

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

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

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 FOOD SAFETY LICENSE" MEANS THE FOOD SAFETY
14 LICENSE GRANTED BY THE CITY AND COUNTY OF DENVER THAT
15 AUTHORIZES A MOBILE RETAIL FOOD ESTABLISHMENT TO OPERATE WITHIN
16 THE CITY AND COUNTY OF DENVER.

17 (2) "FIRE SAFETY PERMIT" MEANS A PERMIT OR DOCUMENT ISSUED
18 BY A LOCAL GOVERNMENT THAT CERTIFIES THAT A MOBILE RETAIL FOOD
19 ESTABLISHMENT MEETS THE LOCAL GOVERNMENT'S FIRE SAFETY
20 STANDARDS AND AUTHORIZES AN INDIVIDUAL TO OPERATE THE MOBILE
21 RETAIL FOOD ESTABLISHMENT.

22 (3) "INTERNATIONAL FIRE CODE" MEANS THE INTERNATIONAL FIRE
23 CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, OR A
24 SUCCESSOR ORGANIZATION.

25 (4) "LOCAL GOVERNMENT" MEANS AN AUTHORITY, A COUNTY, A
26 MUNICIPALITY, A CITY AND COUNTY, A DISTRICT, OR ANOTHER POLITICAL
27 SUBDIVISION OF THE STATE OR ANY DEPARTMENT, AGENCY, INSTITUTION,

1 OR AUTHORITY OF A COUNTY, A MUNICIPALITY, A CITY AND COUNTY, A
2 DISTRICT, OR ANOTHER POLITICAL SUBDIVISION OF THE STATE.

3 (5) "MOBILE RETAIL FOOD ESTABLISHMENT" MEANS A RETAIL
4 FOOD ESTABLISHMENT THAT:

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

7 (b) CAN CHANGE LOCATION; AND

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

10 (6) "RETAIL FOOD ESTABLISHMENT" HAS THE MEANING SET FORTH
11 IN SECTION 25-4-1602 (14).

12 (7) "STATE HEALTH DEPARTMENT LICENSE" MEANS THE LICENSE
13 GRANTED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
14 PURSUANT TO SECTION 25-4-1606.

15 **29-11.6-103. Mobile retail food establishment operations - fire**
16 **safety permit - reciprocity between local government jurisdictions.**

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

21 (a) BY A LOCAL GOVERNMENT THAT HAS ADOPTED THE MOST
22 RECENT INTERNATIONAL FIRE CODE OR A FIRE CODE THAT HAS
23 INCORPORATED THE MINIMUM CODES AND STANDARDS FOR MOBILE RETAIL
24 FOOD ESTABLISHMENTS AS ADOPTED BY THE DIVISION OF FIRE PREVENTION
25 AND CONTROL PURSUANT TO SECTION 24-33.5-1203 (1)(z); AND

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

1 (2) (a) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
2 ESTABLISHMENT SHALL PROVIDE, THROUGH REASONABLE ELECTRONIC
3 MEANS, A COPY OF THE FIRE SAFETY PERMIT ISSUED IN ACCORDANCE WITH
4 SUBSECTION (1) OF THIS SECTION TO THE LOCAL GOVERNMENT IN WHICH
5 THE OWNER OR OPERATOR INTENDS TO OPERATE THE MOBILE RETAIL FOOD
6 ESTABLISHMENT AT LEAST FOURTEEN CALENDAR DAYS BEFORE OPERATING
7 WITHIN THE LOCAL GOVERNMENT'S JURISDICTION.

8 (b) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
9 ESTABLISHMENT MUST PROVIDE ONLY ONE COPY OF THE FIRE SAFETY
10 PERMIT ISSUED IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION TO
11 THE LOCAL GOVERNMENT PER CALENDAR YEAR, UNLESS THE FIRE SAFETY
12 PERMIT HAS EXPIRED IN THE TIME SINCE THE OWNER OR OPERATOR
13 PREVIOUSLY SUBMITTED THE PERMIT TO THE LOCAL GOVERNMENT.

