

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0880.01 Christopher McMichael x4775

HOUSE BILL 25-1295

HOUSE SPONSORSHIP

Rutinel and Lindsay, Mabrey

SENATE SPONSORSHIP

Roberts,

House Committees

Transportation, Housing & Local Government

Senate Committees

Local Government & Housing

A BILL FOR AN ACT

101 **CONCERNING THE OPERATION OF FOOD TRUCKS, AND, IN CONNECTION**
102 **THEREWITH, ESTABLISHING A DEFINITION OF "MOBILE RETAIL**
103 **FOOD ESTABLISHMENT" AND ESTABLISHING RECIPROCITY FOR**
104 **CERTAIN LICENSES AND PERMITS BETWEEN LOCAL**
105 **GOVERNMENT JURISDICTIONS TO ALLOW A MOBILE RETAIL**
106 **FOOD ESTABLISHMENT TO OPERATE IN MULTIPLE**
107 **JURISDICTIONS.**

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://leg.colorado.gov>.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
3rd Reading Unamended
April 28, 2025

HOUSE
Amended 2nd Reading
April 25, 2025

The bill creates a reciprocal licensing and permitting system for the operation of food trucks within the jurisdictions of local governments in the state. The bill requires a local government to grant the owner or operator of a food truck a reciprocal business license, reciprocal health department permit, and reciprocal fire safety permit (reciprocal license and reciprocal permits), which reciprocal license and reciprocal permits allow the owner or operator of a food truck to operate within the local government's jurisdiction, if the owner or operator of a food truck:

- Has an active business license from another local government;
- Has an active health department permit from another local government;
- Has an active fire safety permit from another local government; and
- Pays applicable application and licensing and permitting fees.

A local government must review an application for the reciprocal license and reciprocal permits within 14 calendar days after receiving the application and decide whether to approve or deny the application. The local government may deny the application under certain circumstances. The local government may collect an application fee and charge reduced licensing and permitting fees for granting the reciprocal license and reciprocal permits.

The bill prohibits the governing body of a local government from adopting an ordinance, resolution, regulation, zoning code, or other code that:

- Prohibits the operation of a food truck in a zone in which a food establishment is considered a permitted or conditional use;
- Restricts the total number of days a food truck may be operated within the local government's jurisdiction during a calendar year; or
- Prohibits the operation of a food truck within a certain distance of another food establishment, unless the specified distance is less than 50 feet.

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

2 **SECTION 1.** In Colorado Revised Statutes, **recreate and**
3 **reenact, with amendments,** article 11.6 of title 29 as follows:

4 **29-11.6-101. Legislative declaration.** (1) **THE GENERAL**

1 ASSEMBLY FINDS AND DECLARES THAT:

2 (a) MOBILE RETAIL FOOD ESTABLISHMENTS ARE A GROWING PART
3 OF THE STATE'S ECONOMY;

4 (b) MOBILE RETAIL FOOD ESTABLISHMENTS ARE INHERENTLY
5 MOBILE AND ARE INTENDED TO OPERATE IN VARIOUS LOCATIONS ACROSS
6 THE STATE; AND

7 (c) LAWS IMPOSED AND ADMINISTERED AT THE LOCAL LEVEL
8 REQUIRING MOBILE RETAIL FOOD ESTABLISHMENTS TO OBTAIN SEPARATE
9 PERMITS OR LICENSES TO OPERATE WITHIN A LOCAL GOVERNMENT'S
10 JURISDICTION IMPOSE INORDINATE BURDENS ON THOSE ESTABLISHMENTS.

11 **29-11.6-102. Definitions.** AS USED IN THIS ARTICLE 11.6, UNLESS
12 THE CONTEXT OTHERWISE REQUIRES:

13 (1) "DENVER RETAIL FOOD LICENSE" MEANS THE BUSINESS LICENSE
14 GRANTED BY THE CITY AND COUNTY OF DENVER THAT AUTHORIZES A
15 MOBILE RETAIL FOOD ESTABLISHMENT TO OPERATE WITHIN THE CITY AND
16 COUNTY OF DENVER AND INDICATES THAT THE MOBILE RETAIL FOOD
17 ESTABLISHMENT IS IN COMPLIANCE WITH APPLICABLE FOOD SAFETY
18 STANDARDS.

19 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
20 AND ENVIRONMENT CREATED IN SECTION 25-1-102.

