

## Colorado Legislative Council Staff Fiscal Note

# STATE and LOCAL FISCAL IMPACT

**Drafting Number:** LLS 15-0562  
**Prime Sponsor(s):** Rep. Ransom

**Date:** January 26, 2015  
**Bill Status:** House SVMA  
**Fiscal Analyst:** Alex Schatz (303-866-4375)

**BILL TOPIC:** PROTECT PHYSICAL PRIVACY IN LOCKER ROOMS

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue		
State Expenditures	Minimal workload reduction.	
FTE Position Change		
Appropriation Required: None.		

\* This summary shows changes from current law under the bill for each fiscal year.

## Summary of Legislation

Under current law, it is unlawful to deny the full and equal use of a place of public accommodation on the basis of disability, race, creed, color, sex, sexual orientation, marital status, national origin, or ancestry. An exception is provided in current statute, as a person may restrict admission to individuals of one sex in a place of public accommodation if the restriction has a bona fide relationship to the services, facilities, privileges, advantages, or accommodations of the place. Places of public accommodation include educational institutions, public transportation, recreational facilities, hospitals, any public building, and any restaurant or business offering goods or services to the public.

This bill provides an additional exception to the public accommodation statute, permitting the restricted admission for sex-segregated locker rooms.

## Background

Persons aggrieved by discrimination in places of public accommodation may pursue civil action in county court. The Colorado Civil Rights Division (CCRD), in the Department of Regulatory Agencies (DORA), provides an alternate venue for these claims.

## State Expenditures

The bill results in a minimal workload reduction for various state agencies, including trial courts, the CCRD, and the Department of Law. The bill does not reduce appropriations to any state agency.

**Judicial Department — Trial courts.** By eliminating the cause of action for discrimination in places of public accommodation in certain circumstances, the bill reduces workload in county courts. The number of civil cases based on discriminatory restriction of access to locker rooms is low. Thus, a change in law that will further limit this number of cases is not expected to substantially reduce the workload of county courts.

**DORA — Colorado Civil Rights Division.** As an alternative venue for cases involving discrimination in places of public accommodation, the CCRD is also expected to experience a reduction in workload under the bill. This reduction in CCRD workload is expected to be minimal, as the CCRD receives very few claims related to fair and equal access to single-sex locker rooms under current law.

**Other state agencies.** Various state agencies operate locker rooms, particularly institutions of higher education. For state agencies with locker rooms, this bill may provide greater certainty regarding the legality of single-sex locker rooms, deterring some future challenges and reducing the need for legal counsel. Both the Department of Law and its client agencies with locker rooms are therefore expected to experience a minimal reduction in workload under the bill.

### **Local Government and School District Impact**

A minimal reduction in workload is expected for certain local governments and school districts, as well as the Denver County Court.

**Local governments and school districts.** The bill reduces workload by a minimal amount for local governments and school districts that operate single-sex locker rooms. As with state agencies that operate such locker rooms, the primary reduction in expenditures is the result of a reduced need for legal counsel.

**Denver County Court.** The reduction in trial court workload under the bill applies to Denver County Court. Because this court is funded entirely by the City and County of Denver, local government expenditures for Denver are reduced by a minimal amount.

### **Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

### **State and Local Government Contacts**

Judicial Department  
Higher Education  
Law  
Corrections  
Counties

Personnel and Administration  
Human Services  
Military and Veterans Affairs  
Local Affairs  
Special Districts

Education  
Public Safety  
Natural Resources  
Municipalities  
RTD