

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB26-1141 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Strike the Education Committee Report, dated February 26, 2026, and
2 substitute:

3 "Amend printed bill, strike everything below the enacting clause and
4 substitute:

5 "SECTION 1. In Colorado Revised Statutes, 24-34-601, **add**
6 (2)(c) as follows:

7 **24-34-601. Discrimination in places of public accommodation.**

8 (2) (c) (I) AN EDUCATIONAL INSTITUTION, INCLUDING AN
9 ELEMENTARY OR SECONDARY SCHOOL AND AN INSTITUTION OF HIGHER
10 EDUCATION, DENIES A PERSON THE FULL AND EQUAL ENJOYMENT OF A
11 PLACE OF PUBLIC ACCOMMODATION WHEN THE EDUCATIONAL
12 INSTITUTION:

13 (A) ON THE BASIS OF ONE OR MORE OF THE PROTECTED CLASSES
14 DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION, EXCLUDES A STUDENT
15 FROM PARTICIPATION IN, DENIES A STUDENT THE BENEFITS OF, OR
16 OTHERWISE SUBJECTS A STUDENT TO DISCRIMINATION IN ANY OF THE
17 EDUCATIONAL INSTITUTION'S PROGRAMS OR ACTIVITIES;

18 (B) WITHOUT A LEGITIMATE, NONDISCRIMINATORY,
19 NONPRETEXTUAL BASIS, AND BASED ON ONE OR MORE OF THE PROTECTED
20 CLASSES DESCRIBED IN SUBSECTION (2)(a) THIS SECTION, DENIES
21 EDUCATIONAL SERVICES, BENEFITS, OR OPPORTUNITIES TO A STUDENT OR
22 GROUP OF STUDENTS BY TREATING THEM DIFFERENTLY FROM A SIMILARLY
23 SITUATED STUDENT WHO IS, OR GROUP OF STUDENTS WHO ARE, PART OF A
24 DIFFERENT SUBGROUP OF STUDENTS WITHIN THE SAME PROTECTED CLASS;
25 OR

26 (C) HAS ACTUAL OR CONSTRUCTIVE NOTICE THAT A HOSTILE
27 ENVIRONMENT BASED ON ONE OR MORE OF THE PROTECTED CLASSES

1 DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION EXISTS AT THE
2 EDUCATIONAL INSTITUTION BUT FAILS TO TAKE PROMPT AND EFFECTIVE
3 STEPS REASONABLY CALCULATED TO ELIMINATE THE HOSTILE
4 ENVIRONMENT, END THE HARASSMENT THAT GAVE RISE TO THE HOSTILE
5 ENVIRONMENT, AND PREVENT THE HARASSMENT FROM RECURRING.

6 (II) IN INTERPRETING THE STANDARDS IN SUBSECTION (2)(c)(I) OF
7 THIS SECTION, THE DIVISION AND THE COMMISSION MAY CONSIDER
8 FEDERAL NONDISCRIMINATION LAW AS PERSUASIVE BUT NONBINDING
9 AUTHORITY. STATE LAW GOVERNS IN THE CASE OF A CONFLICT BETWEEN
10 APPLICABLE STATE AND FEDERAL LAW.

11 (III) THE COMMISSION MAY ADOPT RULES SPECIFIC TO COMPLAINTS
12 OF DISCRIMINATION INVOLVING EDUCATIONAL INSTITUTIONS.

13 **SECTION 2.** In Colorado Revised Statutes, 22-1-143, **amend**
14 (1)(d)(I) introductory portion as follows:

15 **22-1-143. Harassment or discrimination - policy required -**
16 **training and notification - legislative declaration - definitions.**

17 (1) As used in this section, unless the context otherwise requires:

18 (d) (I) "Harassment or discrimination" means to engage in, or the
19 act of engaging in, any unwelcome physical or verbal conduct or any
20 written, pictorial, or visual communication by a student or employee that
21 is directed at a student or group of students because of that student's or
22 group's membership in, or perceived membership in, a protected class
23 based on disability, race, creed, color, sex, sexual orientation, gender
24 identity, gender expression, family composition, PREGNANCY, PARENTAL
25 STATUS, religion, age, national origin, or ancestry, which conduct or
26 communication is objectively offensive to a reasonable individual who is
27 a member of the same protected class. The conduct or communication
28 need not be severe or pervasive to constitute harassment or discrimination
29 and constitutes harassment or discrimination if:

