

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2026

COUNCIL BILL NO. _____
COMMITTEE OF REFERENCE:

4
5 A BILL
6

7 **For an ordinance amending Chapter 28 of the Denver Revised Municipal Code**
8 **concerning the voluntary collection and disclosure of an individual's actual or**
9 **perceived sex, sexual orientation, gender identity, or gender expression.**
10

11 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

12 **Section 1.** That chapter 28, article VIII of the Denver Revised Municipal Code shall be
13 amended by deleting the language stricken and adding the language underlined, to read as follows:
14

15 **Sec. 28-253.5 Limitations on Collection and Access to an Individual's Actual or**
16 **Perceived Sex, Sexual Orientation, Gender Identity, or Gender Expression**

17 (a) No department, agency, board, commission, officer, employee, or contractor of the city,
18 including but not limited to, county court administrative and clerical employees, probation, pre-trial
19 services, community corrections, law enforcement, human services, and housing stability shall
20 require the collection of or disseminate personal information, as defined in D.R.M.C. Sec. 28-
21 253(b)(4), regarding an individual's actual or perceived sex, sexual orientation, gender identity, or
22 gender expression unless required by federal, state, or city law or regulation, or unless necessary to
23 effectuate an important city interest including, but not limited to, human services, health services,
24 behavioral health services, criminal justice, shelter management, and matters related to grant
25 applications, compliance, reporting, or management.

26 (b) If information related to an individual's actual or perceived sex, sexual orientation, gender
27 identity, or gender expression is required to be collected, the information shall only be retained for
28 thirty (30) days excluding information needed to comply with the federal, state, city law or regulation,
29 or mandated by existing state or federal record retention schedule, or unless necessary to effectuate
30 important city interest including, but not limited to, human services, health services, behavioral health
31 services, criminal justice, shelter management, and matters related to grant applications,
32 compliance, reporting, or management. Thereafter, any non-excluded information related to an
33 individual's actual or perceived sex, sexual orientation, gender identity, or gender expression must
34 be permanently destroyed from any city records.

1 (c) The city shall not use any city funds or resources to assist another city, county, state, or
2 the federal government with collection of actual or perceived sex, sexual orientation, gender identity,
3 or gender expression data, nor will it assist in any current or future effort of another city, county,
4 state, or the federal government to disclose an individual's actual or perceived sex, sexual
5 orientation, gender identity, or gender expression or discriminate against any person based on their
6 actual or perceived sex, sexual orientation, gender identity, or gender expression unless required by
7 federal, state, or city law or regulation, or unless necessary to effectuate an important city interest
8 including, but not limited to, human services, health services, behavioral health services, criminal
9 justice, shelter management, and matters related to grant applications, compliance, reporting, or
10 management.

11 (d) The city shall not enter into any contractual agreement that would commit or require any
12 city officer, employee, or contractor to directly or indirectly assist in the collection of an individual's
13 actual or perceived sex, sexual orientation, gender identity, or gender expression data unless it is
14 necessary to effectuate an important city interest including, but not limited to, human services, health
15 services, behavioral health services, criminal justice, shelter management, and matters related to
16 grant applications, compliance, reporting, or management. Subject to the exceptions in section (a),
17 the city shall not enter into contractual agreements requiring the collection or dissemination of
18 information regarding an individual's actual or perceived sex, sexual orientation, gender identity, or
19 gender expression, legal name changes, or access to gender affirming city services to state or
20 federal law enforcement agencies unless required by state law, federal law, or city law or regulation,
21 or unless necessary to effectuate an important city interest including, but not limited to, human
22 services, health services, behavioral health services, criminal justice, shelter management, and
23 matters related to grant applications, compliance, reporting, or management.

24 (e) The city shall not use any funds, resources, or its law enforcement personnel to assist
25 another city, county, state, or federal law enforcement agency in any attempt to stop, detain,
26 question, search, interrogate, surveil, identify, or investigate individuals based solely upon an
27 individual's actual or perceived sex, sexual orientation, gender identity, or gender expression.

28 (f) No city agency shall share its program applications, intake information, census databases,
29 or technology use agreements with any other city, county, state, or federal law enforcement agency
30 unless required by state law, federal law, or city law or regulation, or unless necessary to effectuate
31 an important city interest including, but not limited to, human services, health services, behavioral
32 health services, criminal justice, shelter management, and matters related to grant applications,
33 compliance, reporting, or management.

- 1 (g) This ordinance does not preclude City of Denver agencies from sharing internally data that
2 they maintain with other City of Denver agencies.
3 (h) Heads of City of Denver agencies can implement policies consistent with this section.
4

5 **Section 2. Effective Date.** This ordinance shall take effect on January 1, 2027. Within ninety
6 (90) days after the effective date, all affected agencies and departments shall report to the Denver
7 City Council what sex, sexual orientation, gender identity, and gender expression information they
8 currently collect and maintain. Afterwards, all affected agencies and departments shall report to the
9 Denver City Council’s Health and Safety Committee, or an equivalent Denver City Council
10 Committee, annually beginning in 2027 regarding their compliance with the ordinance.

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12 COMMITTEE APPROVAL DATE: _____, 2026.
13 MAYOR-COUNCIL DATE: _____, 2026.
14 PASSED BY THE COUNCIL _____ 2026
15 _____ - PRESIDENT
16 APPROVED: _____ - MAYOR _____ 2026
17 ATTEST: _____ - CLERK AND RECORDER,
18 EX-OFFICIO CLERK OF THE
19 CITY AND COUNTY OF DENVER
20
21 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2026; _____ 2026
22
23 PREPARED BY: _____; DATE: _____
24

25 Pursuant to § 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the City
26 Attorney. We find no irregularity as to form and have no legal objection to the proposed ordinance.
27 The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the
28 Charter.
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30 Miko Ando Brown, Denver City Attorney
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32 BY: _____, _____ City Attorney DATE: _____