

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 25-0091.04 Caroline Martin x5902

HOUSE BILL 25-1312

HOUSE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING LEGAL PROTECTIONS FOR TRANSGENDER INDIVIDUALS.**

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>.)

Section 1 of the bill creates the "Kelly Loving Act".

Section 2 provides that, when making child custody decisions and determining the best interests of a child for purposes of parenting time, a court shall consider deadnaming, misgendering, or threatening to publish material related to an individual's gender-affirming health-care services as types of coercive control. A court shall consider reports of coercive control when determining the allocation of parental responsibilities in accordance with the best interests of the child.

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.

SENATE
Amended 2nd Reading
May 5, 2025

HOUSE
3rd Reading Unamended
April 6, 2025

HOUSE
Amended 2nd Reading
April 4, 2025

Section 3 prohibits a Colorado court from applying or giving any force or effect to another state's law that authorizes a state agency to remove a child from the child's parent or guardian because the parent or guardian allowed the child to receive gender-affirming health-care services.

Section 4 provides that, if a local education provider, an educator, or a contractor chooses to enact or enforce a policy related to chosen names, that policy must be to make the policy inclusive of all reasons that a student might adopt a chosen name that differs from the student's legal name.

Sections 5 and 6 provide that a dress code adopted or implemented by a local education provider must not create or enforce any rules based on gender and must allow each student to abide by any variation of the dress code.

Section 7 provides that, when an individual is required to provide their name through a form administered by a public entity, the form must include an option to provide the individual's legal name and chosen name. If the individual provides a chosen name that is different from the individual's legal name, the chosen name must be used on all subsequent forms administered by the public entity.

Sections 8 and 9 define deadnaming and misgendering as discriminatory acts in the "Colorado Anti-Discrimination Act", and prohibit these discriminatory acts in places of public accommodation.

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

2 **SECTION 1. Short title.** The short title of this act is the "Kelly
3 Loving Act".

4 **SECTION 2. In Colorado Revised Statutes, 14-2-106, add (3) as**
5 **follows:**

6 **14-2-106. License to marry. (3) (a) IF, AT ANY POINT FOLLOWING**
7 **THE ISSUANCE OF A VALID LICENSE TO MARRY ISSUED PURSUANT TO THIS**
8 **SECTION, A PARTY TO THE MARRIAGE PRESENTS THE ISSUING COUNTY**
9 **CLERK AND RECORDER WITH APPROPRIATE DOCUMENTATION OF THAT**
10 **PARTY'S NAME CHANGE AND REQUESTS THE ISSUANCE OF A NEW LICENSE**
11 **TO MARRY, THE COUNTY CLERK SHALL ISSUE A NEW LICENSE TO MARRY**
12 **THAT REFLECTS THE PARTY'S NAME CHANGE.**

1 (b) A NEW LICENSE TO MARRY ISSUED PURSUANT TO SUBSECTION
2 (3)(a) OF THIS SECTION SUPERSEDES THE ORIGINAL LICENSE TO MARRY AS
3 THE OFFICIAL PUBLIC RECORD AND MUST NOT BE MARKED AS AMENDED OR
4 INDICATE IN ANY MANNER THAT THE NAME ON THE LICENSE TO MARRY
5 HAS BEEN CHANGED.

6 **SECTION 3.** In Colorado Revised Statutes, **amend** 14-2-107 as
7 follows:

8 **14-2-107. When licenses to marry issued - validity.** Licenses to
9 marry ~~shall~~ MUST be issued by the county clerk and recorder only during
10 the hours that the office of the county clerk and recorder is open as
11 prescribed by law and at no other time, and such licenses ~~shall~~ MUST
12 show the exact date and hour of their issue. NEW LICENSES TO MARRY
13 ISSUED PURSUANT TO SECTION 14-2-106 (3)(a) MUST SHOW THE DATE AND
14 HOUR OF ISSUANCE OF THE NEW LICENSE, BUT THE EFFECTIVE DATE OF THE
15 MARRIAGE IS THE DATE LISTED ON THE ORIGINAL LICENSE TO MARRY. NEW
16 LICENSES TO MARRY ISSUED PURSUANT TO SECTION 14-2-106 (3)(a) ARE
17 VALID. A license shall not be valid for use outside the state of Colorado.
18 Within the state, such licenses shall not be valid for more than thirty-five
19 days after the date of issue. If any license to marry is not used within
20 thirty-five days, it is void and shall be returned to the county clerk and
21 recorder for cancellation.

