

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

**INTRODUCED**

LLS NO. 25-0634.01 Chelsea Princell x4335

**HOUSE BILL 25-1253**

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**HOUSE SPONSORSHIP**

**Bradley**, Barron, Brooks, DeGraaf, Weinberg

**SENATE SPONSORSHIP**

**(None)**,

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**House Committees**  
Health & Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE ESTABLISHMENT OF THE "YOUTH HEALTH**  
102      **PROTECTION ACT".**

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**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 prohibits an individual to perform or cause or assist in the performance of any medical procedure or medical treatment that furthers a minor's desire to present or appear in a manner that is inconsistent with the minor's sex.

The bill prohibits an office, agency, political subdivision of this state, or organization with the authority to license or discipline members

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.*

of a profession from imposing a penalty or taking adverse action against an individual who provides or receives counseling, advice, or guidance consistent with conscience or religious belief.

The bill allows the parent, guardian, or legal custodian of a minor to withhold consent for treatment, activity, or mental health-care service that is designed and intended to form the parent's child's conceptions of sex and gender or to treat gender dysphoria or gender nonconformity.

The bill prohibits a law enforcement officer acting pursuant to an investigation, an employee, an agent of this state, or a political subdivision from encouraging a minor to withhold information from the minor's parent or from withholding information regarding a minor's physical or mental health from the minor's parent.

The bill prohibits a person from being discriminated or retaliated against by a person who provides information regarding an act or omission that violates the requirements described in the bill.

The bill prohibits the state from using state funds for the performance of, or in furtherance of, any medical procedure or medical treatment that furthers a minor's desire to present or appear in a manner that is inconsistent with the minor's sex.

The bill allows an individual harmed or aggrieved by a violation of the requirements described in the bill to file suit and recover certain damages and civil remedies.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 12-30-125 as  
3 follows:

4           **12-30-125. Youth health protection - definitions. (1) Short**  
5 **title.** THE SHORT TITLE OF THIS SECTION IS THE "YOUTH HEALTH  
6 PROTECTION ACT".

7           **(2) Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT  
8 OTHERWISE REQUIRES:

9           **(a)** "GOVERNMENT AGENT" MEANS AN AGENT, EMPLOYEE,  
10 VOLUNTEER, OR CONTRACTOR OF A CHILD SERVICES AGENCY; CHILD  
11 PLACEMENT AGENCY, AS DEFINED IN SECTION 19-1-103; COURT; OR LOCAL  
12 EDUCATION AGENCY, AS DEFINED IN SECTION 24-60-3402.

13           **(b)** "HEALTH-CARE PROVIDER" MEANS A MEDICAL PROFESSIONAL

1 OR HEALTH FACILITY.

2 (c) "HEALTH FACILITY" MEANS A FACILITY LICENSED OR CERTIFIED  
3 PURSUANT TO SECTION 25-1.5-103 OR ESTABLISHED PURSUANT TO PART  
4 5 OF ARTICLE 21 OF TITLE 23 OR ARTICLE 29 OF TITLE 25.

5 (d) "MEDICAL PROFESSIONAL" MEANS A PERSON LICENSED TO  
6 PRACTICE MEDICINE PURSUANT TO ARTICLE 240 OF THIS TITLE 12 OR TO  
7 PRACTICE NURSING PURSUANT TO PART 1 OF ARTICLE 255 OF THIS TITLE 12.

8 (e) "MENTAL HEALTH-CARE PROFESSIONAL OR COUNSELOR"  
9 MEANS A MEDICAL PROFESSIONAL, INCLUDING AN INTERN, TRAINEE,  
10 VOLUNTEER, OR OTHER INDIVIDUAL WHO IS ENGAGED IN THE DELIVERY OF  
11 MENTAL HEALTH-CARE OR COUNSELING SERVICES.

12 (f) "MINOR" MEANS AN INDIVIDUAL UNDER EIGHTEEN YEARS OF  
13 AGE.

14 (g) "POLITICAL SUBDIVISION" MEANS A LOCAL GOVERNMENTAL  
15 ENTITY AND INCLUDES EVERY COUNTY, CITY AND COUNTY, CITY, TOWN,  
16 SCHOOL DISTRICT, SPECIAL DISTRICT, PUBLIC HIGHWAY AUTHORITY,  
17 REGIONAL TRANSPORTATION AUTHORITY, AND HOUSING AUTHORITY  
18 WITHIN THIS STATE OR AN INSTRUMENTALITY OF GOVERNMENT CREATED  
19 BY ONE OR MORE LOCAL GOVERNMENTAL ENTITIES.

