

Second Regular Session  
Seventy-third General Assembly  
**STATE OF COLORADO**

## **PREAMENDED**

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

LLS NO. 22-0068.01 Yelana Love x2295

# HOUSE BILL 22-1099

## HOUSE SPONSORSHIP

**Carver and Roberts,**

## SENATE SPONSORSHIP

Woodward and Zenzinger,

## House Committees

## Business Affairs & Labor

## Senate Committees

## A BILL FOR AN ACT

101 **CONCERNING MANDATORY DISCLOSURES OF THIRD-PARTY SELLERS**  
102 **SELLING THROUGH ONLINE MARKETPLACES.**

## 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>.)*

The bill requires an online marketplace (marketplace) to require each high-volume third-party seller (seller) selling through its marketplace to disclose to the marketplace, and the marketplace to verify:

- The seller's bank account number;
- The seller's contact information; and
- The seller's business tax identification number or individual

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

taxpayer identification number.

The marketplace also must require the seller to disclose to the consumer the identity of the seller, including:

- The full name of the seller;
- The physical address of the seller;
- Whether the high-volume third-party seller used a different seller to supply the consumer product to the consumer upon purchase; and
- If requested by the purchaser, information relating to any seller that supplied the consumer product to the purchaser, if the seller is different than the high-volume third-party seller listed on the product listing prior to purchase.

The online marketplace must disclose to consumers a reporting mechanism for consumers to report suspicious marketplace activity.

A violation of the disclosure requirements is a deceptive trade practice.

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

2                   **SECTION 1.** In Colorado Revised Statutes, **add** part 14 to article  
3                   1 of title 6 as follows:

## PART 14

## ONLINE MARKETPLACES

**6-1-1401. Definitions.** AS USED IN THIS PART 14, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

14 (2) "HIGH-VOLUME THIRD-PARTY SELLER" MEANS A THIRD-PARTY  
15 SELLER THAT, IN ANY CONTINUOUS TWELVE-MONTH PERIOD DURING THE  
16 PREVIOUS TWENTY-FOUR MONTHS, HAS ENTERED INTO TWO HUNDRED OR

1 MORE DISCRETE SALES OR TRANSACTIONS OF NEW OR UNUSED CONSUMER  
2 PRODUCTS FOR WHICH THE THIRD-PARTY SELLER HAS EARNED AGGREGATE  
3 TOTAL GROSS REVENUES OF FIVE THOUSAND DOLLARS OR MORE. FOR  
4 PURPOSES OF CALCULATING THE NUMBER OF DISCRETE SALES OR  
5 TRANSACTIONS OR THE AGGREGATE GROSS REVENUES UNDER THIS  
6 SUBSECTION (2), AN ONLINE MARKETPLACE IS ONLY REQUIRED TO COUNT  
7 SALES OR TRANSACTIONS MADE THROUGH THE ONLINE MARKETPLACE AND  
8 FOR WHICH PAYMENT WAS PROCESSED BY THE ONLINE MARKETPLACE,  
9 EITHER DIRECTLY OR THROUGH ITS PAYMENT PROCESSOR.

10 (3) "ONLINE MARKETPLACE" MEANS ANY PERSON THAT OPERATES  
11 A CONSUMER-DIRECTED ELECTRONICALLY BASED OR ACCESSED PLATFORM  
12 THAT:

13 (a) INCLUDES FEATURES THAT ALLOW FOR, FACILITATE, OR ENABLE  
14 THIRD-PARTY SELLERS TO ENGAGE IN THE SALE, PURCHASE, PAYMENT,  
15 STORAGE, SHIPPING, OR DELIVERY OF A CONSUMER PRODUCT IN THE  
16 UNITED STATES;

17 (b) IS USED BY ONE OR MORE THIRD-PARTY SELLERS FOR THE SALE,  
18 PURCHASE, PAYMENT, STORAGE, SHIPPING, OR DELIVERY OF A CONSUMER  
19 PRODUCT; AND

20 (c) HAS A CONTRACTUAL OR SIMILAR RELATIONSHIP WITH  
21 CONSUMERS GOVERNING THEIR USE OF THE PLATFORM TO PURCHASE  
22 CONSUMER PRODUCTS.

23 (4) "SELLER" MEANS A PERSON WHO SELLS, OFFERS TO SELL, OR  
24 CONTRACTS TO SELL A CONSUMER PRODUCT THROUGH AN ONLINE  
25 MARKETPLACE'S PLATFORM.