22 **SECTION 4.** In Colorado Revised Statutes, 14-15-110, **add** (3)
23 as follows:

24 **14-15-110. Issuance of a civil union license - certification - fee.**
25 (3) (a) IF, AT ANY POINT FOLLOWING THE ISSUANCE OF A VALID CIVIL
26 UNION LICENSE ISSUED PURSUANT TO THIS SECTION, A PARTY TO THE CIVIL
27 UNION PRESENTS THE ISSUING COUNTY CLERK AND RECORDER WITH

1 APPROPRIATE DOCUMENTATION OF THAT PARTY'S NAME CHANGE AND
2 REQUESTS THE ISSUANCE OF A NEW CIVIL UNION LICENSE, THE COUNTY
3 CLERK SHALL ISSUE A NEW CIVIL UNION LICENSE THAT REFLECTS THE
4 PARTY'S NAME CHANGE.

5 (b) A NEW CIVIL UNION LICENSE ISSUED PURSUANT TO SUBSECTION
6 (3)(a) OF THIS SECTION SUPERSEDES THE ORIGINAL CIVIL UNION LICENSE
7 AS THE OFFICIAL PUBLIC RECORD AND MUST NOT BE MARKED AS AMENDED
8 OR INDICATE IN ANY MANNER THAT THE NAME ON THE CIVIL UNION
9 LICENSE HAS BEEN CHANGED.

10 **SECTION 5.** In Colorado Revised Statutes, **amend** 14-15-111 as
11 follows:

12 **14-15-111. When civil union licenses issued - validity.** The
13 county clerk and recorder shall issue a civil union license only during the
14 hours that the office of the county clerk and recorder is open as prescribed
15 by law and at no other time and shall show the exact date and hour of the
16 license's issue. NEW CIVIL UNION LICENSES ISSUED PURSUANT TO SECTION
17 14-2-110 (3)(a) MUST SHOW THE DATE AND HOUR OF ISSUANCE OF THE
18 NEW LICENSE, BUT THE EFFECTIVE DATE OF THE CIVIL UNION IS THE DATE
19 LISTED ON THE ORIGINAL CIVIL UNION LICENSE. NEW CIVIL UNION
20 LICENSES ISSUED PURSUANT TO SECTION 14-2-110 (3)(a) ARE VALID. A
21 civil union license is not valid for use outside the state of Colorado.
22 Within the state, a civil union license is not valid for more than thirty-five
23 days after the date of issue. If a civil union license is not used within
24 thirty-five days, it is void, and one of the parties shall return the civil
25 union license to the county clerk and recorder that issued the license for
26 cancellation.

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1 **SECTION 6.** In Colorado Revised Statutes, **add** 22-1-145.5 as
2 follows:

3 **22-1-145.5. Policies related to chosen names - definition.**

4 (1) AS USED IN THIS SECTION, "LOCAL EDUCATION PROVIDER" MEANS A
5 SCHOOL DISTRICT, A CHARTER SCHOOL AUTHORIZED BY A SCHOOL
6 DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22, A
7 CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL
8 INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22, OR A
9 BOARD OF COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT
10 TO ARTICLE 5 OF THIS TITLE 22 THAT OPERATES ONE OR MORE PUBLIC
11 SCHOOLS, OR A FACILITY SCHOOL APPROVED PURSUANT TO SECTION
12 22-2-407.

13 (2) IF A LOCAL EDUCATION PROVIDER OR ITS EMPLOYEES, AN
14 EDUCATOR, OR A CONTRACTOR, AS DEFINED IN SECTION 22-1-143,
15 CHOOSES TO ENACT OR ENFORCE A POLICY RELATED TO NAMES, THAT
16 POLICY MUST BE INCLUSIVE OF ALL REASONS THAT A STUDENT MIGHT
17 ADOPT A NAME THAT DIFFERS FROM THE STUDENT'S LEGAL NAME.

