



1700 Lincoln, 17<sup>th</sup> floor  
Denver, CO. 80203  
303-831-6099  
NFIB.com

February 7, 2024

Re: Written testimony concerning HB 24-1014, Removal of the Public Requirement for Colorado Consumer Protection Act

The National Federation of Independent Business is an 80-year-old, Not for Profit membership organization with approximately 300,000 dues paying members nationally and dedicated to making it possible for every individual to own, operate and grow their business free from over regulation by government. Our membership is comprised of small and independent businesses engaged in every industry imaginable and who have an **average of 5-9 employees**.

**Colorado membership of the National Federation of Independent Business (NFIB) OPPOSES HB 24-1014.**

HB 24-1014 seeks to eliminate the public impact requirement of the CCPA so that it can be applied to purely private disputes—such as those between a seller and a buyer. If passed into law, HB 24-1014 would increase lawsuits against Colorado small businesses for frivolous causes which might have nothing to do with the violations addressed under the Colorado Consumer Protection Act. These lawsuits will put Colorado small businesses out of business because of high cost offering a defense.

The problem with Section 2 is that, if passed into law, will eviscerate the most important protection against abusive and expansive use of CCPA claims in private litigation. The result will be a proliferation of CCPA claims that extend well beyond, and run contrary to, the intent of the CCPA from its enactment to today.

HB 24-1014 would also jeopardize Colorado's, already, anemic affordable housing crisis.

Single-family housing would easily fall victim to the same issues that have plagued multi-family, for-sale, housing products for the last decade. HB 24-1014 could also create unintended consequences within the insurance industry. Insurance companies will not be willing to assume the risk of single party lawsuits 24-1014 would bring.

**NFIB Colorado therefore requests the committee NOT PASS 24-1014.**

A.F. Tony Gagliardi, State Director, 303-831-6099



March 2024

TO: Senate Judiciary Committee  
RE: HB24-1014--Deceptive Trade Practice Significant Impact Standard

Dear Committee Members:

The American Association of University Women (AAUW) is one of the oldest women's organizations in the country, empowering women since 1881. The mission of AAUW is to advance equity for women and girls through research, education, and advocacy. AAUW of Colorado represents over 700 community leaders as members around the state.

With the ever-growing presence of the internet in consumer transactions, unfair and deceptive trade practices are proliferating. Women are among the most vulnerable as they are often the ones who purchase goods and services for their families. Under current Colorado case law, a claim of an unfair or deceptive trade practice must have a significant impact to the public to prevail. When someone is assaulted physically, they do not need to show that the perpetrator injured others. Why should the victim of deceptive trade practices have to show that there is a significant impact to the public?

Colorado is one of only 7 states with this type of anti-consumer language in their laws. Colorado also ranks above average in reports of consumer fraud per capita, with the 14th highest reporting numbers. When our laws are lax, we attract the those who don't play fairly. Deceptive trade practices also harm businesses who play by the rules, and we believe HB 1014 will help both consumers and women business owners in Colorado.

For these reasons AAUW respectfully requests your YES vote in committee and throughout the process of becoming law.

Thank you for your consideration,

A handwritten signature in blue ink that reads "Su Ryden".

**Su Ryden**  
**AAUW Colorado Public Policy Co-Director**

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*American Association of University Women--AAUW is a top-rated 501(c)3 charitable organization whose mission is to advance gender equity for women and girls through research, education and advocacy.*



## **SUPPORT** for HB24-1014 Deceptive Trade Practice Significant Impact Standard

Members of the Committee,

My name is Mar Galvez Seminario and I am the Legislative and Research Manager at the Colorado Organization for Latina Opportunity and Reproductive Rights. COLOR is a reproductive justice organization that works to engage and empower Latines in the state to speak out about the policies that impact our daily lives.

We are here to testify in support of HB24-1014, a bill that would allow individuals in our state the right to file a lawsuit if they have been harmed by a business through unfair or deceptive acts and practices. In current law, a person must prove not only the harm to themselves, but also a public harm. This is an unfair and often insurmountable barrier that can retraumatize the person seeking justice.

From a reproductive rights and justice perspective, this bill is incredibly important to ensuring protections for folks who have been deceived and manipulated by anti-abortion centers, also known as crisis pregnancy centers.

Just last year, at Latino Advocacy Day, we were approached by a person who was in the midst of being tricked by one of these centers. She was miscarrying at the time of our lobby day, was still bleeding, and had been told to just go home and wait it out. After attending our workshop on how to spot a crisis pregnancy center, the woman became aware of how she had been tricked into thinking she was receiving evidence-based medical care, when in fact, she was not. It turned out she did need medical care, and without it, would have been even more harmed by this center. As it is now, this individual harm would not have been enough. Now, imagine this had happened to you or someone you care about, and instead of being able to hire an attorney and seek justice, you were now told that you would have to prove how crisis pregnancy centers routinely and systematically harm the community at large, before actions through the consumer protection act could proceed.

I can imagine that I would feel like giving up, and simply try to move on and forget. This is not fair, this is not justice, and this should not be the only option that people have after such an experience.

In fact, in many other bills that pass through the legislature, there are private rights of actions in place for this reason - individuals should not have to rely solely on elected officials like the DA to take up their claim and vindicate their rights.

Please vote yes on 1014 today so that our communities have the option of seeking remedy.  
Thank you.

**Senate Judiciary**

**03/18/2024 01:30 PM**

**HB24-1014 Deceptive Trade Practice Significant Impact Std**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
Karen Kalavity For themselves	YES...Definitely!