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

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

27 (b) A MOBILE RETAIL FOOD ESTABLISHMENT THAT FAILS A FIRE

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

10 **29-11.6-104. Mobile retail food establishment operations - food**
11 **safety license - state health department license - Denver food safety**
12 **license - reciprocity between local government jurisdictions.**

13 **(1) Denver food safety license.** (a) THE CITY AND COUNTY OF DENVER
14 SHALL PERMIT THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
15 ESTABLISHMENT THAT HAS AN ACTIVE AND VALID STATE HEALTH
16 DEPARTMENT LICENSE TO OPERATE THE MOBILE RETAIL FOOD
17 ESTABLISHMENT WITHIN THE JURISDICTION OF THE CITY AND COUNTY OF
18 DENVER.

19 (b) (I) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
20 ESTABLISHMENT SHALL PROVIDE, THROUGH REASONABLE ELECTRONIC
21 MEANS, A COPY OF THE ACTIVE AND VALID STATE HEALTH DEPARTMENT
22 LICENSE TO THE CITY AND COUNTY OF DENVER AT LEAST FOURTEEN
23 CALENDAR DAYS BEFORE OPERATING WITHIN THE JURISDICTION OF THE
24 CITY AND COUNTY OF DENVER.

25 (II) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
26 ESTABLISHMENT MUST PROVIDE ONLY ONE COPY OF THE STATE HEALTH
27 DEPARTMENT LICENSE TO THE CITY AND COUNTY OF DENVER PER

1 CALENDAR YEAR, UNLESS THE STATE HEALTH DEPARTMENT LICENSE HAS
2 EXPIRED IN THE TIME SINCE THE OWNER OR OPERATOR PREVIOUSLY
3 SUBMITTED THE LICENSE TO THE CITY AND COUNTY OF DENVER.

4 (III) THE CITY AND COUNTY OF DENVER MAY DESIGNATE THE
5 OFFICE OR DEPARTMENT TO WHICH THE OWNER OR OPERATOR OF A MOBILE
6 RETAIL FOOD ESTABLISHMENT SHALL SUBMIT THE COPY OF THE STATE
7 HEALTH DEPARTMENT LICENSE IN ACCORDANCE WITH THIS SUBSECTION
8 (1)(b). IF THE CITY AND COUNTY OF DENVER DOES NOT DESIGNATE AN
9 OFFICE OR DEPARTMENT, THE OWNER OR OPERATOR OF THE MOBILE RETAIL
10 FOOD ESTABLISHMENT SHALL SUBMIT THE COPY OF THE STATE HEALTH
11 DEPARTMENT LICENSE TO A RELEVANT OFFICE OR DEPARTMENT.

12 (c) (I) A MOBILE RETAIL FOOD ESTABLISHMENT THAT IS OPERATING
13 WITHIN THE JURISDICTION OF THE CITY AND COUNTY OF DENVER MUST BE
14 IN COMPLIANCE WITH ALL ORDINANCES, RESOLUTIONS, REGULATIONS,
15 ZONING CODES, HEALTH CODES, OR OTHER CODES OF THE CITY AND
16 COUNTY OF DENVER DURING OPERATION WITHIN THE CITY AND COUNTY
17 OF DENVER AND IS SUBJECT TO INSPECTION AND ENFORCEMENT BY THE
18 CITY AND COUNTY OF DENVER.

19 (II) IF THE CITY AND COUNTY OF DENVER FINDS THAT A MOBILE
20 RETAIL FOOD ESTABLISHMENT WITH A STATE HEALTH DEPARTMENT
21 LICENSE AND THAT IS OPERATING WITHIN ITS JURISDICTION PURSUANT TO
22 SECTION (1)(a) OF THIS SECTION IS IN VIOLATION OF ANY ORDINANCE,
23 RESOLUTION, REGULATION, ZONING CODE, HEALTH CODE, OR OTHER CODE
24 OF THE CITY AND COUNTY OF DENVER, THE CITY AND COUNTY OF DENVER
25 MAY PROHIBIT THE MOBILE RETAIL FOOD ESTABLISHMENT FROM
26 OPERATING WITHIN THE CITY AND COUNTY OF DENVER UNTIL THE MOBILE
27 RETAIL FOOD ESTABLISHMENT PASSES A HEALTH INSPECTION BY THE CITY

1 AND COUNTY OF DENVER OR IS FOUND TO BE IN COMPLIANCE WITH THE
2 LAWS OF THE CITY AND COUNTY OF DENVER.

3 (2) **State health department license.** (a) THE OWNER OR
4 OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT THAT HAS A VALID
5 AND ACTIVE DENVER FOOD SAFETY LICENSE IS CONSIDERED TO HAVE A
6 VALID STATE HEALTH DEPARTMENT LICENSE AND IS PERMITTED TO
7 OPERATE THE MOBILE RETAIL FOOD ESTABLISHMENT WITHIN THE
8 JURISDICTION OF ANOTHER LOCAL GOVERNMENT.