20 (h) "SEX" MEANS THE BIOLOGICAL STATE OF BEING FEMALE OR  
21 MALE, BASED ON SEX ORGANS, CHROMOSOMES, AND ENDOGENOUS  
22 HORMONE PROFILES.

23 **(3) Prohibition on certain practices and health-care services.**

24 (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE  
25 CONTRARY, AND EXCEPT AS PROVIDED IN SUBSECTION (3)(c) OF THIS  
26 SECTION, AN INDIVIDUAL SHALL NOT ENGAGE IN THE FOLLOWING  
27 PRACTICES, OR CAUSE OR ASSIST IN THE PERFORMANCE OF THE FOLLOWING

1 PRACTICES, UPON A MINOR TO FURTHER THE MINOR'S DESIRE TO PRESENT  
2 OR APPEAR IN A MANNER THAT IS INCONSISTENT WITH THE MINOR'S SEX:

3 (I) SURGERY THAT STERILIZES THE MINOR, INCLUDING  
4 CASTRATION, VASECTOMY, HYSTERECTOMY, OOPHORECTOMY,  
5 METOIDIOPLASTY, ORCHIECTOMY, PENECTOMY, PHALLOPLASTY, AND  
6 VAGINOPLASTY;

7 (II) A MASTECTOMY;

8 (III) ADMINISTERING OR SUPPLYING THE FOLLOWING MEDICATIONS  
9 THAT INDUCE TRANSIENT OR PERMANENT INFERTILITY:

10 (A) PUBERTY-BLOCKING MEDICATION TO STOP OR DELAY NORMAL  
11 PUBERTY;

12 (B) SUPRAPHYSIOLOGIC DOSES OF TESTOSTERONE OR OTHER  
13 ANDROGENS TO MEMBERS OF THE FEMALE SEX; OR

14 (C) SUPRAPHYSIOLOGIC DOSES OF ESTROGEN OR SYNTHETIC  
15 COMPOUNDS WITH ESTROGENIC ACTIVITY TO MEMBERS OF THE MALE SEX;

16 OR

17 (IV) REMOVING AN OTHERWISE HEALTHY OR NON-DISEASED BODY  
18 PART OR TISSUE.

19 (b) A MEDICAL PROFESSIONAL WHO ENGAGES IN A PRACTICE  
20 IDENTIFIED IN SUBSECTION (3)(a) OF THIS SECTION, OR CAUSES OR ASSISTS  
21 IN THE PRACTICE PERFORMED, COMMITS UNPROFESSIONAL CONDUCT AND  
22 IS SUBJECT TO REVOCATION OF LICENSURE AND ANY OTHER APPROPRIATE  
23 DISCIPLINE BY THE COLORADO MEDICAL BOARD CREATED IN SECTION  
24 12-240-105. THE MEDICAL PROFESSIONAL IS SUBJECT TO A CIVIL PENALTY  
25 OF UP TO ONE THOUSAND DOLLARS PER OCCURRENCE. PAYMENTS FOR  
26 PENALTIES IMPOSED PURSUANT TO THIS SECTION MUST BE DEPOSITED INTO  
27 THE STATE GENERAL FUND.

1 (c) THE REQUIREMENTS OF THIS SECTION DO NOT APPLY TO THE  
2 FOLLOWING:

3 (I) THE GOOD FAITH MEDICAL DECISION OF A PARENT OR  
4 GUARDIAN OF A MINOR BORN WITH A MEDICALLY VERIFIABLE GENETIC  
5 DISORDER OF SEXUAL DEVELOPMENT, INCLUDING:

6 (A) A MINOR WITH EXTERNAL BIOLOGICAL SEX CHARACTERISTICS  
7 THAT ARE IRRESOLVABLY AMBIGUOUS, SUCH AS A MINOR BORN HAVING  
8 FORTY-SIX XX CHROMOSOMES WITH VIRILIZATION, FORTY-SIX XY  
9 CHROMOSOMES WITH UNDERVIRILIZATION, OR HAVING BOTH OVARIAN AND  
10 TESTICULAR TISSUE; OR

11 (B) WHEN A PHYSICIAN HAS OTHERWISE DIAGNOSED A DISORDER  
12 OF SEXUAL DEVELOPMENT IN WHICH THE PHYSICIAN HAS DETERMINED  
13 THROUGH GENETIC TESTING THAT THE MINOR DOES NOT HAVE THE  
14 NORMAL SEX CHROMOSOME STRUCTURE FOR MALE OR FEMALE SEXES; OR

15 (II) TREATMENT OF A MINOR WHO, BEFORE THE EFFECTIVE DATE  
16 OF THIS ACT, RECEIVED ONE OR MORE COURSES OF TREATMENT DESCRIBED  
17 IN SUBSECTION (3)(a) OF THIS SECTION.