18

19 **SECTION 7.** In Colorado Revised Statutes, 22-32-109.1, **amend**
20 (2)(a)(I) introductory portion and (2)(a)(I)(J) as follows:

21 **22-32-109.1. Board of education - specific powers and duties**
22 **- safe school plan - conduct and discipline code - safe school reporting**
23 **requirements - school response framework - school resource officers**
24 **- definitions. (2) Safe school plan.** To provide a learning environment
25 that is safe, conducive to the learning process, and free from unnecessary
26 disruption, each school district board of education or institute charter
27 school board for a charter school authorized by the charter school institute

1 shall, following consultation with the school district accountability
2 committee and school accountability committees, parents, teachers,
3 administrators, students, student councils where available, and, where
4 appropriate, the community at large, adopt and implement a safe school
5 plan, or review and revise, as necessary in response to any relevant data
6 collected by the school district, any existing plans or policies already in
7 effect. In addition to the aforementioned parties, each school district
8 board of education, in adopting and implementing its safe school plan,
9 may consult with victims' advocacy organizations, school psychologists,
10 local law enforcement, and community partners. The plan, at a minimum,
11 must include the following:

12 (a) **Conduct and discipline code.** (I) A concisely written conduct
13 and discipline code that must be enforced uniformly, fairly, and
14 consistently for all students. Copies of the code ~~shall~~ MUST be provided
15 to each student upon enrollment at the preschool, elementary, middle, and
16 high school levels and be posted or kept on file at each public school in
17 the school district. The school district shall take reasonable measures to
18 ensure that each student of each public school in the school district is
19 familiar with the code. The code must include, but need not be limited to:

20 (J) A dress code policy that prohibits students from wearing
21 apparel that is deemed disruptive to the classroom environment or to the
22 maintenance of a safe and orderly school. The dress code policy may
23 require students to wear a school uniform or may establish minimum
24 standards of dress. THE DRESS CODE POLICY MUST ALLOW EACH STUDENT
25 TO CHOOSE FROM ANY OF THE OPTIONS PROVIDED IN THE DRESS CODE
26 POLICY.

27

1 **SECTION 8.** In Colorado Revised Statutes, 24-34-301, **amend**
2 **(9); and add (3.5) as follows: _____**

3 **24-34-301. Definitions.** As used in parts 3 to 10 of this article 34,
4 unless the context otherwise requires:

5 (3.5) "CHOSEN NAME" MEANS A NAME THAT AN INDIVIDUAL
6 REQUESTS TO BE KNOWN AS IN CONNECTION TO THE INDIVIDUAL'S
7 DISABILITY, RACE, CREED, COLOR, RELIGION, SEX, SEXUAL ORIENTATION,
8 GENDER IDENTITY, GENDER EXPRESSION, MARITAL STATUS, FAMILIAL
9 STATUS, NATIONAL ORIGIN, OR ANCESTRY, SO LONG AS THE NAME DOES
10 NOT CONTAIN OFFENSIVE LANGUAGE AND THE INDIVIDUAL IS NOT
11 REQUESTING THE NAME FOR FRIVOLOUS PURPOSES.

12 (9) "Gender expression" means an individual's way of reflecting
13 and expressing the individual's gender to the outside world, typically
14 demonstrated through appearance, dress, and behavior, CHOSEN NAME,
15 AND HOW THE INDIVIDUAL CHOOSES TO BE ADDRESSED.

16 **SECTION 9.** In Colorado Revised Statutes, **add 24-34-300.5 and**
17 **24-34-300.7 as follows:**

18 **24-34-300.5. Short title.** THE SHORT TITLE OF PARTS 3 TO 8 OF
19 THIS ARTICLE 34 IS THE "COLORADO ANTI-DISCRIMINATION ACT" OR
20 "CADA".