9 (b) (I) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
10 ESTABLISHMENT SHALL PROVIDE, THROUGH REASONABLE ELECTRONIC
11 MEANS, A COPY OF THE ACTIVE AND VALID DENVER FOOD SAFETY LICENSE
12 TO THE LOCAL GOVERNMENT IN WHICH THE OWNER OR OPERATOR INTENDS
13 TO OPERATE THE MOBILE RETAIL FOOD ESTABLISHMENT AND TO THE
14 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, CREATED IN SECTION
15 25-1-102, AT LEAST FOURTEEN CALENDAR DAYS BEFORE OPERATING
16 WITHIN THE LOCAL GOVERNMENT'S JURISDICTION.

17 (II) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
18 ESTABLISHMENT MUST PROVIDE ONLY ONE COPY OF THE DENVER FOOD
19 SAFETY LICENSE TO THE LOCAL GOVERNMENT PER CALENDAR YEAR,
20 UNLESS THE DENVER FOOD SAFETY LICENSE HAS EXPIRED IN THE TIME
21 SINCE THE OWNER OR OPERATOR PREVIOUSLY SUBMITTED THE LICENSE TO
22 THE LOCAL GOVERNMENT.

23 (III) A LOCAL GOVERNMENT MAY DESIGNATE THE OFFICE OR
24 DEPARTMENT OF THE LOCAL GOVERNMENT TO WHICH THE OWNER OR
25 OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT SHALL SUBMIT THE
26 COPY OF THE DENVER FOOD SAFETY LICENSE IN ACCORDANCE WITH THIS
27 SUBSECTION (2)(b). IF THE LOCAL GOVERNMENT DOES NOT DESIGNATE AN

1 OFFICE OR DEPARTMENT, THE OWNER OR OPERATOR OF THE MOBILE RETAIL
2 FOOD ESTABLISHMENT SHALL SUBMIT THE COPY OF THE DENVER FOOD
3 SAFETY LICENSE TO A RELEVANT OFFICE OR DEPARTMENT.

4 (c) (I) (A) A MOBILE RETAIL FOOD ESTABLISHMENT WITH A
5 DENVER FOOD SAFETY LICENSE THAT IS OPERATING IN A LOCAL
6 GOVERNMENT'S JURISDICTION MUST BE IN COMPLIANCE WITH ALL
7 ORDINANCES, RESOLUTIONS, REGULATIONS, ZONING CODES, OR OTHER
8 CODES OF THE LOCAL GOVERNMENT DURING OPERATION IN THAT
9 JURISDICTION AND IS SUBJECT TO INSPECTION AND ENFORCEMENT BY THE
10 LOCAL GOVERNMENT.

11 (B) A MOBILE RETAIL FOOD ESTABLISHMENT WITH A DENVER FOOD
12 SAFETY LICENSE THAT IS FOUND IN VIOLATION OF ANY ORDINANCE,
13 RESOLUTION, REGULATION, ZONING CODE, OR OTHER CODE OF THE LOCAL
14 GOVERNMENT IN WHICH IT IS OPERATING IS NOT PERMITTED TO OPERATE
15 WITHIN THAT JURISDICTION PURSUANT TO SUBSECTION (2)(a) OF THIS
16 SECTION UNTIL THE MOBILE RETAIL FOOD ESTABLISHMENT COMPLIES WITH
17 THE LAWS OF THE LOCAL GOVERNMENT.

18 (II) (A) A MOBILE RETAIL FOOD ESTABLISHMENT WITH A DENVER
19 FOOD SAFETY LICENSE THAT IS OPERATING WITHIN THE JURISDICTION OF
20 ANOTHER LOCAL GOVERNMENT PURSUANT TO SUBSECTION (2)(a) OF THIS
21 SECTION MUST BE IN COMPLIANCE WITH RULES ADOPTED BY THE
22 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO
23 SECTION 25-4-1604.