18 (d) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE  
19 CONTRARY, A HEALTH-CARE PROVIDER MUST NOT RECEIVE STATE FUNDS  
20 TO FURNISH, PROVIDE, OR PERFORM A HEALTH-CARE SERVICE THAT  
21 CONSTITUTES THE PERFORMANCE OF, OR PREPARATION FOR, A GENDER  
22 TRANSITION PROCEDURE TO OR ON A MINOR.

23 (4) **Counseling.** AN OFFICE, AGENCY, OR POLITICAL SUBDIVISION  
24 OF THIS STATE, OR AN ORGANIZATION WITH AUTHORITY TO LICENSE OR  
25 DISCIPLINE THE MEMBERS OF A PROFESSION, SHALL NOT IMPOSE A PENALTY  
26 OR TAKE ADVERSE ACTION AGAINST AN INDIVIDUAL WHO GIVES OR  
27 RECEIVES COUNSEL, ADVICE, GUIDANCE, OR OTHER SPEECH OR

1 COMMUNICATION, WHETHER DESCRIBED AS THERAPY OR PROVIDED FOR A  
2 FEE, CONSISTENT WITH CONSCIENCE OR RELIGIOUS BELIEF.

3 (5) **Protection of parental rights.** (a) NOTWITHSTANDING ANY  
4 OTHER PROVISION OF LAW TO THE CONTRARY, A PARENT, GUARDIAN, OR  
5 LEGAL CUSTODIAN, IN EXERCISING THE FUNDAMENTAL RIGHT TO CARE FOR  
6 A CHILD, MAY WITHHOLD CONSENT FOR A TREATMENT, ACTIVITY, OR  
7 MENTAL HEALTH-CARE SERVICE THAT IS DESIGNED AND INTENDED TO  
8 FORM THE CHILD'S CONCEPTIONS OF SEX AND GENDER OR TO TREAT  
9 GENDER DYSPHORIA OR GENDER NONCONFORMITY. AN EMPLOYEE OR  
10 AGENT OF THIS STATE OR A POLITICAL SUBDIVISION SHALL NOT INFRINGE  
11 UPON, OR IMPEDE THE EXERCISE OF, THE RIGHT DESCRIBED IN THIS  
12 SUBSECTION (5)(a).

13 (b) IF AN EMPLOYEE OR AGENT OF THIS STATE OR A POLITICAL  
14 SUBDIVISION HAS KNOWLEDGE THAT A MINOR UNDER THE CARE OR  
15 SUPERVISION OF THIS STATE OR A POLITICAL SUBDIVISION HAS EXHIBITED  
16 SYMPTOMS OF GENDER DYSPHORIA, GENDER NONCONFORMITY, OR  
17 OTHERWISE DEMONSTRATES A DESIRE TO BE TREATED IN A MANNER  
18 INCONGRUENT WITH THE MINOR'S SEX, THE EMPLOYEE OR AGENT WITH  
19 THAT KNOWLEDGE MUST IMMEDIATELY NOTIFY, IN WRITING, THE MINOR'S  
20 PARENT, GUARDIAN, OR LEGAL CUSTODIAN. THE NOTICE MUST DESCRIBE  
21 ALL RELEVANT INFORMATION KNOWN TO THE EMPLOYEE OR AGENT WITH  
22 REASONABLE SPECIFICITY.