21 (3) "FIRE SAFETY PERMIT" MEANS A PERMIT OR DOCUMENT ISSUED
22 BY A LOCAL GOVERNMENT THAT CERTIFIES THAT A MOBILE RETAIL FOOD
23 ESTABLISHMENT MEETS THE LOCAL GOVERNMENT'S FIRE SAFETY
24 STANDARDS AND AUTHORIZES AN INDIVIDUAL TO OPERATE THE MOBILE
25 RETAIL FOOD ESTABLISHMENT.

26 (4) "INTERNATIONAL FIRE CODE" MEANS THE INTERNATIONAL FIRE
27 CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, OR A

1 SUCCESSOR ORGANIZATION.

2 (5) "LOCAL GOVERNMENT" MEANS AN AUTHORITY, A COUNTY, A
3 MUNICIPALITY, A CITY AND COUNTY, A DISTRICT, OR ANOTHER POLITICAL
4 SUBDIVISION OF THE STATE OR ANY DEPARTMENT, AGENCY, INSTITUTION,
5 OR AUTHORITY OF A COUNTY, A MUNICIPALITY, A CITY AND COUNTY, A
6 DISTRICT, OR ANOTHER POLITICAL SUBDIVISION OF THE STATE.

7 (6) "MOBILE RETAIL FOOD ESTABLISHMENT" MEANS A RETAIL
8 FOOD ESTABLISHMENT THAT:

9 (a) IS OPERATED FROM A MOVABLE, MOTOR-DRIVEN, OR
10 PROPELLED VEHICLE, PORTABLE STRUCTURE, OR WATERCRAFT;

11 (b) CAN CHANGE LOCATION; AND

12 (c) IS INTENDED TO PHYSICALLY REPORT TO AND OPERATE FROM
13 A COMMISSARY FOR SERVICING, RESTOCKING, AND MAINTENANCE.

14 (7) "RETAIL FOOD ESTABLISHMENT" HAS THE MEANING SET FORTH
15 IN SECTION 25-4-1602 (14).

16 (8) "STATE HEALTH DEPARTMENT LICENSE" MEANS THE LICENSE
17 GRANTED BY THE DEPARTMENT PURSUANT TO SECTION 25-4-1606.

18 **29-11.6-103. Mobile retail food establishment operations - fire**
19 **safety permit - reciprocity between local government jurisdictions.**

20 (1) A VALID FIRE SAFETY PERMIT THAT HAS BEEN ISSUED TO A MOBILE
21 RETAIL FOOD ESTABLISHMENT IS VALID IN THE JURISDICTION OF ANY
22 OTHER LOCAL GOVERNMENT IN THIS STATE IF THE FIRE SAFETY PERMIT
23 WAS ISSUED:

24 (a) BY A LOCAL GOVERNMENT THAT HAS ADOPTED THE MOST
25 RECENT INTERNATIONAL FIRE CODE OR A FIRE CODE THAT HAS
26 INCORPORATED THE MINIMUM CODES AND STANDARDS FOR MOBILE RETAIL
27 FOOD ESTABLISHMENTS AS ADOPTED BY THE DIVISION OF FIRE PREVENTION

1 AND CONTROL PURSUANT TO SECTION 24-33.5-1203 (1)(z); AND

2 (b) AFTER AN INSPECTION BY A CERTIFIED FIRE INSPECTOR, AS
3 DEFINED IN SECTION 24-33.5-1202 (2.5).

4 (2) (a) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
5 ESTABLISHMENT SHALL PROVIDE, THROUGH REASONABLE ELECTRONIC
6 MEANS, A COPY OF THE FIRE SAFETY PERMIT ISSUED IN ACCORDANCE WITH
7 SUBSECTION (1) OF THIS SECTION TO THE LOCAL GOVERNMENT IN WHICH
8 THE OWNER OR OPERATOR INTENDS TO OPERATE THE MOBILE RETAIL FOOD
9 ESTABLISHMENT AT LEAST FOURTEEN CALENDAR DAYS BEFORE OPERATING
10 WITHIN THE LOCAL GOVERNMENT'S JURISDICTION. THE OWNER OR
11 OPERATOR OF THE MOBILE RETAIL FOOD ESTABLISHMENT SHALL SUBMIT
12 THE COPY OF THE FIRE SAFETY PERMIT TO THE LOCAL GOVERNMENT
13 ENTITY RESPONSIBLE FOR ISSUING FIRE SAFETY PERMITS FOR THE LOCAL
14 GOVERNMENT IN WHICH THE MOBILE RETAIL FOOD ESTABLISHMENT
15 INTENDS TO OPERATE.

