

## CHAPTER 397

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**EDUCATION - PUBLIC SCHOOLS**


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**HOUSE BILL 24-1285**

BY REPRESENTATIVE(S) Hamrick, Amabile, Bacon, Boesenecker, Brown, Froelich, Garcia, Jodeh, Lindsay, Lindstedt, Lukens, Mabrey, Marvin, Parenti, Ricks, Titone, Weissman, Willford, Young;  
 also SENATOR(S) Marchman and Gardner, Bridges, Buckner, Exum, Fields, Ginal, Jaquez Lewis, Kolker, Michaelson Jenet, Mullica, Priola, Roberts, Sullivan, Winter F., Zenzinger.

**AN ACT****CONCERNING PREVENTING BULLYING IN PUBLIC SCHOOLS BASED ON STUDENT PHYSICAL APPEARANCE.**

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

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

(a) Bullying is a pervasive threat to the well-being of youth;

(b) According to research from the University of Connecticut, youth report that one of the most common forms of bullying in schools centers on the weight of victims;

(c) Youth from Black, Indigenous, and other communities of color as well as lesbian, gay, bisexual, and transgender youth are more likely to suffer from weight-based bullying;

(d) Weight-based bullying stigmatizes body size, contributing to a wide variety of negative outcomes. These outcomes include disordered eating, depression, diminished academic achievement, and reduced participation in the school community.

(e) It is imperative that all students feel safe, welcomed, and connected in the school environment, regardless of their weight, height, or body size; and

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(f) Current Colorado law fails to adequately defend students from the dangers of bullying based on weight, height, or body size.

(2) The general assembly finds, therefore, that action must be taken to protect students from the lethal effects of weight stigma and bullying based on weight, height, or body size.

**SECTION 2.** In Colorado Revised Statutes, 22-32-109.1, **amend** (1)(b) as follows:

**22-32-109.1. Board of education - specific powers and duties - safe school plan - conduct and discipline code - safe school reporting requirements - school response framework - school resource officers - definitions.** (1) **Definitions.** As used in this section, unless the context otherwise requires:

(b) "Bullying" means any written or oral expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student. Bullying is prohibited against any student for any reason, including, but not limited to, any ~~such~~ BULLYING behavior that is directed toward a student on the basis of the student's academic performance; ~~or ANY BULLYING BEHAVIOR THAT IS DIRECTED TOWARD A STUDENT~~ against whom federal and state laws prohibit discrimination upon any of the bases described in section 22-32-109 (1)(II)(I)(A); ~~OR A PATTERN OF BULLYING BEHAVIOR THAT IS DIRECTED TOWARD A STUDENT ON THE BASIS OF THE STUDENT'S WEIGHT, HEIGHT, OR BODY SIZE.~~ This definition is not intended to infringe upon any right guaranteed to any person by the first amendment to the United States constitution or to prevent the expression of any religious, political, or philosophical views.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 4, 2024