23 (6) **Whistleblower protection.** (a) A PERSON MUST NOT BE  
24 DISCRIMINATED OR RETALIATED AGAINST FOR DOING ANY OF THE  
25 FOLLOWING:

26 (I) PROVIDING, CAUSING TO BE PROVIDED, OR TAKING STEPS TO  
27 PROVIDE OR CAUSE TO BE PROVIDED TO THE PERSON'S EMPLOYER, THE

1 ATTORNEY GENERAL, AN ENTITY OF THIS STATE OR A POLITICAL  
2 SUBDIVISION, OR AN ENTITY OF THE FEDERAL GOVERNMENT INFORMATION  
3 ABOUT AN ACT OR OMISSION THAT CONSTITUTES A VIOLATION OF THIS  
4 SECTION;

5 (II) TESTIFYING OR PREPARING TO TESTIFY IN A PROCEEDING  
6 CONCERNING A VIOLATION OF THIS SECTION; OR

7 (III) ASSISTING OR PARTICIPATING IN A PROCEEDING CONCERNING  
8 A VIOLATION OF THIS SECTION.

9 (b) UNLESS A DISCLOSURE OR REPORT OF INFORMATION IS  
10 SPECIFICALLY PROHIBITED BY LAW, A PERSON MUST NOT BE  
11 DISCRIMINATED AGAINST IN ANY MANNER BECAUSE THE PERSON  
12 DISCLOSES INFORMATION PURSUANT TO THIS SECTION THAT THE PERSON  
13 BELIEVES REVEALS THE FOLLOWING:

14 (I) A VIOLATION OF LAW OR RULE;

15 (II) A VIOLATION OF A STANDARD OF CARE OR OTHER ETHICAL  
16 GUIDELINE FOR THE PROVISION OF A HEALTH-CARE SERVICE; OR

17 (III) AN ACT OF GROSS MISMANAGEMENT, GROSS WASTE OF FUNDS,  
18 OR ABUSE OF AUTHORITY, OR AN ACT THAT POSES A SUBSTANTIAL AND  
19 SPECIFIC DANGER TO PUBLIC HEALTH OR SAFETY.

20 (7) **Limitation on use of state funds.** STATE FUNDS MUST NOT BE  
21 USED FOR THE PERFORMANCE OF, OR IN FURTHERANCE OF, PRACTICES  
22 SPECIFIED IN SUBSECTION (3) OF THIS SECTION OR TO SUPPORT THE  
23 ADMINISTRATION OF A GOVERNMENTAL HEALTH PLAN OR  
24 GOVERNMENT-OFFERED INSURANCE POLICY OFFERING PRACTICES  
25 SPECIFIED IN SUBSECTION (3) OF THIS SECTION.

26 (8) **Civil remedies.** (a) A CIVIL ACTION FOR COMPENSATORY OR  
27 SPECIAL DAMAGES, INJUNCTIVE RELIEF, OR OTHER RELIEF AVAILABLE

1 UNDER LAW MAY BE BROUGHT BY A PERSON FOR A VIOLATION OF THIS  
2 PART 1 AGAINST A MEDICAL PROFESSIONAL, HEALTH-CARE ENTITY,  
3 GOVERNMENT AGENT, OR OTHER INDIVIDUAL OR ENTITY RESPONSIBLE FOR  
4 THE VIOLATION.

5 (b) A PARTY AGGRIEVED OR HARMED BY A VIOLATION OF THIS  
6 PART 1 MUST BRING SUIT FOR A VIOLATION OF THIS PART 1 NO LATER THAN  
7 TWO YEARS AFTER THE DAY THE CAUSE OF ACTION ACCRUED. A MINOR  
8 INJURED BY A PRACTICE PROHIBITED PURSUANT TO THIS PART 1 MAY BRING  
9 AN ACTION DURING THEIR MINORITY THROUGH A PARENT OR GUARDIAN,  
10 AND MAY BRING AN ACTION IN THEIR OWN NAME UPON REACHING  
11 MAJORITY AT ANY TIME FROM THAT DATE UNTIL TWENTY YEARS FROM THE  
12 DATE THE MINOR ATTAINED THE AGE OF MAJORITY.

13 (c) A PERSON WHO PREVAILS ON A CLAIM BROUGHT PURSUANT TO  
14 THIS SECTION IS ENTITLED, UPON THE FINDING OF A VIOLATION, TO  
15 RECOVER THE FOLLOWING:

16 (I) MONETARY DAMAGES, INCLUDING ALL PSYCHOLOGICAL,  
17 EMOTIONAL, AND PHYSICAL HARM SUFFERED;

18 (II) TOTAL COSTS OF THE ACTION AND REASONABLE ATTORNEY  
19 FEES; AND

20 (III) OTHER APPROPRIATE RELIEF.

21 (d) STANDING TO ASSERT A CLAIM OR DEFENSE PURSUANT TO THIS  
22 SECTION IS GOVERNED BY THE GENERAL LAW OF STANDING.