16 (b) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
17 ESTABLISHMENT MUST PROVIDE ONLY ONE COPY OF THE FIRE SAFETY
18 PERMIT ISSUED IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION TO
19 THE LOCAL GOVERNMENT PER CALENDAR YEAR, UNLESS THE FIRE SAFETY
20 PERMIT HAS EXPIRED IN THE TIME SINCE THE OWNER OR OPERATOR
21 PREVIOUSLY SUBMITTED THE PERMIT TO THE LOCAL GOVERNMENT.

22

23 (3) (a) A MOBILE RETAIL FOOD ESTABLISHMENT THAT IS
24 OPERATING IN A LOCAL GOVERNMENT'S JURISDICTION MUST BE IN
25 COMPLIANCE WITH THE LOCAL GOVERNMENT'S FIRE SAFETY CODE DURING
26 OPERATION IN THAT JURISDICTION AND IS SUBJECT TO INSPECTION AND
27 ENFORCEMENT BY THE LOCAL GOVERNMENT.

1 (b) A MOBILE RETAIL FOOD ESTABLISHMENT THAT FAILS A FIRE
2 SAFETY INSPECTION BY A LOCAL GOVERNMENT OR THAT IS FOUND IN
3 VIOLATION OF THE LOCAL GOVERNMENT'S FIRE SAFETY CODE IS
4 CONSIDERED TO NO LONGER HAVE A VALID FIRE SAFETY PERMIT IN THAT
5 JURISDICTION PURSUANT TO SUBSECTION (1) OF THIS SECTION AND IS NOT
6 PERMITTED TO OPERATE WITHIN THAT LOCAL GOVERNMENT'S
7 JURISDICTION UNTIL THE MOBILE RETAIL FOOD ESTABLISHMENT PASSES A
8 FIRE SAFETY INSPECTION FROM A CERTIFIED FIRE INSPECTOR, AS DEFINED
9 IN SECTION 24-33.5-1202 (2.5), AND COMPLIES WITH THE LOCAL
10 GOVERNMENT'S FIRE SAFETY CODE.

11 **29-11.6-104. Mobile retail food establishment operations -**
12 **Denver retail food license - state health department license -**
13 **reciprocity between jurisdictions. (1) Denver retail food license.**

14 **(a) THE CITY AND COUNTY OF DENVER SHALL PERMIT THE OWNER OR**
15 **OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT THAT HAS AN**
16 **ACTIVE AND VALID STATE HEALTH DEPARTMENT LICENSE TO OPERATE THE**
17 **MOBILE RETAIL FOOD ESTABLISHMENT WITHIN THE JURISDICTION OF THE**
18 **CITY AND COUNTY OF DENVER IF THE OWNER OR OPERATOR MEETS THE**
19 **REQUIREMENTS OF SUBSECTIONS (1)(b) AND (1)(c) OF THIS SECTION.**

20 **(b) (I) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD**
21 **ESTABLISHMENT SHALL SUBMIT TO THE CITY AND COUNTY OF DENVER,**
22 **THROUGH REASONABLE ELECTRONIC MEANS AS DETERMINED BY THE CITY**
23 **AND COUNTY OF DENVER, THE FOLLOWING DOCUMENTATION AND**
24 **INFORMATION AT LEAST FOURTEEN CALENDAR DAYS BEFORE OPERATING**
25 **WITHIN THE JURISDICTION OF THE CITY AND COUNTY OF DENVER:**

26 **(A) A COPY OF THE VALID STATE HEALTH DEPARTMENT LICENSE;**

27 **(B) A COPY OF THE STATE HEALTH DEPARTMENT LICENSE**

1 APPLICATION SUBMITTED TO THE DEPARTMENT OR ANOTHER LOCAL
2 GOVERNMENT JURISDICTION, INCLUDING ANY PERMITS THAT WERE
3 SUBMITTED AS PART OF THE APPLICATION; AND

4 (C) ANY HISTORY OF ANY VIOLATIONS COMMITTED BY THE OWNER
5 OR OPERATOR OF THE MOBILE RETAIL FOOD ESTABLISHMENT RELATED TO
6 THE STATE HEALTH DEPARTMENT LICENSE.

