

SENATE COMMITTEE OF REFERENCE REPORT

	May 1, 2025
Chair of Committee	Date

Committee on Local Government & Housing.

After consideration on the merits, the Committee recommends the following:

HB25-1295 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

- 1 Amend reengrossed bill, page 3, strike lines 13 through 16 and substitute:
- 2 "(1) "DENVER RETAIL FOOD LICENSE" MEANS THE BUSINESS
- 3 LICENSE GRANTED BY THE CITY AND COUNTY OF DENVER THAT
- 4 AUTHORIZES A MOBILE RETAIL FOOD ESTABLISHMENT TO OPERATE WITHIN
- 5 THE CITY AND COUNTY OF DENVER AND INDICATES THAT THE MOBILE
- 6 RETAIL FOOD ESTABLISHMENT IS IN COMPLIANCE WITH APPLICABLE FOOD
- 7 SAFETY STANDARDS."
- 8 Page 3, after line 16 insert:
- 9 "(2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
- 10 AND ENVIRONMENT CREATED IN SECTION 25-1-102."
- 11 Renumber succeeding subsections accordingly.
- 12 Page 5, line 7, after "JURISDICTION." add "THE OWNER OR OPERATOR OF
- 13 THE MOBILE RETAIL FOOD ESTABLISHMENT SHALL SUBMIT THE COPY OF
- 14 THE FIRE SAFETY PERMIT TO THE LOCAL GOVERNMENT ENTITY
- 15 RESPONSIBLE FOR ISSUING FIRE SAFETY PERMITS FOR THE LOCAL
- 16 GOVERNMENT IN WHICH THE MOBILE RETAIL FOOD ESTABLISHMENT
- 17 INTENDS TO OPERATE."
- 18 Page 5, strike lines 14 through 21.
- 19 Page 6, strike lines 10 through 13 and substitute:
- 20 **"29-11.6-104. Mobile retail food establishment operations -**
- 21 **Denver retail food license - state health department license -**
- 22 **reciprocity between jurisdictions. (1) Denver retail food license.**

1 (a) THE CITY AND COUNTY OF DENVER".

2 Page 6, strike lines 18 through 27 and substitute "DENVER IF THE OWNER
3 OR OPERATOR MEETS THE REQUIREMENTS OF SUBSECTIONS (1)(b) AND
4 (1)(c) OF THIS SECTION.

5 (b) (I) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
6 ESTABLISHMENT SHALL SUBMIT TO THE CITY AND COUNTY OF DENVER,
7 THROUGH REASONABLE ELECTRONIC MEANS AS DETERMINED BY THE CITY
8 AND COUNTY OF DENVER, THE FOLLOWING DOCUMENTATION AND
9 INFORMATION AT LEAST FOURTEEN CALENDAR DAYS BEFORE OPERATING
10 WITHIN THE JURISDICTION OF THE CITY AND COUNTY OF DENVER:

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

12 (B) A COPY OF THE STATE HEALTH DEPARTMENT LICENSE
13 APPLICATION SUBMITTED TO THE DEPARTMENT OR ANOTHER LOCAL
14 GOVERNMENT JURISDICTION, INCLUDING ANY PERMITS THAT WERE
15 SUBMITTED AS PART OF THE APPLICATION; AND

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

19 (II) (A) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
20 ESTABLISHMENT SHALL DISPLAY THE STATE HEALTH DEPARTMENT LICENSE
21 IN THE SERVICE WINDOW OF THE MOBILE RETAIL FOOD ESTABLISHMENT AT
22 ALL TIMES DURING THE OPERATION OF THE MOBILE RETAIL FOOD
23 ESTABLISHMENT IN THE CITY AND COUNTY OF DENVER.

24 (B) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
25 ESTABLISHMENT SHALL MAINTAIN ALL REQUIRED FIRE SAFETY PERMITS,
26 INCLUDING FIRE SAFETY PERMITS REQUIRED FOR FLAMMABLE OPERATIONS,
27 WITHIN THE MOBILE RETAIL FOOD ESTABLISHMENT AND PROVIDE THE
28 PERMITS UPON REQUEST DURING AN INSPECTION OF THE MOBILE RETAIL
29 FOOD ESTABLISHMENT."

