



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Initiative 104

Fiscal Summary

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Fiscal Analyst: Anna Gerstle (303-866-4375)

LCS TITLE: PUBLIC ATHLETICS PROGRAMS FOR MINORS

Fiscal Summary of Initiative 104

This fiscal summary, prepared by the nonpartisan Director of Research of the Legislative Council, contains a preliminary assessment of the measure's fiscal impact. A full fiscal impact statement for this initiative is or will be available at leg.colorado.gov/bluebook. This fiscal summary identifies the following impact.

State expenditures. The measure specifies that only female students, based on their biological sex at birth, may participate in elementary and secondary public athletics programs designated for women, females, or girls. It also specifies that the Colorado Department of Education must assume financial responsibility for any costs incurred by a public athletics program related to a lawsuit or complaint as a result of compliance with the measure.

The measure creates a private cause of action for individuals to bring suit when alleging harm has occurred, thus increasing activity in the trial courts of the Judicial Department. Because the state is financially responsible for expenses related to lawsuits or complaints, the measure has an indeterminate and potentially significant impact on state expenditures. Additionally, the Colorado School for the Deaf and the Blind, a state-run public school, is subject to the measure and may also have additional costs to implement the measure.

Local government impact. The measure may increase expenditures for school districts, charter schools, and any local governments that offer public athletics programs for minors. Costs for public schools and local governments are expected to be minimal, and any legal cost associated with compliance are the financial responsibility of the state.

Economic impacts. The measure is not expected to have a significant or direct impact on the state's economy.