



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 19-1246

FISCAL NOTE

Drafting Number:	LLS 19-0809	Date:	March 26, 2019
Prime Sponsors:	Rep. Van Winkle; Kraft-Tharp	Bill Status:	House Trans. & Local Govt.
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Bill Topic: LOCAL GOVERNMENT REGULATION OF FOOD TRUCKS

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires consistent local government regulation of food trucks in Colorado. The bill may impact local government revenue and expenditures beginning in FY 2019-20.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

The bill regulates food trucks statewide by requiring local governments to grant business licenses to food trucks that have a license from another local government. Local governments must grant a license to a food truck operator if the operator provides documentation that the operator has:

- a current business license from another local government;
- current approval that the truck has passed a fire safety inspection; and
- a current Colorado Retail Food Establishment License.

Local governments may not impose additional license requirements, but may collect license fees and sales tax, along with enforcing zoning and land use regulations. In addition, local governments:

- may not limit the number of days food truck may operate on private property;
- may require operators provide written consent from the private property; or
- may require site plans for food truck operators that operate on private property less than 10 hours per week.

Background and Assumptions

Under current law, food trucks must obtain Colorado Retail Food License from the Department of Public Health and Environment and a Colorado Sales Tax License from the Department of Revenue in order to operate in the state. This fiscal note assumes that the bill does not change those license requirements. In addition, several local governments in Colorado currently regulate food trucks and collect license fees.

Local Government

Beginning in FY 2019-20, the bill may increase or decrease revenue, depending on the current local fee structure, for local governments that regulate food trucks. For example, a local government may need to increase the local license fee to cover costs to account for the elimination of other fees currently assessed by the local government on food truck operators. These costs have not been estimated for this fiscal note and will vary based on jurisdiction.

In addition, workloads may increase for local governments currently regulating food trucks to update regulations and conduct education and outreach.

Effective Date

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Counties	Municipalities	Public Health and Environment	Revenue
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