

CHAPTER 181

GOVERNMENT - STATE

SENATE BILL 25-050

BY SENATOR(S) Jodeh, Amabile, Ball, Bridges, Cutter, Danielson, Daugherty, Exum, Gonzales J., Hinrichsen, Kipp, Kolker, Marchman, Michaelson Jenet, Mullica, Roberts, Rodriguez, Snyder, Sullivan, Wallace, Weissman, Winter F., Coleman; also REPRESENTATIVE(S) Zokaie, Bacon, Boesenecker, Brown, Camacho, Carter, Clifford, Duran, Espenoza, Froelich, Garcia, Gilchrist, Hamrick, Jackson, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Marshall, Martinez, Mauro, McCormick, Paschal, Rutinel, Rydin, Sirota, Smith, Stewart K., Stewart R., Story, Titone, Valdez, Velasco, Willford, Woodrow, McCluskie.

AN ACT

CONCERNING A REQUIREMENT THAT A GOVERNMENT FORM THAT REQUESTS DISCLOSURE OF THE RACE OR ETHNICITY OF THE INDIVIDUAL COMPLETING THE FORM INCLUDE A SPACE TO INDICATE THAT THE INDIVIDUAL'S RACE OR ETHNICITY IS MIDDLE EASTERN, NORTH AFRICAN, OR SOUTH ASIAN.

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

SECTION 1. In Colorado Revised Statutes, **add** article 18.2 to title 24 as follows:

ARTICLE 18.2
Demographic Information

24-18.2-101. Collection of demographic information - required categories - definition. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "FORM" MEANS A DOCUMENT THAT COLLECTS POPULATION-LEVEL DEMOGRAPHIC DATA THAT IS NOT INDIVIDUALLY IDENTIFIABLE; AND

(b) "STATE" MEANS THE GOVERNMENT OF THIS STATE, AND EVERY STATE DEPARTMENT, INCLUDING THE DEPARTMENT OF EDUCATION, AGENCY, BOARD, COMMISSION, INSTITUTION OF HIGHER EDUCATION, SPECIAL PURPOSE AUTHORITY, AS DEFINED IN SECTION 24-77-102 (15), OR AUTHORIZED AGENT OF THE STATE.

(2) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(b)(I) OF THIS

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION, A FORM ISSUED BY THE STATE OR A STATE AGENCY THAT REQUESTS THAT THE INDIVIDUAL COMPLETING THE FORM DISCLOSE THE INDIVIDUAL'S RACE OR ETHNICITY MUST INCLUDE, IN ADDITION TO SPACES FOR ANY OTHER RACIAL OR ETHNIC CATEGORIES REQUIRED BY THE FEDERAL OFFICE OF MANAGEMENT AND BUDGET, A SPACE TO INDICATE THAT THE INDIVIDUAL'S RACE OR ETHNICITY IS MIDDLE EASTERN, NORTH AFRICAN, OR SOUTH ASIAN.

(b)(I) THE STATE IS EXEMPT FROM THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION IF:

(A) THE DEMOGRAPHIC DATA COLLECTED IN THE FORM IS REPORTED BY THE STATE TO THE FEDERAL GOVERNMENT; AND

(B) THE FEDERAL GOVERNMENT REJECTS OR WILL REJECT THE DEMOGRAPHIC DATA REPORTED BY THE STATE BECAUSE IT INCLUDES MIDDLE EASTERN, NORTH AFRICAN, OR SOUTH ASIAN AS A PRIMARY DEMOGRAPHIC CATEGORY.

(II) WHEN EXERCISING THE EXEMPTION, THE STATE SHALL INCLUDE MIDDLE EASTERN, NORTH AFRICAN, OR SOUTH ASIAN AS A DEMOGRAPHIC SUBCATEGORY OF THE NON-SPECIFIC RACIAL CATEGORY ON THE FORM.

SECTION 2. In Colorado Revised Statutes, **add** article 11.2 to title 29 as follows:

ARTICLE 11.2

Demographic Information

29-11.2-101. Collection of demographic information - required categories - definition. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "FORM" MEANS A DOCUMENT THAT COLLECTS POPULATION-LEVEL DEMOGRAPHIC DATA THAT IS NOT INDIVIDUALLY IDENTIFIABLE; AND

(b) "LOCAL GOVERNMENT" MEANS:

(I) A COUNTY, CITY AND COUNTY, MUNICIPALITY, SCHOOL DISTRICT, SPECIAL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THE STATE;

(II) AN AGENCY, INSTITUTION, AUTHORITY, OR AUTHORIZED AGENT OF SUCH A COUNTY, CITY AND COUNTY, MUNICIPALITY, SCHOOL DISTRICT, SPECIAL DISTRICT, OR OTHER POLITICAL SUBDIVISION; AND

(III) AN AUTHORIZED AGENT OF ANY ENTITY LISTED IN SUBSECTION (1)(b)(I) OR (1)(b)(II) OF THIS SECTION.

(2) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(b)(I) OF THIS SECTION, A FORM ISSUED BY A LOCAL GOVERNMENT THAT REQUESTS THAT THE INDIVIDUAL COMPLETING THE FORM DISCLOSE THE INDIVIDUAL'S RACE OR ETHNICITY MUST INCLUDE, IN ADDITION TO SPACES FOR ANY OTHER RACIAL OR ETHNIC CATEGORIES REQUIRED BY THE FEDERAL OFFICE OF MANAGEMENT AND BUDGET, A

SPACE TO INDICATE IF THE INDIVIDUAL'S RACE OR ETHNICITY IS MIDDLE EASTERN, NORTH AFRICAN, OR SOUTH ASIAN.

(b) (I) A LOCAL GOVERNMENT IS EXEMPT FROM THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION IF:

(A) THE DEMOGRAPHIC DATA COLLECTED IN THE FORM IS REPORTED BY THE LOCAL GOVERNMENT TO THE FEDERAL GOVERNMENT; AND

(B) THE FEDERAL GOVERNMENT REJECTS OR WILL REJECT THE DEMOGRAPHIC DATA REPORTED BY A LOCAL GOVERNMENT BECAUSE IT INCLUDES MIDDLE EASTERN, NORTH AFRICAN, OR SOUTH ASIAN AS A PRIMARY DEMOGRAPHIC CATEGORY.

(II) A LOCAL GOVERNMENT EXERCISING THE EXEMPTION PROVIDED IN SUBSECTION (2)(a) OF THIS SECTION SHALL INCLUDE MIDDLE EASTERN, NORTH AFRICAN, OR SOUTH ASIAN AS A DEMOGRAPHIC SUBCATEGORY OF THE NON-SPECIFIC RACIAL CATEGORY ON THE FORM.

SECTION 3. Act subject to petition - effective date - applicability. (1) This act takes effect September 1, 2026; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to state and local government forms that request that the individual completing the form disclose the individual's race or ethnicity and that are provided to individuals for completion on or after the applicable effective date of this act.

Approved: May 12, 2025