

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 19-0809.01 Megan Waples x4348

HOUSE BILL 19-1246

HOUSE SPONSORSHIP

Van Winkle and Kraft-Tharp, Baisley, Bockenfeld, Cutter, Esgar, Exum, Garnett, Gray, Herod, Hooton, Humphrey, Lontine, McKean, McLachlan, Melton, Michaelson Jenet, Snyder, Valdez A., Williams D.

SENATE SPONSORSHIP

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House Committees

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Senate Committees

Local Government

A BILL FOR AN ACT

101 **CONCERNING THE REGULATION OF FOOD TRUCK BUSINESSES BY LOCAL**
102 **GOVERNMENTS.**

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 a local government to grant a business license to a food truck operator that has obtained a license from another local government, and prohibits the local government from imposing additional licensing requirements. Local governments are prohibited from requiring separate licenses or fees for the operation of a food truck in more than one location or on more than one day in the same year or requiring the

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.

SENATE
Amended 2nd Reading
April 26, 2019

HOUSE
3rd Reading Unamended
April 8, 2019

HOUSE
Amended 2nd Reading
April 5, 2019

food truck operator to provide certain types of documentation related to the food truck's operation or location. A local government may enforce its sales tax, zoning, and land use regulations and promulgate ordinances or regulations related to the operation of food trucks in its jurisdiction that are not inconsistent with the bill's requirements.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 11.6 to
3 title 29 as follows:

4 **ARTICLE 11.6**

5 **Food Trucks**

6 **29-11.6-101. Legislative declaration.** (1) THE GENERAL
7 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

8 (a) FOOD TRUCKS ARE A GROWING PART OF THE COLORADO
9 ECONOMY;

10 (b) FOOD TRUCKS ARE INHERENTLY MOBILE AND INTENDED TO
11 OPERATE IN VARIOUS LOCATIONS ACROSS THE STATE; AND

12 (c) LAWS IMPOSED AND ADMINISTERED AT THE LOCAL LEVEL
13 REQUIRING FOOD TRUCK BUSINESSES TO OBTAIN SEPARATE PERMITS OR
14 LICENSES TO OPERATE WITHIN A LOCAL GOVERNMENT'S JURISDICTION
15 IMPOSE INORDINATE BURDENS ON THOSE BUSINESSES.

16 (2) THE GENERAL ASSEMBLY FURTHER DECLARES THAT THE
17 UNIQUE ISSUES RAISED BY THE MOBILE NATURE OF THE FOOD TRUCK
18 INDUSTRY MERIT FURTHER STUDY AND DISCUSSION TO INFORM POSSIBLE
19 SOLUTIONS THAT MEET THE NEEDS OF THE FOOD TRUCK INDUSTRY AND
20 LOCAL GOVERNMENTS.

21 **29-11.6-102. Study of local government regulation of food**
22 **trucks.** ISSUES RAISED BY THE REGULATION OF FOOD TRUCKS FOR FIRE
23 SAFETY AND HEALTH CODE COMPLIANCE MAY BE STUDIED BY STATE AND

1 REGIONAL ORGANIZATIONS REPRESENTING LOCAL GOVERNMENTS IN
2 ORDER TO DETERMINE AREAS OF DUPLICATE OR CONFLICTING
3 REGULATION. ANY FINDINGS OR RECOMMENDATIONS FOR LEGISLATIVE
4 SOLUTIONS, IF ANY, MADE BY THE ORGANIZATIONS REPRESENTING LOCAL
5 GOVERNMENTS MAY BE PRESENTED TO THE BUSINESS AFFAIRS AND LABOR
6 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE BUSINESS,
7 LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY
8 SUCCESSOR COMMITTEES, ON OR BEFORE NOVEMBER 1, 2019. ___

9 **29-11.6-103. Repeal.** THIS ARTICLE 11.6 IS REPEALED, EFFECTIVE
10 SEPTEMBER 1, 2020.

11 ■ ■

12 **SECTION 2. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2020 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.