



Fiscal Note
Legislative Council Staff
Nonpartisan Services for Colorado’s Legislature

SB 25-128: AG WORKER SERVICE PROVIDERS ACCESS PRIVATE PROP

Prime Sponsors:
Sen. Pelton B.; Roberts
Rep. McCormick; Winter T.

Fiscal Analyst:
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Bill Outcome: Signed into Law
Drafting number: LLS 25-0746

Version: Final Fiscal Note
Date: July 31, 2025

Fiscal note status: The final fiscal note reflects the enacted bill.

Summary Information

Overview. The bill amends current law to comport with provisions deemed unconstitutional by the United States Supreme Court.

Types of impacts. The bill is expected to impact the following areas on an ongoing basis:

- Minimal State Workload

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

Pursuant to [Senate Bill 21-087](#), an employer may not interfere with an agricultural worker's reasonable access to key service providers. The law permits third parties to have access to an employer's private property to communicate with workers during periods of uncompensated time. In June 2021, the United State Supreme Court ruled in *Cedar Point Nursery v. Hassid*, 594 U.S. 139 (2021) that this access provision violates the fifth amendment takings clause of the U.S. Constitution.

This bill aligns SB21-087 with *Cedar Point Nursery v. Hassid* by providing that an employer must not interfere with an agricultural worker's reasonable access to key service providers through remote channels, including telehealth appointments on the employer's property. The Division of Labor Standards and Statistics in the Colorado Department of Labor and Employment (CDLE) may adopt rules regarding additional times in which an employer may not interfere with access to service providers. The division is prohibited from adopting rules that infringe on an employer's private property rights by appropriating a right of access to private property, other than those locations on a property for which access is expressly authorized, and prohibits any rules that conflict with the common law right of an individual to access private property in a time of emergency.

State Expenditure

The relevant sections of SB 21-087 being amended impacted the conduct of private actors; however, the Departments of Law, Labor, and Agriculture have a role in enforcing the protections of rights for agricultural workers established in SB 21-087. These include adopting rules, providing legal services, and investigation and enforcement of all claims and appeals. Removing access to key service providers as one right of agricultural workers will minimally decrease the amount of state workload in these departments; however, no change in appropriations is required. Workload may also minimally increase for the CDLE to revise existing rules; however, assuming this is accomplished during the normal revision schedule, no additional appropriations are required.

Effective Date

The Governor signed the bill into law and it took effect on May 29, 2025.

State and Local Government Contacts

Agriculture

Labor

Counties

Law

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).