26 (5) (a) "THIRD-PARTY SELLER" MEANS ANY SELLER, INDEPENDENT  
27 OF AN OPERATOR, FACILITATOR, OR OWNER OF AN ONLINE MARKETPLACE,

1 THAT SELLS, OFFERS TO SELL, OR CONTRACTS TO SELL A CONSUMER  
2 PRODUCT IN THE UNITED STATES THROUGH AN ONLINE MARKETPLACE.

3 (b) "THIRD-PARTY SELLER" DOES NOT INCLUDE A SELLER THAT:

4 (I) OPERATES THE ONLINE MARKETPLACE'S PLATFORM;

5 (II) IS A BUSINESS ENTITY THAT HAS MADE AVAILABLE TO THE  
6 GENERAL PUBLIC THE ENTITY'S NAME, BUSINESS ADDRESS, AND WORKING  
7 CONTACT INFORMATION;

8 (III) IS A BUSINESS ENTITY THAT HAS AN ONGOING CONTRACTUAL  
9 RELATIONSHIP WITH THE ONLINE MARKETPLACE TO PROVIDE THE ONLINE  
10 MARKETPLACE WITH THE MANUFACTURE, DISTRIBUTION, WHOLESALE  
11 DISTRIBUTION, OR FULFILLMENT OF SHIPMENTS OF CONSUMER PRODUCTS;  
12 OR

13 (IV) IS A BUSINESS ENTITY THAT HAS PROVIDED TO THE ONLINE  
14 MARKETPLACE IDENTIFYING INFORMATION, AS DESCRIBED IN SECTION  
15 6-1-1402 (1), THAT HAS BEEN VERIFIED PURSUANT TO THAT SECTION.

16 (6) "VERIFY" MEANS TO CONFIRM INFORMATION PROVIDED TO AN  
17 ONLINE MARKETPLACE PURSUANT TO THIS PART 14, WHICH MAY INCLUDE  
18 THE USE OF ONE OR MORE METHODS THAT ENABLE THE ONLINE  
19 MARKETPLACE TO RELIABLY DETERMINE THAT ANY INFORMATION AND  
20 DOCUMENTS PROVIDED:

21 (a) ARE VALID;

22 (b) CORRESPOND TO THE SELLER OR AN INDIVIDUAL ACTING ON  
23 THE SELLER'S BEHALF;

24 (c) ARE NOT MISAPPROPRIATED; AND

25 (d) ARE NOT FALSIFIED.

26 **6-1-1402. Disclosure of information by online marketplaces to**  
27 **inform consumers.** (1) **Collection required.** AN ONLINE MARKETPLACE

1       SHALL REQUIRE A HIGH-VOLUME THIRD-PARTY SELLER PARTICIPATING IN  
2       THE ONLINE MARKETPLACE TO PROVIDE THE ONLINE MARKETPLACE WITH  
3       THE FOLLOWING INFORMATION WITHIN TEN DAYS AFTER QUALIFYING AS  
4       A HIGH-VOLUME THIRD-PARTY SELLER:

5               (a)    BANK ACCOUNT NUMBER OR, IF THE HIGH-VOLUME  
6       THIRD-PARTY SELLER DOES NOT HAVE A BANK ACCOUNT, THE NAME OF  
7       THE PAYEE FOR PAYMENTS ISSUED BY THE ONLINE MARKETPLACE TO THE  
8       HIGH-VOLUME THIRD-PARTY SELLER. THE BANK ACCOUNT OR PAYEE  
9       INFORMATION MAY BE PROVIDED BY THE SELLER EITHER:

10               (I)    TO THE ONLINE MARKETPLACE; OR  
11               (II)    TO A PAYMENT PROCESSOR OR OTHER THIRD PARTY  
12       CONTRACTED BY THE ONLINE MARKETPLACE TO MAINTAIN THE  
13       INFORMATION, IF THE ONLINE MARKETPLACE ENSURES THAT IT CAN  
14       OBTAIN SUCH INFORMATION ON DEMAND FROM THE PAYMENT PROCESSOR  
15       OR OTHER THIRD PARTY.