21 **24-34-300.7. Legislative declaration.** (1) THE GENERAL
22 ASSEMBLY FINDS AND DECLARES THAT EACH COLORADAN HAS THE RIGHT
23 TO ACCESS FAIR EMPLOYMENT, HOUSING OPPORTUNITIES, PUBLIC
24 ACCOMMODATIONS, AND ADVERTISING THAT IS FREE FROM
25 DISCRIMINATION REGARDLESS OF THEIR MEMBERSHIP IN A PROTECTED
26 CLASS, AS THOSE CLASSES ARE LISTED IN SECTIONS 24-34-402, 24-34-502,
27 24-34-601, AND 24-34-701. CADA PROHIBITS DISCRIMINATION BASED ON

1 THESE PROTECTED CLASSES AND ENSURES THAT EVERY COLORADAN IS
2 ABLE TO ENJOY FREEDOM FROM DISCRIMINATION.

3 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
4 COLORADO HAS A LONG HISTORY OF SUPPORTING FREEDOM OF CHOICE FOR
5 COLORADANS. THIS INCLUDES THE CHOICE TO MAKE DECISIONS RELATED
6 TO SAFELY SEEKING HEALTH-CARE SERVICES, INCLUDING LEGALLY
7 PROTECTED HEALTH-CARE ACTIVITIES, AS DEFINED IN SECTION 12-30-121
8 (1)(d), THAT SUPPORT MENTAL, PHYSICAL, AND EMOTIONAL WELL-BEING
9 FOR COLORADANS, THEIR CHILDREN, AND THEIR FAMILY MEMBERS. IT IS
10 THE PUBLIC POLICY OF COLORADO TO ENSURE THESE IMPORTANT
11 DECISIONS CAN BE MADE WITHOUT UNNECESSARY GOVERNMENTAL
12 INTERFERENCE.

13 **SECTION 10.** In Colorado Revised Statutes, 25-2-113.8, **repeal**
14 **(5)** as follows:

15 **25-2-113.8. Birth certificate modernization act - new birth**
16 **certificate following a change in gender designation - short title -**
17 **definition.** (5) ~~The state registrar may only amend a gender designation~~
18 ~~for an individual's birth certificate one time upon the individual's request.~~
19 ~~Any further requests from the individual for additional gender designation~~
20 ~~changes require the submission of a court order indicating that the gender~~
21 ~~designation change is required.~~

22 **SECTION 11.** In Colorado Revised Statutes, 42-2-107, **amend**
23 **(2)(a)(III)** as follows:

24 **42-2-107. Application for license or instruction permit -**
25 **anatomical gifts - donations to Emily Keyes - John W. Buckner organ**
26 **and tissue donation awareness fund - legislative declaration - rules -**
27 **annual report - repeal.** (2) (a) (III) ~~The department may only amend a~~

1 sex designation for an individual's driver's license ~~one time~~ THREE TIMES
2 upon the individual's request. Any further requests from the individual for
3 additional sex designation changes require the submission of a court order
4 indicating that the sex designation change is required.

5 **SECTION 12.** In Colorado Revised Statutes, 42-2-302, **amend**
6 (2.5)(b) as follows:

7 **42-2-302. Department may or shall issue - limitations - rules.**

8 (2.5) (b) The department may only amend a sex designation for an
9 individual's identification card ~~one time~~ THREE TIMES upon the
10 individual's request. Any further requests from the individual for
11 additional sex designation changes require the submission of a court order
12 indicating that the sex designation change is required.

13 **SECTION 13.** In Colorado Revised Statutes, 42-2-505, **amend**
14 (1.5)(b) as follows:

15 **42-2-505. Identification documents - individuals not lawfully**

16 **present - rules.** (1.5) (b) The department may only amend a sex
17 designation for an individual's identification document ~~one time~~ THREE
18 TIMES upon the individual's request. Any further requests from the
19 individual for additional sex designation changes require the submission
20 of a court order indicating that the sex designation change is required.

21 **SECTION 14. Severability.** If any provision of this act or the
22 application of this act to any person or circumstance is held invalid, the
23 invalidity does not affect other provisions or applications of the act that
24 can be given effect without the invalid provision or application, and to
25 this end the provisions of this act are declared to be severable.

26 **SECTION 15. Effective date.** This act takes effect upon passage;
27 except that sections 11, 12, and 13 of this act take effect October 1, 2026.

1 **SECTION 16. Safety clause.** The general assembly finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety or for appropriations for
4 the support and maintenance of the departments of the state and state
5 institutions.