



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated January 25, 2023)

Drafting Number:	LLS 23-0047	Date:	February 27, 2023
Prime Sponsors:	Rep. McCormick; Vigil Sen. Jaquez Lewis	Bill Status:	House Appropriations
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Bill Topic: AMENITIES FOR ALL GENDERS IN PUBLIC BUILDINGS

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill creates requirements for public buildings regarding non-gendered bathrooms, baby diaper changing stations, and signage. The bill increases state and local expenditures beginning in FY 2023-24.

Appropriation Summary: For FY 2023-24, the bill requires appropriations of \$2.3 million to multiple state agencies. See the State Appropriations section for detail.

Fiscal Note Status: The revised fiscal note reflects the introduced bill, as amended by the House State, Civic, Military, and Veterans Affairs Committee.

**Table 1
State Fiscal Impacts Under HB 23-1057**

		Budget Year FY 2023-24	Out Year FY 2024-25
Revenue		-	-
Expenditures	General Fund	\$1.2 million	-
	Cash Funds	\$1.1 million	-
	Total Expenditures	\$2.3 million	-
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$182,088	-

Summary of Legislation

Beginning January 1, 2024, the bill requires that any new construction or restroom renovation of a qualifying public building owned, operated, or controlled by the state, a county, or a municipality must include certain amenities regarding restrooms. It applies to publically accessible buildings by January 1, 2024, and buildings accessible by employees or enrolled students by July 1, 2025.

Non-gendered restrooms. Each floor where a restroom is publically available must contain a single-stall restroom or a non-gendered multi-stall restroom, and each single-stall restroom must not be a gender-specific restroom. Multi-stall restrooms must be usable by people of any gender provided that certain code requirements are met.

Baby diaper changing stations. On each floor that contains a public restroom, each such building must provide at least one baby diaper changing station that is accessible to the public. Each baby diaper changing station must be maintained for safety and ease of use, and must be cleaned on the same schedule as the restroom(s) on that floor.

Signage. Each restroom with a baby diaper changing station and each non-gendered restroom must be labelled with non-gendered pictogram signage. In addition, each building must include signage near its entrance indicating the location of any baby diaper changing station, and any central directory that indicates the location of offices, restrooms, and other building facilities must include non-gendered pictograms of the location of any baby diaper changing stations, and any non-gendered restrooms.

Other requirements. The bill allows an exemption if meeting these requirements would cause a failure to comply with building standards governing accessibility, if a project was approved before the bill's effective date, or if the building is a certified historic structure. Failure to comply with the bill's requirements constitutes a discriminatory or unfair practice, and an employee working in the public building may file a complaint with the Colorado Civil Rights Division.

State Expenditures

The bill increases state expenditures in various state agencies by \$2.3 million in FY 2023-24 to update and add restroom signs, paid from the General Fund and cash funds. Expenditures are shown in Table 2 on the following page and detailed below.

Signage requirements. The bill requires adding or replacing up to 7,400 signs in public and employee spaces in state-owned buildings. Total cost for hardware, labor, contractor fees, and bonding are estimated, on average, at \$380 for a restroom sign and \$220 for a lobby sign.

Future capital construction projects. The bill's requirements will be incorporated into future capital construction and renovation requests by state agencies and state institutions of higher education seeking funding beginning in FY 2024-25. This will increase state expenditures, though the amount will vary from project to project depending on the project's scope and whether any of these requirements have already been included. For informational purposes, the Office of the State Architect estimates the costs shown in Table 3 on the following page, based on active construction projects.

**Table 2
Expenditures Under HB 23-1057**

	Restroom Signs	Lobby Signs	FY 2023-24 Cost
Agency			
Department of Higher Education	1,696	1,510	\$976,680
Department of Natural Resources	1,764	694	\$823,000
Department of Transportation	304	584	\$244,000
Department of Public Safety	132	48	\$60,720
Department of Human Services	0	170	\$37,400
Judicial Department	56	2	\$21,720
Department of Public Health and Environment	32	32	\$19,200
Department of Agriculture	15	61	\$19,120
Department of Military and Veterans Affairs	0	83	\$18,260
Department of Education	38	17	\$18,180
History Colorado	22	38	\$16,720
Department of Personnel and Administration	23	19	\$12,920
Department of Local Affairs	4	17	\$5,260
Office of Information Technology	8	6	\$4,360
Department of Labor and Employment	6	2	\$2,720
Department of Revenue	0	3	\$660
Totals	4,100	3,286	\$2,280,920

**Table 3
Average Restroom Construction Costs in FY 2023-24**

Component	Cost
Multi-Stall Restroom	\$203,000
Single-Stall Restroom	\$153,700
Changing Station	\$310

Local Government

Similar to the state, expenditures will increase for local governments to update signage and incorporate the bill's requirements into new construction and renovation projects beginning in FY 2023-24.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State Appropriations

For FY 2023-24, the bill requires the following appropriations from the General Fund:

- \$976,680 to the Department of Higher Education;
- \$60,720 to the Department of Public Safety;
- \$37,400 to the Department of Human Services;
- \$21,720 to the Judicial Department;
- \$19,200 to the Department of Public Health and Environment;
- \$19,120 to the Department of Agriculture;
- \$18,260 to the Department of Military and Veterans Affairs;
- \$16,720 to History Colorado;
- \$12,920 to the Department of Personnel and Administration;
- \$5,260 to the Department of Local Affairs;
- \$4,360 to the Office of Information Technology; and
- \$660 to the Department of Revenue.

For FY 2023-24, the bill requires the following appropriations from cash funds:

- \$823,000 to the Department of Natural Resources; and
- \$244,000 to the Department of Transportation.

State and Local Government Contacts

Counties	Information Technology	Law
Municipalities	Personnel	Regulatory Agencies
Special Districts		