16               (b)    CONTACT INFORMATION, INCLUDING:

17               (I)    IF THE HIGH-VOLUME THIRD-PARTY SELLER IS AN INDIVIDUAL,  
18       THE INDIVIDUAL'S NAME; OR  
19               (II)    IF THE HIGH-VOLUME THIRD-PARTY SELLER IS NOT AN  
20       INDIVIDUAL, EITHER:

21               (A)    A COPY OF A VALID GOVERNMENT-ISSUED PHOTO  
22       IDENTIFICATION DOCUMENT FOR AN INDIVIDUAL ACTING ON BEHALF OF  
23       THE HIGH-VOLUME THIRD-PARTY SELLER THAT INCLUDES THE  
24       INDIVIDUAL'S NAME; OR

25               (B)    A COPY OF A VALID GOVERNMENT-ISSUED RECORD OR TAX  
26       DOCUMENT THAT INCLUDES THE BUSINESS NAME AND PHYSICAL ADDRESS  
27       OF THE HIGH-VOLUME THIRD-PARTY SELLER;

5 (d) A CURRENT WORKING E-MAIL ADDRESS AND PHONE NUMBER  
6 FOR THE HIGH-VOLUME THIRD-PARTY SELLER.

7 (2) **Notification.** AN ONLINE MARKETPLACE SHALL:

8 (a) PERIODICALLY, BUT NOT LESS THAN ANNUALLY, NOTIFY ANY  
9 HIGH-VOLUME THIRD-PARTY SELLER ON THE ONLINE MARKETPLACE'S  
10 PLATFORM OF THE REQUIREMENT TO KEEP ANY INFORMATION COLLECTED  
11 UNDER SUBSECTION (1) OF THIS SECTION CURRENT;

12 (b) REQUIRE ANY HIGH-VOLUME THIRD-PARTY SELLER ON SUCH  
13 ONLINE MARKETPLACE'S PLATFORM, NOT LATER THAN TEN DAYS AFTER  
14 RECEIVING THE NOTICE UNDER SUBSECTION (2)(a) OF THIS SECTION, TO  
15 ELECTRONICALLY CERTIFY THAT:

16 (I) THE HIGH-VOLUME THIRD-PARTY SELLER HAS PROVIDED ANY  
17 CHANGES TO SUCH INFORMATION TO THE ONLINE MARKETPLACE, IF SUCH  
18 CHANGES HAVE OCCURRED; OR

19 (II) THERE HAVE BEEN NO CHANGES TO THE HIGH-VOLUME  
20 THIRD-PARTY SELLER'S INFORMATION; AND

21 (c) IF A HIGH-VOLUME THIRD-PARTY SELLER DOES NOT PROVIDE  
22 THE INFORMATION OR CERTIFICATION REQUIRED UNDER SUBSECTION (1)  
23 OF THIS SECTION, AND AFTER THE ONLINE MARKETPLACE PROVIDES THE  
24 SELLER WITH WRITTEN OR ELECTRONIC NOTICE AND AN OPPORTUNITY TO  
25 PROVIDE SUCH INFORMATION OR CERTIFICATION NOT LATER THAN TEN  
26 DAYS AFTER THE ISSUANCE OF SUCH NOTICE, SUSPEND ANY FUTURE SALES  
27 ACTIVITY OF THE SELLER ON THE ONLINE MARKETPLACE UNTIL THE SELLER

1 PROVIDES THE INFORMATION OR CERTIFICATION.

2 (3) **Verification required.** (a) THE ONLINE MARKETPLACE SHALL:

3 (I) VERIFY THE INFORMATION COLLECTED UNDER SUBSECTION (1)

