

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 10-0359.01 Troy Bratton

HOUSE BILL 10-1137

HOUSE SPONSORSHIP

Gardner B.,

SENATE SPONSORSHIP

Steadman,

House Committees

State, Veterans, & Military Affairs

Senate Committees

State, Veterans & Military Affairs

A BILL FOR AN ACT

101 CONCERNING THE USE OF PEOPLE FIRST LANGUAGE IN THE DRAFTING
102 OF LAWS.

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://www.leg.state.co.us/billsummaries>.)

The bill requires the use of people first language when drafting new or amended state statutes and administrative rules. People first language is language that refers to persons with disabilities as persons first. For example, people first language uses the term "persons with developmental disabilities" rather than "the developmentally disabled".

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
March 16, 2010

HOUSE
3rd Reading Unamended
February 9, 2010

HOUSE
2nd Reading Unamended
February 8, 2010

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

2 **SECTION 1.** Part 8 of article 2 of title 2, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **2-2-802. People first language in state laws.** (1) ON OR AFTER
6 THE EFFECTIVE DATE OF THIS SECTION, ALL NEW OR AMENDED STATUTES
7 THAT REFER TO PERSONS WITH DISABILITIES SHALL:

8 (a) AVOID LANGUAGE THAT:

9 (I) IMPLIES THAT A PERSON AS A WHOLE IS DISABLED, SUCH AS THE
10 "MENTALLY ILL" OR THE "LEARNING DISABLED"; OR

11 (II) EQUATES PERSONS WITH THEIR CONDITION, SUCH AS
12 "EPILEPTICS", "AUTISTICS", OR "QUADRIPLÉGICS"; AND

13 (b) REPLACE DISRESPECTFUL LANGUAGE BY REFERRING TO
14 PERSONS WITH DISABILITIES AS PERSONS FIRST. EXAMPLES OF PEOPLE
15 FIRST LANGUAGE INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:
16 PERSONS WITH DISABILITIES, PERSONS WITH DEVELOPMENTAL
17 DISABILITIES, PERSONS WITH MENTAL ILLNESS, AND PERSONS WITH
18 AUTISM;

19 (c) REPLACE DISRESPECTFUL, INSENSITIVE, OR OUTDATED TERMS
20 SUCH AS "MENTAL RETARDATION" WITH PEOPLE FIRST LANGUAGE SUCH AS
21 "PEOPLE WITH INTELLECTUAL DISABILITIES".

22 (2) VIOLATION OF THIS SECTION SHALL NOT BE GROUNDS TO
23 INVALIDATE ANY NEW OR AMENDED STATUTE; HOWEVER, SUCH STATUTES
24 SHALL BE AMENDED TO REFLECT THE PROVISIONS OF THIS SECTION IN ANY
25 SUBSEQUENT REVISION.

26 (3) NOTHING IN THIS SECTION SHALL CONSTITUTE A REQUIREMENT

1 TO CHANGE THE NAME OF ANY DEPARTMENT, AGENCY, OR PROGRAM OF
2 THE STATE OR ANY POLITICAL SUBDIVISION OF THE STATE.

3 (4) THE REVISOR OF STATUTES IS AUTHORIZED TO CHANGE ANY
4 DISRESPECTFUL, INSENSITIVE, OR OUTDATED TERMS THAT APPEAR IN THE
5 COLORADO REVISED STATUTES AND TO REPLACE SUCH TERMS WITH
6 PEOPLE FIRST LANGUAGE IN ACCORDANCE WITH THIS SECTION.

7 **SECTION 2.** 24-4-103, Colorado Revised Statutes, is amended
8 BY THE ADDITION OF A NEW SUBSECTION to read:

9 **24-4-103. Rule-making - procedure - repeal.** (8.3) (a) ON OR
10 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (8.3), ALL NEW OR
11 AMENDED RULES OR REGULATIONS PROMULGATED PURSUANT TO THIS
12 SECTION THAT REFER TO PERSONS WITH DISABILITIES SHALL COMPLY WITH
13 THE PROVISIONS OF SECTION 2-2-802, C.R.S., AS APPLICABLE TO THE NEW
14 OR AMENDED RULE.

15 (b) VIOLATION OF THIS SUBSECTION (8.3) SHALL NOT BE GROUNDS
16 TO INVALIDATE ANY NEW OR AMENDED RULE; HOWEVER, SUCH RULES
17 SHALL BE AMENDED TO REFLECT THE PROVISIONS OF SECTION 2-2-802,
18 C.R.S., IN ANY SUBSEQUENT REVISION.

19 (c) NOTHING IN THIS SUBSECTION (8.3) SHALL CONSTITUTE A
20 REQUIREMENT TO CHANGE THE NAME OF ANY DEPARTMENT, AGENCY, OR
21 PROGRAM OF THE STATE.

22 **SECTION 3. Act subject to petition - effective date.** This act
23 shall take effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part shall not take effect
2 unless approved by the people at the general election to be held in
3 November 2010 and shall take effect on the date of the official
4 declaration of the vote thereon by the governor.