7 (II) (A) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
8 ESTABLISHMENT SHALL DISPLAY THE STATE HEALTH DEPARTMENT LICENSE
9 IN THE SERVICE WINDOW OF THE MOBILE RETAIL FOOD ESTABLISHMENT AT
10 ALL TIMES DURING THE OPERATION OF THE MOBILE RETAIL FOOD
11 ESTABLISHMENT IN THE CITY AND COUNTY OF DENVER.

12 (B) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
13 ESTABLISHMENT SHALL MAINTAIN ALL REQUIRED FIRE SAFETY PERMITS,
14 INCLUDING FIRE SAFETY PERMITS REQUIRED FOR FLAMMABLE OPERATIONS,
15 WITHIN THE MOBILE RETAIL FOOD ESTABLISHMENT AND PROVIDE THE
16 PERMITS UPON REQUEST DURING AN INSPECTION OF THE MOBILE RETAIL
17 FOOD ESTABLISHMENT. ____

18 (c)(I) A MOBILE RETAIL FOOD ESTABLISHMENT THAT IS OPERATING
19 WITHIN THE JURISDICTION OF THE CITY AND COUNTY OF DENVER
20 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION MUST BE IN
21 COMPLIANCE WITH ALL ORDINANCES, RESOLUTIONS, REGULATIONS,
22 ZONING CODES, HEALTH CODES, OR OTHER CODES OF THE CITY AND
23 COUNTY OF DENVER DURING OPERATION WITHIN THE CITY AND COUNTY
24 OF DENVER AND IS SUBJECT TO INSPECTION AND ENFORCEMENT BY THE
25 CITY AND COUNTY OF DENVER.

26 (II) IF THE CITY AND COUNTY OF DENVER FINDS THAT A MOBILE
27 RETAIL FOOD ESTABLISHMENT WITH A STATE HEALTH DEPARTMENT

1 LICENSE AND THAT IS OPERATING WITHIN ITS JURISDICTION PURSUANT TO
2 SUBSECTION (1)(a) OF THIS SECTION IS IN VIOLATION OF ANY APPLICABLE
3 STATE LAW OR OF ANY ORDINANCE, RESOLUTION, REGULATION, ZONING
4 CODE, HEALTH CODE, OR OTHER CODE OF THE CITY AND COUNTY OF
5 DENVER, THE CITY AND COUNTY OF DENVER MAY:

6 (A) PROHIBIT THE MOBILE RETAIL FOOD ESTABLISHMENT FROM
7 OPERATING WITHIN THE CITY AND COUNTY OF DENVER UNTIL THE MOBILE
8 RETAIL FOOD ESTABLISHMENT PASSES A HEALTH INSPECTION BY THE CITY
9 AND COUNTY OF DENVER, HAS PAID ALL FINES ASSESSED BY THE CITY AND
10 COUNTY OF DENVER FOR THE VIOLATIONS, AND IS FOUND TO BE IN
11 COMPLIANCE WITH ALL APPLICABLE STATE LAWS AND THE LAWS OF THE
12 CITY AND COUNTY OF DENVER; AND

13 (B) NOTIFY THE DEPARTMENT OF THE VIOLATIONS COMMITTED BY
14 THE MOBILE RETAIL FOOD ESTABLISHMENT WHILE OPERATING IN THE CITY
15 AND COUNTY OF DENVER.

16 (III) IF THE DEPARTMENT RECEIVES NOTICE FROM THE CITY AND
17 COUNTY OF DENVER PURSUANT TO THIS SUBSECTION (1)(c), THE
18 DEPARTMENT MAY TAKE ENFORCEMENT ACTION AGAINST A MOBILE
19 RETAIL FOOD ESTABLISHMENT WITH A STATE HEALTH DEPARTMENT
20 LICENSE FOR THE VIOLATIONS.

21 **(2) State health department license. (a)** THE OWNER OR
22 OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT THAT HAS A VALID
23 AND ACTIVE DENVER RETAIL FOOD LICENSE IS CONSIDERED TO HAVE A
24 VALID STATE HEALTH DEPARTMENT LICENSE AND IS PERMITTED TO
25 OPERATE THE MOBILE RETAIL FOOD ESTABLISHMENT WITHIN THE
26 JURISDICTION OF ANOTHER LOCAL GOVERNMENT.