24 (B) IF A LOCAL GOVERNMENT FINDS THAT A MOBILE RETAIL FOOD
25 ESTABLISHMENT WITH A DENVER FOOD SAFETY LICENSE AND THAT IS
26 OPERATING WITHIN THE LOCAL GOVERNMENT'S JURISDICTION PURSUANT
27 TO SUBSECTION (2)(a) OF THIS SECTION IS IN VIOLATION OF THE RULES

1 ADOPTED BY THE DEPARTMENT OF PUBLIC HEALTH ENVIRONMENT
2 PURSUANT TO SECTION 25-4-1604, THE LOCAL GOVERNMENT MAY
3 PROHIBIT THE MOBILE RETAIL FOOD ESTABLISHMENT FROM OPERATING
4 WITH THE LOCAL GOVERNMENT'S JURISDICTION UNTIL THE MOBILE RETAIL
5 FOOD ESTABLISHMENT PASSES A HEALTH INSPECTION BY THE LOCAL
6 GOVERNMENT, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT,
7 OR ANOTHER LOCAL GOVERNMENT THAT ENFORCES THE RULES ADOPTED
8 BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO
9 SECTION 25-4-1604.

10 **29-11.6-105. Local government enforcement.** NOTHING IN THIS
11 ARTICLE 11.6 PROHIBITS A LOCAL GOVERNMENT FROM ADOPTING OR
12 ENFORCING THE LOCAL GOVERNMENT'S ORDINANCES, RESOLUTIONS,
13 REGULATIONS, ZONING CODES, HEALTH CODES, OR OTHER CODES RELATED
14 TO THE OPERATION OF A MOBILE RETAIL FOOD ESTABLISHMENT.

15 **SECTION 2.** In Colorado Revised Statutes, 25-4-1602, **add** (2.7)
16 and (10.5) as follows:

17 **25-4-1602. Definitions.** As used in this part 16, unless the context
18 otherwise requires:

19 (2.7) "DENVER FOOD SAFETY LICENSE" HAS THE MEANING SET
20 FORTH IN SECTION 29-11.6-102 (1).

21 (10.5) "MOBILE RETAIL FOOD ESTABLISHMENT" HAS THE MEANING
22 SET FORTH IN SECTION 29-11.6-102 (5).

23 **SECTION 3.** In Colorado Revised Statutes, 25-4-1604, **amend**
24 (2); and **add** (3) as follows:

25 **25-4-1604. Powers and duties of department - reciprocal**
26 **license - rules.** (2) (a) Subsection (1) of this section ~~shall~~ DOES not apply
27 to the city and county of Denver, which, by ordinance, may provide for

1 the licensure of retail food establishments.

2 (b) THE CITY AND COUNTY OF DENVER SHALL PERMIT A LICENSEE
3 TO OPERATE A MOBILE RETAIL FOOD ESTABLISHMENT WITHIN THE
4 JURISDICTION OF THE CITY AND COUNTY OF DENVER IN ACCORDANCE WITH
5 SECTION 29-11.6-104 (1).

6 (3) THE DEPARTMENT SHALL CONSIDER AN OWNER OR OPERATOR
7 OF A MOBILE RETAIL FOOD ESTABLISHMENT WITH A DENVER FOOD SAFETY
8 LICENSE TO HAVE A VALID LICENSE TO OPERATE THE MOBILE RETAIL FOOD
9 ESTABLISHMENT WITHIN THE JURISDICTION OF ANOTHER LOCAL
10 GOVERNMENT IN ACCORDANCE WITH SECTION 29-11.6-104 (2).

11 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-1203, add
12 (1)(z) as follows:

13 **24-33.5-1203. Duties of division.** (1) The division shall perform
14 the following duties:

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

20 **SECTION 5. Act subject to petition - effective date -**
21 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
22 the expiration of the ninety-day period after final adjournment of the
23 general assembly; except that, if a referendum petition is filed pursuant
24 to section 1 (3) of article V of the state constitution against this act or an
25 item, section, or part of this act within such period, then the act, item,
26 section, or part will not take effect unless approved by the people at the
27 general election to be held in November 2026 and, in such case, will take

1 effect on the date of the official declaration of the vote thereon by the
2 governor.

3 (2) This act applies to applications submitted and conduct
4 occurring on or after the applicable effective date of this act.