4 OF THIS SECTION NOT LATER THAN TEN DAYS AFTER THE COLLECTION; AND

5 (II) VERIFY ANY CHANGE TO SUCH INFORMATION NOT LATER THAN

6 TEN DAYS AFTER BEING NOTIFIED OF THE CHANGE BY A HIGH-VOLUME

7 THIRD-PARTY SELLER IN RESPONSE TO THE NOTICE REQUIRED BY

8 SUBSECTION (2)(a) OF THIS SECTION.

9 (b) IN THE CASE OF A HIGH-VOLUME THIRD-PARTY SELLER THAT

10 PROVIDES A COPY OF A VALID GOVERNMENT-ISSUED TAX DOCUMENT, ANY

11 INFORMATION CONTAINED IN SUCH DOCUMENT SHALL BE PRESUMED TO BE

12 VERIFIED AS OF THE DATE OF ISSUANCE OF THE DOCUMENT.

13 (c) DATA COLLECTED SOLELY TO COMPLY WITH THE

14 REQUIREMENTS OF THIS SECTION MAY NOT BE USED FOR ANY OTHER

15 PURPOSE UNLESS REQUIRED BY LAW.

16 (d) TO PROTECT DATA THAT HAS BEEN COLLECTED IN COMPLIANCE

17 WITH THIS SECTION FROM UNAUTHORIZED USE, DISCLOSURE, ACCESS,

18 DESTRUCTION, OR MODIFICATION, AN ONLINE MARKETPLACE SHALL

19 IMPLEMENT AND MAINTAIN REASONABLE SECURITY PROCEDURES AND

20 PRACTICES, INCLUDING ADMINISTRATIVE, PHYSICAL, AND TECHNICAL

21 SAFEGUARDS, APPROPRIATE TO THE NATURE OF THE DATA AND THE

22 PURPOSES FOR WHICH THE DATA WILL BE USED.

23 (4) **Disclosure required.** (a) AN ONLINE MARKETPLACE SHALL

24 REQUIRE A HIGH-VOLUME THIRD-PARTY SELLER WITH AN AGGREGATE

25 TOTAL OF TWENTY THOUSAND DOLLARS OR MORE IN ANNUAL GROSS

26 REVENUES ON THE ONLINE MARKETPLACE, AND THAT USES THE ONLINE

27 MARKETPLACE'S PLATFORM, TO PROVIDE, AND, EXCEPT AS PROVIDED IN

1 SUBSECTION (4)(b) OF THIS SECTION, DISCLOSE TO CONSUMERS IN A  
2 CONSPICUOUS MANNER IN THE ORDER CONFIRMATION MESSAGE OR OTHER  
3 DOCUMENT OR COMMUNICATION MADE TO A CONSUMER AFTER A  
4 PURCHASE IS FINALIZED AND IN THE CONSUMER'S ACCOUNT TRANSACTION  
5 HISTORY:

6 (I) THE FULL NAME OF THE SELLER, WHICH MAY INCLUDE THE  
7 SELLER'S NAME OR THE SELLER'S COMPANY NAME, OR THE NAME BY WHICH  
8 THE SELLER OR COMPANY OPERATES ON THE ONLINE MARKETPLACE;

9 (II) THE PHYSICAL ADDRESS OF THE SELLER;

10 (III) CONTACT INFORMATION FOR THE SELLER, TO ALLOW USERS  
11 OF THE ONLINE MARKETPLACE TO ENGAGE IN DIRECT, UNHINDERED  
12 COMMUNICATION WITH THE HIGH-VOLUME THIRD-PARTY SELLER,  
13 INCLUDING A CURRENT WORKING PHONE NUMBER, A CURRENT WORKING  
14 E-MAIL ADDRESS, OR OTHER MEANS OF DIRECT ELECTRONIC MESSAGING  
15 THAT THE ONLINE MARKETPLACE MAY PROVIDE FOR THE HIGH-VOLUME  
16 THIRD-PARTY SELLER;

17 (IV) WHETHER THE HIGH-VOLUME THIRD-PARTY SELLER USED A  
18 DIFFERENT SELLER TO SUPPLY THE CONSUMER PRODUCT TO THE  
19 CONSUMER UPON PURCHASE, AND, UPON THE REQUEST OF AN  
20 AUTHENTICATED PURCHASER, THE INFORMATION DESCRIBED IN  
21 SUBSECTIONS (4)(a)(I) TO (4)(a)(III) OF THIS SECTION RELATING TO ANY  
22 SUCH SELLER THAT SUPPLIED THE CONSUMER PRODUCT TO THE  
23 PURCHASER, IF THE SELLER IS DIFFERENT THAN THE HIGH-VOLUME  
24 THIRD-PARTY SELLER LISTED ON THE PRODUCT LISTING PRIOR TO  
25 PURCHASE.