27 **(b) (I)** THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD

1 ESTABLISHMENT SHALL PROVIDE, THROUGH REASONABLE ELECTRONIC
2 MEANS, A COPY OF THE ACTIVE AND VALID DENVER RETAIL FOOD LICENSE
3 TO THE LOCAL GOVERNMENT IN WHICH THE OWNER OR OPERATOR INTENDS
4 TO OPERATE THE MOBILE RETAIL FOOD ESTABLISHMENT AND TO THE
5 DEPARTMENT _____ AT LEAST FOURTEEN CALENDAR DAYS BEFORE
6 OPERATING WITHIN THE LOCAL GOVERNMENT'S JURISDICTION.

7 (II) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
8 ESTABLISHMENT MUST PROVIDE ONLY ONE COPY OF THE DENVER RETAIL
9 FOOD LICENSE TO THE LOCAL GOVERNMENT PER CALENDAR YEAR, UNLESS
10 THE DENVER RETAIL FOOD LICENSE HAS EXPIRED IN THE TIME SINCE THE
11 OWNER OR OPERATOR PREVIOUSLY SUBMITTED THE LICENSE TO THE LOCAL
12 GOVERNMENT.

13 (III) A LOCAL GOVERNMENT MAY DESIGNATE THE OFFICE OR
14 DEPARTMENT OF THE LOCAL GOVERNMENT TO WHICH THE OWNER OR
15 OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT SHALL SUBMIT THE
16 COPY OF THE DENVER RETAIL FOOD LICENSE IN ACCORDANCE WITH THIS
17 SUBSECTION (2)(b). IF THE LOCAL GOVERNMENT DOES NOT DESIGNATE AN
18 OFFICE OR DEPARTMENT, THE OWNER OR OPERATOR OF THE MOBILE RETAIL
19 FOOD ESTABLISHMENT SHALL SUBMIT THE COPY OF THE DENVER RETAIL
20 FOOD LICENSE TO A RELEVANT OFFICE OR DEPARTMENT.

21 (c) (I) (A) A MOBILE RETAIL FOOD ESTABLISHMENT WITH A
22 DENVER RETAIL FOOD LICENSE THAT IS OPERATING IN A LOCAL
23 GOVERNMENT'S JURISDICTION MUST BE IN COMPLIANCE WITH ALL
24 ORDINANCES, RESOLUTIONS, REGULATIONS, ZONING CODES, OR OTHER
25 CODES OF THE LOCAL GOVERNMENT DURING OPERATION IN THAT
26 JURISDICTION AND IS SUBJECT TO INSPECTION AND ENFORCEMENT BY THE
27 LOCAL GOVERNMENT.

1 (B) A MOBILE RETAIL FOOD ESTABLISHMENT WITH A DENVER
2 RETAIL FOOD LICENSE THAT IS FOUND IN VIOLATION OF ANY ORDINANCE,
3 RESOLUTION, REGULATION, ZONING CODE, OR OTHER CODE OF THE LOCAL
4 GOVERNMENT IN WHICH IT IS OPERATING IS NOT PERMITTED TO OPERATE
5 WITHIN THAT JURISDICTION PURSUANT TO SUBSECTION (2)(a) OF THIS
6 SECTION UNTIL THE MOBILE RETAIL FOOD ESTABLISHMENT COMPLIES WITH
7 THE LAWS OF THE LOCAL GOVERNMENT.

8 (II) (A) A MOBILE RETAIL FOOD ESTABLISHMENT WITH A DENVER
9 RETAIL FOOD LICENSE THAT IS OPERATING WITHIN THE JURISDICTION OF
10 ANOTHER LOCAL GOVERNMENT PURSUANT TO SUBSECTION (2)(a) OF THIS
11 SECTION MUST BE IN COMPLIANCE WITH RULES ADOPTED BY THE
12 DEPARTMENT __ PURSUANT TO SECTION 25-4-1604.

