

Final Text 2023-2024 #222

Be it enacted by the People of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 22-32-116.6 as follows:

22-32-116.6. Extracurricular and interscholastic athletic activities fairness - definition. (1)

(a) FOR PURPOSES OF THIS SECTION, "BIOLOGICAL SEX" MEANS EITHER THE FEMALE OR MALE SEX LISTED ON THE STUDENT'S OFFICIAL BIRTH CERTIFICATE ISSUED AT OR NEAR THE TIME OF THE STUDENT'S BIRTH.

(b) FOR PURPOSES OF THIS SECTION, "PUBLIC ATHLETICS PROGRAM FOR MINORS" MEANS A PUBLIC SCHOOL, PUBLIC SCHOOL DISTRICT, ACTIVITIES ASSOCIATION, OR OTHER ORGANIZATION THAT HOSTS, ORGANIZES, OR FACILITATES PUBLIC SCHOOL ATHLETICS, OR A PRIVATE SCHOOL WHOSE STUDENTS OR TEAMS COMPETE AGAINST A PUBLIC SCHOOL.

(2) (a) ANY INTERSCHOLASTIC, INTRAMURAL, OR CLUB ATHLETIC TEAM, SPORT, OR ATHLETIC EVENT THAT IS SPONSORED OR SANCTIONED BY A PUBLIC ATHLETICS PROGRAM FOR MINORS SHALL BE DESIGNATED AS ONE OF THE FOLLOWING, BASED ON THE BIOLOGICAL SEX OF THE PARTICIPATING STUDENTS:

- (I) FEMALES, WOMEN, OR GIRLS;
- (II) MALES, MEN, OR BOYS; OR
- (III) COEDUCATIONAL OR MIXED.

(b) ONLY FEMALE STUDENTS, BASED ON THEIR BIOLOGICAL SEX MAY PARTICIPATE ON ANY TEAM OR IN A SPORT OR ATHLETIC EVENT DESIGNATED AS BEING FOR FEMALES, WOMEN, OR GIRLS. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO RESTRICT THE ELIGIBILITY OF ANY STUDENT TO PARTICIPATE IN ANY INTERSCHOLASTIC, INTRAMURAL, OR CLUB ATHLETIC TEAM, SPORT, OR ATHLETIC EVENT DESIGNATED AS FOR MALES, MEN, OR BOYS OR DESIGNATED AS COEDUCATIONAL OR MIXED.

SECTION 4. Effective date - applicability. This measure shall be effective on and after the date it is declared by proclamation of the governor to have been adopted by the registered electors of the state and shall apply to instances occurring on or after the effective date.