30 **SECTION 3.** In Colorado Revised Statutes, **add** 23-5-151 as
31 follows:

32 **23-5-151. Title VI compliance - coordinator required -**
33 **definitions.**

34 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
35 REQUIRES:

36 (a) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION"
37 MEANS A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN
38 SECTION 23-18-102 (10)(a); A LOCAL DISTRICT COLLEGE, AS DEFINED IN
39 SECTION 23-71-102; OR AN AREA TECHNICAL COLLEGE, AS DEFINED IN
40 SECTION 23-60-103.

41 (b) "TITLE VI" MEANS TITLE VI OF THE FEDERAL "CIVIL RIGHTS
42 ACT OF 1964", 42 U.S.C. SEC. 2000d ET SEQ.

43 (2) EACH INSTITUTION OF HIGHER EDUCATION SHALL ESTABLISH

1 GRIEVANCE PROCEDURES FOR A PERSON TO FILE A COMPLAINT ALLEGING
2 A VIOLATION OF TITLE VI. THE INSTITUTION SHALL MAKE THE GRIEVANCE
3 PROCEDURES AVAILABLE ON A PUBLICLY ACCESSIBLE PAGE OF THE
4 INSTITUTION'S WEBSITE AND, AT LEAST ANNUALLY, INFORM STUDENTS AND
5 EMPLOYEES OF THE EXISTENCE OF THE GRIEVANCE PROCEDURES.

6 (3) (a) EACH INSTITUTION OF HIGHER EDUCATION SHALL
7 DESIGNATE AN INDIVIDUAL TO SERVE AS THE TITLE VI COORDINATOR FOR
8 THE INSTITUTION.

9 (b) EACH INSTITUTION SHALL DETERMINE THE TITLE VI
10 COORDINATOR'S SPECIFIC DUTIES AND RESPONSIBILITIES, WHICH MUST
11 INCLUDE THAT THE TITLE VI COORDINATOR IS RESPONSIBLE FOR:

12 (I) ENSURING THE INSTITUTION'S COMPLIANCE WITH THE
13 REQUIREMENTS OF TITLE VI, INCLUDING RESPONDING TO COMPLAINTS OF
14 DISCRIMINATION AND ALLEGATIONS OF HARASSMENT;

15 (II) RESPONDING TO ALLEGATIONS OF HARASSMENT AND
16 DISCRIMINATION THAT HAVE A DISPARATE IMPACT;

17 (III) ENFORCING THE INSTITUTION'S TITLE VI GRIEVANCE
18 PROCEDURES, INCLUDING REVIEWING COMPLAINTS FILED UNDER THE
19 PROCEDURES;

20 (IV) TRACKING COMPLAINTS TO IDENTIFY INSTITUTIONAL ISSUES
21 RELATED TO TITLE VI COMPLIANCE; AND

22 (V) AGGREGATING DATA ABOUT ALLEGED VIOLATIONS OF TITLE
23 VI AT THE INSTITUTION AND MAKING THE DATA PUBLICLY AVAILABLE.
24 THE DATA MUST NOT INCLUDE PERSONALLY IDENTIFYING INFORMATION
25 ABOUT A PERSON.

26 (4) THE TITLE VI COORDINATOR SHALL PROVIDE TRAINING TO THE
27 INSTITUTION'S EMPLOYEES ABOUT TITLE VI COMPLIANCE.

28 **SECTION 4. Act subject to petition - effective date -**
29 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
30 the expiration of the ninety-day period after final adjournment of the
31 general assembly (August 12, 2026, if adjournment sine die is on May 13,
32 2026); except that, if a referendum petition is filed pursuant to section 1
33 (3) of article V of the state constitution against this act or an item, section,
34 or part of this act within such period, then the act, item, section, or part
35 will not take effect unless approved by the people at the general election
36 to be held in November 2026 and, in such case, will take effect on the
37 date of the official declaration of the vote thereon by the governor.

38 (2) This act applies to discriminatory practices committed on or
39 after the applicable effective date of this act."."

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