26 (b) (I) SUBJECT TO SUBSECTION (4)(b)(II) OF THIS SECTION, UPON  
27 THE REQUEST OF A HIGH-VOLUME THIRD-PARTY SELLER, AN ONLINE

1 MARKETPLACE MAY ALLOW FOR THE SELLER TO PROVIDE PARTIAL  
2 DISCLOSURE OF THE IDENTITY INFORMATION REQUIRED PURSUANT TO  
3 SUBSECTION (4)(a) OF THIS SECTION IN THE FOLLOWING SITUATIONS:

4 (A) IF THE HIGH-VOLUME THIRD-PARTY SELLER CERTIFIES TO THE  
5 ONLINE MARKETPLACE THAT THE SELLER DOES NOT HAVE A BUSINESS  
6 ADDRESS AND ONLY HAS A RESIDENTIAL STREET ADDRESS, OR HAS A  
7 COMBINED BUSINESS AND RESIDENTIAL ADDRESS, THE ONLINE  
8 MARKETPLACE MAY DISCLOSE ONLY THE COUNTRY AND, IF APPLICABLE,  
9 THE STATE IN WHICH THE HIGH-VOLUME THIRD-PARTY SELLER RESIDES  
10 AND MAY INFORM CONSUMERS THAT THERE IS NO BUSINESS ADDRESS  
11 AVAILABLE FOR THE HIGH-VOLUME THIRD-PARTY SELLER AND THAT  
12 CONSUMER INQUIRIES SHOULD BE SUBMITTED TO THE HIGH-VOLUME  
13 THIRD-PARTY SELLER BY TELEPHONE, E-MAIL ADDRESS, OR OTHER MEANS  
14 OF ELECTRONIC MESSAGING THAT THE ONLINE MARKETPLACE PROVIDES  
15 THE SELLER.

16 (B) IF THE HIGH-VOLUME THIRD-PARTY SELLER CERTIFIES TO THE  
17 ONLINE MARKETPLACE THAT THE SELLER IS A BUSINESS THAT HAS A  
18 SEPARATE PHYSICAL ADDRESS FOR PRODUCT RETURNS, THE ONLINE  
19 MARKETPLACE MAY DISCLOSE ONLY THE SELLER'S PHYSICAL ADDRESS FOR  
20 PRODUCT RETURNS.

21 (C) IF A HIGH-VOLUME THIRD-PARTY SELLER CERTIFIES TO THE  
22 ONLINE MARKETPLACE THAT THE SELLER DOES NOT HAVE A TELEPHONE  
23 NUMBER OTHER THAN A PERSONAL TELEPHONE NUMBER, THE ONLINE  
24 MARKETPLACE SHALL INFORM CONSUMERS THAT THERE IS NO TELEPHONE  
25 NUMBER AVAILABLE FOR THE SELLER AND THAT CONSUMER INQUIRIES  
26 SHOULD BE SUBMITTED TO THE SELLER'S E-MAIL ADDRESS, OR OTHER  
27 MEANS OF ELECTRONIC MESSAGING THAT THE ONLINE MARKETPLACE

1 PROVIDES THE SELLER.

2 (II) IF AN ONLINE MARKETPLACE BECOMES AWARE THAT A  
3 HIGH-VOLUME THIRD-PARTY SELLER HAS MADE A FALSE REPRESENTATION  
4 TO THE ONLINE MARKETPLACE IN ORDER TO JUSTIFY THE PROVISION OF A  
5 PARTIAL DISCLOSURE PURSUANT TO SUBSECTION (4)(b)(I) OF THIS SECTION  
6 OR THAT A HIGH-VOLUME THIRD-PARTY SELLER THAT HAS REQUESTED AND  
7 RECEIVED AN ALLOWANCE FOR A PARTIAL DISCLOSURE PURSUANT TO  
8 SUBSECTION (4)(b)(I) OF THIS SECTION HAS NOT PROVIDED RESPONSIVE  
9 ANSWERS WITHIN A REASONABLE TIME FRAME TO CONSUMER INQUIRIES  
10 SUBMITTED TO THE SELLER BY TELEPHONE, E-MAIL ADDRESS, OR OTHER  
11 MEANS OF ELECTRONIC MESSAGING THAT THE ONLINE MARKETPLACE  
12 PROVIDES THE SELLER, THE ONLINE MARKETPLACE SHALL, AFTER  
13 PROVIDING THE SELLER WITH WRITTEN OR ELECTRONIC NOTICE AND AN  
14 OPPORTUNITY TO RESPOND NOT LATER THAN TEN DAYS AFTER THE  
15 ISSUANCE OF THE NOTICE, SUSPEND ANY FUTURE SALES ACTIVITY OF THE  
16 SELLER UNLESS THE SELLER CONSENTS TO THE DISCLOSURE OF THE  
17 IDENTITY INFORMATION REQUIRED UNDER SUBSECTION (4)(b)(I)(A) OF  
18 THIS SECTION.

