

**Second 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. 24-1099.01 Michael Dohr x4347

SENATE BILL 24-189

SENATE SPONSORSHIP

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HOUSE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING GENDER-RELATED CHANGES TO CRIMES THAT INVOLVE**
102 **BIAS.**

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 adds gender identity and gender expression to the classes identified in bias-motivated crimes and harassment. The bill redefines sexual orientation for purposes of bias-motivated crimes as an individual's identity, or another individual's perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the

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.*

HOUSE
Amended 2nd Reading
May 5, 2024

SENATE
3rd Reading Unamended
April 9, 2024

SENATE
Amended 2nd Reading
April 8, 2024

attraction.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-9-121, **amend (1),**
3 (2) introductory portion and (5)(b) as follows:

4 **18-9-121. Bias-motivated crimes - legislative declaration.**

5 (1) The general assembly hereby finds and declares that it is the right of
6 every person, regardless of race, color, ancestry, religion, national origin,
7 physical or mental disability, ~~or sexual orientation,~~ OR TRANSGENDER
8 IDENTITY to be secure and protected from fear, intimidation, harassment,
9 and physical harm caused by the activities of individuals and groups. The
10 general assembly further finds that the advocacy of unlawful acts against
11 persons or groups because of a person's or group's race, color, ancestry,
12 religion, national origin, physical or mental disability, ~~or sexual~~
13 orientation, OR TRANSGENDER IDENTITY for the purpose of inciting and
14 provoking bodily injury or damage to property poses a threat to public
15 order and safety and should be subject to criminal sanctions.

16 (2) A person commits a bias-motivated crime if, with the intent to
17 intimidate or harass another person, in whole or in part, because of that
18 person's actual or perceived race; color; religion; ancestry; national
19 origin; physical or mental disability; ~~or sexual orientation; he or she~~ OR
20 TRANSGENDER IDENTITY THE PERSON;

21 (5) For purposes of this section:

22 (b) "Sexual orientation" means ~~a person's actual or perceived~~
23 ~~orientation toward heterosexuality, homosexuality, bisexuality, or~~
24 ~~transgender status~~ A PERSON'S ORIENTATION TOWARD SEXUAL OR
25 EMOTIONAL ATTRACTION AND THE BEHAVIOR OR SOCIAL AFFILIATION

1 THAT MAY RESULT FROM THE ATTRACTION.

2 SECTION 2. In Colorado Revised Statutes, 18-9-111, amend
3 (2)(a) as follows:

4 18-9-111. Harassment - Kiana Arellano's Law. (2) (a) A
5 person who violates subsection (1)(a) or (1)(c) of this section or violates
6 any provision of subsection (1) of this section with the intent to intimidate
7 or harass another person, in whole or in part, because of that person's
8 actual or perceived race; color; religion; ancestry; national origin;
9 physical or mental disability, as defined in section 18-9-121; ~~(5)(a)~~; or
10 sexual orientation, as defined in section 18-9-121; ~~(5)(b)~~; OR
11 TRANSGENDER IDENTITY commits a class 1 misdemeanor.

12 SECTION 3. In Colorado Revised Statutes, 18-1-901, add
13 (3)(r.5) as follows:

14 18-1-901. Definitions. (3) (r.5) "TRANSGENDER IDENTITY" MEANS
15 IDENTITY BASED ON AN INDIVIDUAL'S GENDER IDENTITY OR EXPRESSION
16 BEING DIFFERENT FROM THAT TYPICALLY ASSOCIATED WITH THEIR SEX AT
17 BIRTH.

18 SECTION 4. Effective date - applicability. This act takes effect
19 July 1, 2024, and applies to offenses committed on or after said date.

20 SECTION 5. Safety clause. The general assembly finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety or for appropriations for
23 the support and maintenance of the departments of the state and state
24 institutions.