



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

SB 26-081: INCREASE AG EMPLOYEE OVERTIME PROTECTIONS

Prime Sponsors:

Sen. Danielson
Rep. Velasco

Fiscal Analyst:

Clare Pramuk, 303-866-4796
clare.pramuk@coleg.gov

Bill Outcome: Postponed Indefinitely

Drafting number: LLS 26-0351

Version: Final Fiscal Note

Date: June 10, 2026

Fiscal note status: The final fiscal note reflects the introduced bill. This bill was postponed indefinitely by the Senate Business, Labor, and Technology Committee on March 19, 2026; therefore, the impacts identified in this analysis do not take effect.

Summary Information

Overview. Beginning January 1, 2027, agricultural employees would have been required to be paid time and a half overtime for any work performed in excess of 40 hours per workweek; 12 hours per workday; or 12 consecutive hours regardless of the start and end time of the work shift.

Types of impacts. The bill was projected to affect the following areas on a one-time basis:

- Minimal State Revenue
- Minimal State Workload

Appropriations. No appropriation was required.

**Table 1
State Fiscal Impacts**

| Type of Impact | Budget Year FY 2026-27 | Out Year FY 2027-28 |
|-------------------------|---------------------------|------------------------|
| State Revenue | \$0 | \$0 |
| State Expenditures | \$0 | \$0 |
| Transferred Funds | \$0 | \$0 |
| Change in TABOR Refunds | \$0 | \$0 |
| Change in State FTE | 0.0 FTE | 0.0 FTE |

Fund sources for these impacts are shown in the tables below.

Summary of Legislation

Beginning January 1, 2027, agricultural employees are required to be paid time-and-a-half overtime for any work performed in excess of:

- 40 hours per workweek;
- 12 hours per workday; or
- 12 consecutive hours regardless of the start and end time of the work shift.

In addition, the bill repeals obsolete requirements related to previous rulemaking completed by the Director of the Division of Labor Standards and Statistics in the Department of Labor and Employment (CDLE) concerning overtime and maximum hours protections to agricultural employees.

Background

[Senate Bill 21-087](#) established overtime pay for agricultural workers. As of January 1, 2025, overtime for agricultural workers begins after 48 hours per week, or after 56 hours for up to 22 peak weeks for highly seasonal employers.

State Revenue

The bill may minimally increase revenue to CDLE and the Judicial Department. These increases are described below.

Penalties and Fines—CDLE

The CDLE practices compliance assistance when investigating violations of agricultural wage requirements, which provides employers with an opportunity to demonstrate compliance rather than having CDLE initiate a formal investigation. As a result, penalties and fines levied are expected to be minimal.

Filing Fees—Judicial Department

The bill may minimally increase revenue from filing fees from additional civil cases filed with the trial courts in the Judicial Department.

State Expenditures

The bill increases workload in the Division of Labor Standards and Statistics in CDLE and the Judicial Department. These impacts are described below.

Department of Labor and Employment

The CDLE will have an increase in workload to update the Colorado Overtime and Minimum Pay Standards Order (COMPS ORDER) to reflect the changes in the bill, which will require review, consideration, and incorporation of stakeholder feedback, and to amend existing public guidance and outreach materials to reflect the bill changes. CDLE staff will also be required to respond to queries from employers, workers and workers' advocates. This workload can be accomplished within existing appropriations.

Judicial Department

To the extent the bill impacts civil case filings, trial court workload will increase. Given the assumption that most employers will follow the law, it is anticipated that any impact on the courts can be addressed within existing appropriations.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed. It applies to overtime wages paid on or after January 1, 2027.

State and Local Government Contacts

| | |
|-------------|-------|
| Agriculture | Labor |
| Judicial | Law |

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).