13 (B) IF A LOCAL GOVERNMENT FINDS THAT A MOBILE RETAIL FOOD
14 ESTABLISHMENT WITH A DENVER RETAIL FOOD LICENSE AND THAT IS
15 OPERATING WITHIN THE LOCAL GOVERNMENT'S JURISDICTION PURSUANT
16 TO SUBSECTION (2)(a) OF THIS SECTION IS IN VIOLATION OF THE RULES
17 ADOPTED BY THE DEPARTMENT __ PURSUANT TO SECTION 25-4-1604, THE
18 LOCAL GOVERNMENT MAY PROHIBIT THE MOBILE RETAIL FOOD
19 ESTABLISHMENT FROM OPERATING WITHIN THE LOCAL GOVERNMENT'S
20 JURISDICTION UNTIL THE MOBILE RETAIL FOOD ESTABLISHMENT PASSES A
21 HEALTH INSPECTION BY THE LOCAL GOVERNMENT, THE DEPARTMENT, OR
22 ANOTHER LOCAL GOVERNMENT THAT ENFORCES THE RULES ADOPTED BY
23 THE DEPARTMENT __ PURSUANT TO SECTION 25-4-1604.

24 **29-11.6-105. Local government enforcement.** NOTHING IN THIS
25 ARTICLE 11.6 PROHIBITS A LOCAL GOVERNMENT FROM ADOPTING OR
26 ENFORCING THE LOCAL GOVERNMENT'S ORDINANCES, RESOLUTIONS,
27 REGULATIONS, ZONING CODES, HEALTH CODES, OR OTHER CODES RELATED

1 TO THE OPERATION OF A MOBILE RETAIL FOOD ESTABLISHMENT.

2 **SECTION 2.** In Colorado Revised Statutes, 25-4-1602, **add** (2.7)

3 and (10.5) as follows:

4 **25-4-1602. Definitions.** As used in this part 16, unless the context

5 otherwise requires:

6 (2.7) "DENVER RETAIL FOOD LICENSE" HAS THE MEANING SET

7 FORTH IN SECTION 29-11.6-102 (1).

8 (10.5) "MOBILE RETAIL FOOD ESTABLISHMENT" HAS THE MEANING

9 SET FORTH IN SECTION 29-11.6-102 (6).

10 **SECTION 3.** In Colorado Revised Statutes, 25-4-1604, **amend**

11 (2); and **add** (3) as follows:

12 **25-4-1604. Powers and duties of department - reciprocal**

13 **license - rules.** (2) (a) Subsection (1) of this section ~~shall~~ DOES not apply

14 to the city and county of Denver, which, by ordinance, may provide for

15 the licensure of retail food establishments.

16 (b) THE CITY AND COUNTY OF DENVER SHALL PERMIT A LICENSEE

17 TO OPERATE A MOBILE RETAIL FOOD ESTABLISHMENT WITHIN THE

18 JURISDICTION OF THE CITY AND COUNTY OF DENVER IN ACCORDANCE WITH

19 SECTION 29-11.6-104 (1).

20 (3) THE DEPARTMENT SHALL CONSIDER AN OWNER OR OPERATOR

21 OF A MOBILE RETAIL FOOD ESTABLISHMENT WITH A DENVER RETAIL FOOD

22 LICENSE TO HAVE A VALID LICENSE TO OPERATE THE MOBILE RETAIL FOOD

23 ESTABLISHMENT WITHIN THE JURISDICTION OF ANOTHER LOCAL

24 GOVERNMENT IN ACCORDANCE WITH SECTION 29-11.6-104 (2).

25 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-1203, **add**

26 (1)(z) as follows:

27 **24-33.5-1203. Duties of division.** (1) The division shall perform

1 the following duties:

2 (z) ADOPT MINIMUM CODES AND STANDARDS FOR FIRE SAFETY AND
3 PREVENTION RELATED TO THE OPERATION OF MOBILE RETAIL FOOD
4 ESTABLISHMENTS, AS DEFINED IN SECTION 29-11.6-102 (6), FOR USE BY A
5 LOCAL GOVERNMENT IN THE LOCAL GOVERNMENT'S ESTABLISHMENT OR
6 ADOPTION OF A FIRE CODE.

7 **SECTION 5. Act subject to petition - effective date -**
8 **applicability.** (1) This act takes effect January 1, 2026; except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within the ninety-day period after final adjournment of the general
12 assembly, then the act, item, section, or part will not take effect unless
13 approved by the people at the general election to be held in November
14 2026 and, in such case, will take effect on the date of the official
15 declaration of the vote thereon by the governor.

16 (2) This act applies to the operation of mobile retail food
17 establishments on or after the applicable effective date of this act. _____