited**
13 **- exceptions.** (4) Nothing in this section is intended to restrict the
14 presence of a service animal, as defined in ~~section 24-34-301 (6.5)~~
15 SECTION 24-34-301.

16 **SECTION 9.** In Colorado Revised Statutes, 25.5-1-301, **amend**
17 (1)(d)(III) as follows:

18 **25.5-1-301. Medical services board - creation.** (1) (d) In
19 making appointments to the board, the governor shall include:

20 (III) Representation by at least one member who is a person with
21 a disability, as defined in ~~section 24-34-301 (2.5)~~ SECTION 24-34-301, a
22 family member of a person with a disability, or a member of an advocacy
23 group for persons with disabilities, provided that the other requirements
24 of this subsection (1) are met.

25 **SECTION 10.** In Colorado Revised Statutes, 26-1-107, **amend**
26 (1)(b)(I) as follows:

27 **26-1-107. State board of human services - rules.** (1) (b) The

1 board consists of:

2 (I) One member who is a person with a disability, as defined in
3 ~~section 24-34-301(2.5)~~ SECTION 24-34-301, a family member of a person
4 with a disability, or a member of an advocacy group for persons with
5 disabilities;

6 **SECTION 11.** In Colorado Revised Statutes, 26.5-3-204, **amend**
7 (2)(e) as follows:

8 **26.5-3-204. Colorado child abuse prevention board - creation**
9 **- members - terms - vacancies.** (2) The board consists of nineteen
10 members, with a consideration for geographic diversity, as follows:

11 (e) Three persons appointed by the governor and confirmed by the
12 senate who are knowledgeable in the area of child abuse prevention and
13 represent some of the following areas: Law enforcement, medicine, law,
14 business, public policy, mental health, intimate partner violence, early
15 childhood education, elementary and secondary education, reducing
16 poverty and helping families gain economic stability, the connection
17 between housing instability and trauma, higher education, research and
18 program evaluation, and social work. In making appointments to the
19 board, the governor is encouraged to include representation by at least
20 one member who is a person with a disability, as defined in ~~section~~
21 ~~24-34-301(2.5)~~ SECTION 24-34-301, a family member of a person with a
22 disability, or a member of an advocacy group for persons with disabilities,
23 so long as the other requirements of this subsection (2)(e) are met.

24 **SECTION 12.** In Colorado Revised Statutes, 27-50-702, **amend**
25 (2)(a)(IV) as follows:

26 **27-50-702. Advisory council - membership.** (2) (a) The
27 advisory council consists of not less than fifteen members and not more

1 than twenty members appointed by the commissioner for three-year
2 terms; except that some of the initial terms may be for two years. In
3 addition to maintaining a majority of members who represent individuals
4 with lived behavioral health experience or families of individuals with
5 lived behavioral health experience, the commissioner shall appoint at
6 least one member that represents:

7 (IV) Persons with disabilities, as defined in ~~section 24-34-301~~
8 ~~(2.5)~~ SECTION 24-34-301, a family member of a person with a disability,
9 or an advocacy organization for persons with disabilities;

10 **SECTION 13.** In Colorado Revised Statutes, 27-65-130, **amend**
11 (1)(b) as follows:

12 **27-65-130. Advisory board - created - service standards and**
13 **rules.** (1) (b) In making appointments to the board, the governor is
14 encouraged to include representation by at least one member who is a
15 person with a disability, as defined in ~~section 24-34-301 (2.5)~~ SECTION
16 24-34-301, a family member of a person with a disability, or a member of
17 an advocacy group for persons with disabilities, provided that the other
18 requirements of this section are met.

19 **SECTION 14.** In Colorado Revised Statutes, 43-1-106, **amend**
20 (4)(c) as follows:

21 **43-1-106. Transportation commission - powers and duties -**
22 **efficiency and accountability committee - rules - definitions.**

23 (4) (c) As the terms of the members of the commission expire, the
24 governor shall consider the appointment to the commission of one or
25 more individuals with knowledge or experience in mass transportation ~~in~~
26 ~~order~~ to provide for a commission with expertise in different modes of
27 transportation and shall consider the appointment to the commission of

1 at least one individual with knowledge or experience in engineering. In
2 making appointments to the commission, the governor is encouraged to
3 include representation by at least one member who is a person with a
4 disability, as defined in ~~section 24-34-301 (2.5)~~ SECTION 24-34-301, a
5 family member of a person with a disability, or a member of an advocacy
6 group for persons with disabilities, provided that the other requirements
7 of this subsection (4)(c) are met.

8 **SECTION 15. Appropriation.** (1) For the 2023-24 state fiscal
9 year, \$289,568 is appropriated to the department of regulatory agencies
10 for use by the civil rights division. This appropriation is from the general
11 fund. To implement this act, the division may use this appropriation as
12 follows:

13 (a) \$125,595 for personal services, which amount is based on an
14 assumption that the division will require an additional 1.5 FTE; and

15 (b) \$163,973 for operating expenses.

16 **SECTION 16. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety.