

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0897.01 Anna Petrini x5497

HOUSE BILL 24-1285

HOUSE SPONSORSHIP

Bradfield and Hamrick,

SENATE SPONSORSHIP

Marchman,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING PREVENTING BULLYING IN PUBLIC SCHOOLS BASED ON
102 STUDENT PHYSICAL APPEARANCE.

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>.)

Current law identifies bullying behaviors that are subject to school district and charter school discipline policies and reporting requirements. The bill adds a pattern of bullying based on weight, height, or body size to the prohibited bullying behaviors.

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.

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

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

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

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

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

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

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

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

25 **22-32-109.1. Board of education - specific powers and duties**
26 **- safe school plan - conduct and discipline code - safe school reporting**
27 **requirements - school response framework - school resource officers**

1 - **definitions.** (1) **Definitions.** As used in this section, unless the context
2 otherwise requires:

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

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