19 (5) **Reporting mechanism.** AN ONLINE MARKETPLACE SHALL  
20 DISCLOSE TO CONSUMERS, IN A CLEAR AND CONSPICUOUS MANNER ON THE  
21 PRODUCT LISTING OF ANY HIGH-VOLUME THIRD-PARTY SELLER, A  
22 REPORTING MECHANISM THAT ALLOWS FOR ELECTRONIC AND TELEPHONIC  
23 REPORTING OF SUSPICIOUS MARKETPLACE ACTIVITY TO THE ONLINE  
24 MARKETPLACE.

25 

26 (6) **Compliance.** IF A HIGH-VOLUME THIRD-PARTY SELLER DOES  
27 NOT COMPLY WITH THE REQUIREMENTS TO PROVIDE AND DISCLOSE

1 INFORMATION UNDER THIS SECTION, THE ONLINE MARKETPLACE SHALL,  
2 AFTER PROVIDING THE SELLER WITH WRITTEN OR ELECTRONIC NOTICE AND  
3 AN OPPORTUNITY TO PROVIDE OR DISCLOSE SUCH INFORMATION NOT  
4 LATER THAN TEN DAYS AFTER THE ISSUANCE OF SUCH NOTICE, SUSPEND  
5 ANY FUTURE SALES ACTIVITY OF SUCH SELLER UNTIL THE SELLER  
6 COMPLIES WITH THE REQUIREMENTS.

7 **6-1-1403. Enforcement.** (1) (a) THE ATTORNEY GENERAL AND  
8 DISTRICT ATTORNEYS HAVE EXCLUSIVE AUTHORITY TO ENFORCE THIS PART  
9 14 BY BRINGING AN ACTION IN THE NAME OF THE STATE OR AS PARENTS  
10 PATRIAE ON BEHALF OF PERSONS RESIDING IN THE STATE TO ENFORCE THIS  
11 PART 14 AS PROVIDED IN PART 1 OF THIS ARTICLE 1.

12 (b) NOTHING IN THIS PART 14 SHALL BE CONSTRUED AS PROVIDING  
13 THE BASIS FOR, OR SUBJECTING A PARTY TO, A PRIVATE RIGHT OF ACTION  
14 FOR VIOLATIONS OF THIS PART 14 OR ANY OTHER LAW.

15 **(2) Unfair and deceptive acts or practices.** A VIOLATION OF THIS  
16 PART 14 IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE PURSUANT TO  
17 SECTION 6-1-105 (1)(ooo).

18 **6-1-1404. Preemption.** (1) A POLITICAL SUBDIVISION SHALL NOT  
19 ESTABLISH, MANDATE, OR OTHERWISE REQUIRE ONLINE MARKETPLACES  
20 TO:

21 (a) VERIFY INFORMATION FROM HIGH-VOLUME THIRD-PARTY  
22 SELLERS ON A ONE-TIME OR ONGOING BASIS; OR

23 (b) DISCLOSE OR REQUIRE THE DISCLOSURE OF INFORMATION TO  
24 CONSUMERS.

25 **SECTION 2.** In Colorado Revised Statutes, 6-1-105, **add**  
26 (1)(ooo) as follows:

27 **6-1-105. Unfair or deceptive trade practices.** (1) A person

1 engages in a deceptive trade practice when, in the course of the person's  
2 business, vocation, or occupation, the person:

3 (ooo) VIOLATES PART 14 OF THIS ARTICLE 1.

4 **SECTION 3. Act subject to petition - effective date -**  
5 **applicability.** (1) This act takes effect January 1, 2023; except that, if a  
6 referendum petition is filed pursuant to section 1 (3) of article V of the  
7 state constitution against this act or an item, section, or part of this act  
8 within the ninety-day period after final adjournment of the general  
9 assembly, then the act, item, section, or part will not take effect unless  
10 approved by the people at the general election to be held in November  
11 2022 and, in such case, will take effect January 1, 2023, or on the date of  
12 the official declaration of the vote thereon by the governor, whichever is  
13 later.

14 (2) This act applies to conduct occurring on or after the applicable  
15 effective date of this act.