30 Page 7, strike lines 1 through 11.

31 Page 7, line 13, after "DENVER" insert "PURSUANT TO SUBSECTION (1)(a)
32 OF THIS SECTION".

33 Page 7, line 22, strike the first "SECTION" and substitute "SUBSECTION"
34 and after the second "OF" insert "ANY APPLICABLE STATE LAW OR OF".

35 Page 7, strike lines 25 through 27 and substitute "MAY:

36 (A) PROHIBIT THE MOBILE RETAIL FOOD ESTABLISHMENT FROM
37 OPERATING WITHIN THE CITY AND COUNTY OF DENVER UNTIL THE MOBILE
38 RETAIL FOOD ESTABLISHMENT PASSES A HEALTH INSPECTION BY THE CITY

1 AND COUNTY OF DENVER, HAS PAID ALL FINES ASSESSED BY THE CITY AND
2 COUNTY OF DENVER FOR THE VIOLATIONS, AND IS FOUND TO BE IN
3 COMPLIANCE WITH ALL APPLICABLE STATE LAWS AND THE LAWS OF THE
4 CITY AND COUNTY OF DENVER; AND

5 (B) NOTIFY THE DEPARTMENT OF THE VIOLATIONS COMMITTED BY
6 THE MOBILE RETAIL FOOD ESTABLISHMENT WHILE OPERATING IN THE CITY
7 AND COUNTY OF DENVER."

8 Page 8, strike lines 1 and 2 and substitute:

9 "(III) IF THE DEPARTMENT RECEIVES NOTICE FROM THE CITY AND
10 COUNTY OF DENVER PURSUANT TO THIS SUBSECTION (1)(c), THE
11 DEPARTMENT MAY TAKE ENFORCEMENT ACTION AGAINST A MOBILE
12 RETAIL FOOD ESTABLISHMENT WITH A STATE HEALTH DEPARTMENT
13 LICENSE FOR THE VIOLATIONS."

14 Page 8, lines 14 and 15, strike "OF PUBLIC HEALTH AND ENVIRONMENT,
15 CREATED IN SECTION 25-1-102,".

16 Page 10, line 6, strike "DEPARTMENT OF PUBLIC HEALTH AND
17 ENVIRONMENT" and substitute "DEPARTMENT,".

18 Page 10, line 19, strike "FOOD SAFETY" and substitute "RETAIL FOOD".

19 Page 10, line 22, strike "29-11.6-102 (5)." and substitute "29-11.6-102
20 (6).".

21 Page 11, line 17 strike "29-11.6-102 (5)," and substitute "29-11.6-102
22 (6),".

23 Page 11, strike lines 20 through 27 and substitute:

24 **"SECTION 5. Act subject to petition - effective date -**
25 **applicability.** (1) This act takes effect January 1, 2026; except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act
28 within the ninety-day period after final adjournment of the general
29 assembly, then the act, item, section, or part will not take effect unless
30 approved by the people at the general election to be held in November
31 2026 and, in such case, will take effect on the date of the official
32 declaration of the vote thereon by the governor.

33 (2) This act applies to the operation of mobile retail food
34 establishments on or after the applicable effective date of this act."

1 Page 12, strike lines 1 through 4.

2 Strike "DENVER FOOD SAFETY LICENSE" and substitute "DENVER RETAIL
3 FOOD LICENSE" on: **Page 8**, lines 5, 11, 18 and 19, 20, and 26; **Page 9**,
4 lines 2 and 3, 5, 11 and 12, 18 and 19, and 25; and **Page 11**, lines 7 and
5 8.

6 Strike "OF PUBLIC HEALTH AND ENVIRONMENT" on: **Page 4**, line 13; **Page**
7 **9**, line 22; and **Page 10**, lines 1 and 8.

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