23 (9) **Preemption.** (a) A POLITICAL SUBDIVISION SHALL NOT ENACT,  
24 ADOPT, MAINTAIN, OR ENFORCE A LAW, ORDINANCE, RULE, ORDER, POLICY,  
25 OR OTHER MEASURE THAT PROHIBITS, RESTRICTS, LIMITS, CONTROLS,  
26 DIRECTS, OR OTHERWISE INTERFERES WITH THE PROFESSIONAL CONDUCT  
27 AND JUDGMENT OF A MENTAL HEALTH-CARE PROFESSIONAL OR



1 COUNSELOR, INCLUDING SPEECH UNDERTAKEN WITHIN THE COURSE OF  
2 TREATMENT AND COMMUNICATION WITH A CLIENT, PATIENT, OTHER  
3 PERSON, OR THE PUBLIC, INCLUDING THERAPY, COUNSELING, REFERRAL,  
4 AND EDUCATION.

5 (b) THE ATTORNEY GENERAL OR A MENTAL HEALTH-CARE  
6 PROFESSIONAL OR COUNSELOR MAY BRING AN ACTION FOR AN INJUNCTION  
7 TO PREVENT OR RESTRAIN A VIOLATION OF THIS SECTION. A MENTAL  
8 HEALTH-CARE PROFESSIONAL MAY RECOVER REASONABLE COSTS AND  
9 ATTORNEY FEES INCURRED IN OBTAINING AN INJUNCTION PURSUANT TO  
10 THIS SECTION.

11 (c) SOVEREIGN AND GOVERNMENTAL IMMUNITY TO SUIT AND FROM  
12 LIABILITY ARE WAIVED AND ABOLISHED TO THE EXTENT OF THE LIABILITY  
13 CREATED BY THIS SECTION.

14 **SECTION 2.** In Colorado Revised Statutes, 19-2.5-1502.5,  
15 **repeal** (3)(h) as follows:

16 **19-2.5-1502.5. Bill of rights for youth in a juvenile facility.**

17 (3) In addition to the other rights granted pursuant to this section, a youth  
18 detained or committed to the care and physical custody of a juvenile  
19 facility operated by the department of human services has the following  
20 rights related to medical care:

21 (h) ~~Access to gender-affirming care.~~

22 **SECTION 3.** In Colorado Revised Statutes, 24-10-106, **amend**  
23 (1)(j) and (1)(k); and **add** (1)(l) as follows:

24 **24-10-106. Immunity and partial waiver.** (1) A public entity is  
25 immune from liability in all claims for injury that lie in tort or could lie  
26 in tort regardless of whether that may be the type of action or the form of  
27 relief chosen by the claimant except as provided otherwise in this section.

1 Sovereign immunity is waived by a public entity in an action for injuries  
2 resulting from:

3 (j) An action brought pursuant to part 12 of article 20 of title 13,  
4 whether the conduct alleged occurred before, on, or after January 1, 2022;

5 or

6 (k) An action brought pursuant to section 24-34-806 (4); OR

7 (l) AN ACTION BROUGHT PURSUANT TO SECTION 12-30-125.

8 **SECTION 4.** In Colorado Revised Statutes, 27-60-104, **amend**  
9 (3.5) as follows:

10 **27-60-104. Behavioral health crisis response system - crisis**  
11 **service facilities - walk-in centers - mobile response units - report.**

12 (3.5) Mobile crisis programs and crisis walk-in centers shall provide  
13 crisis response screening services to any individual seeking such services,  
14 including youth of any age and an individual with a disability, as defined  
15 in the federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec.  
16 12101 et seq., as amended, regardless of primary diagnosis, co-occurring  
17 conditions, or if the individual requires assistance with activities of daily  
18 living, as defined in section 12-270-104. All additional or corresponding  
19 behavioral health services beyond the crisis response screening must be  
20 provided in accordance with all applicable state laws, including, but not  
21 limited to, sections ~~12-245-203.5~~, 13-22-102, 27-65-103, and 27-65-104.

22 **SECTION 5.** In Colorado Revised Statutes, **repeal** 12-245-203.5.

23 **SECTION 6. Safety clause.** The general assembly finds,  
24 determines, and declares that this act is necessary for the immediate  
25 preservation of the public peace, health, or safety or for appropriations for  
26 the support and maintenance of the departments of the state and state  
27 institutions.