

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 25, 2025
Date

Committee on Transportation, Housing & Local Government.

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:

- 1 Amend printed bill, page 2, line 6, strike "FOOD TRUCKS" and substitute
- 2 "MOBILE RETAIL FOOD ESTABLISHMENTS".

- 3 Page 3, line 1, strike "FOOD TRUCKS" and substitute "MOBILE RETAIL
- 4 FOOD ESTABLISHMENTS".

- 5 Page 3, line 4, strike "FOOD TRUCK BUSINESSES" and substitute "MOBILE
- 6 RETAIL FOOD ESTABLISHMENTS".

- 7 Page 3, line 6, strike "BUSINESSES." and substitute "ESTABLISHMENTS.".

- 8 Page 3, after line 12 insert:

- 9 "(2) "DENVER FOOD SAFETY LICENSE" MEANS THE FOOD SAFETY
- 10 LICENSE GRANTED BY THE CITY AND COUNTY OF DENVER THAT
- 11 AUTHORIZES A MOBILE RETAIL FOOD ESTABLISHMENT TO OPERATE WITHIN
- 12 THE CITY AND COUNTY OF DENVER.".

- 13 Renumber succeeding subsections accordingly.

- 14 Page 3, strike lines 17 through 20.

- 15 Renumber succeeding subsections accordingly.

- 16 Page 3, strike lines 24 through 27.

- 17 Renumber succeeding subsections accordingly.

1 Page 4, after line 5 insert:

2 "(6) "MOBILE RETAIL FOOD ESTABLISHMENT" MEANS A RETAIL
3 FOOD ESTABLISHMENT THAT IS OPERATED FROM A MOVABLE,
4 MOTOR-DRIVEN, OR PROPELLED VEHICLE, PORTABLE STRUCTURE, OR
5 WATERCRAFT THAT CAN CHANGE LOCATION AND IS INTENDED TO
6 PHYSICALLY REPORT TO AND OPERATE FROM A COMMISSARY FOR
7 SERVICING, RESTOCKING, AND MAINTENANCE."

8 Renumber succeeding subsections accordingly.

9 Page 4, strike line 9 and substitute "BUSINESS LICENSE AND FIRE SAFETY".

10 Page 4, after line 15 insert:

11 "(10) "STATE HEALTH DEPARTMENT LICENSE" MEANS THE LICENSE
12 GRANTED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
13 PURSUANT TO SECTION 25-4-1606."

14 Page 4, line 16, strike "**Food truck**" and substitute "**Mobile retail food**
15 **establishment**".

16 Page 4, line 17, strike "**permits - zoning**" and substitute "**permit**".

17 Page 4, line 18, strike "**permits**" and substitute "**permit**".

18 Page 4, strike line 22 and substitute "LICENSE AND A RECIPROCAL".

19 Page 5, strike lines 4 and 5.

20 Renumber succeeding subparagraphs accordingly.

21 Page 5, line 15, strike "HEALTH DEPARTMENT PERMIT OR".

22 Page 5, line 23, strike "HEALTH DEPARTMENT OR".

23 Page 6, strike line 15 and substitute "TYPICAL BUSINESS LICENSE AND
24 FIRE".

25 Page 7, line 6, strike "FOURTEEN" and substitute "THIRTY".

26 Page 7, strike lines 8 through 27 and substitute:

1 "(2) **Enforcement.** NOTHING IN THIS SECTION PROHIBITS A LOCAL
2 GOVERNMENT".

3 Page 8, after line 3 insert:

4 "(3) **Reciprocity between jurisdictions.** (a) THE CITY AND
5 COUNTY OF DENVER SHALL GRANT A DENVER FOOD SAFETY LICENSE TO
6 THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT IF
7 THE OWNER OR OPERATOR SUBMITS THE FOLLOWING TO THE CITY AND
8 COUNTY OF DENVER:

9 (I) AN ACTIVE STATE HEALTH DEPARTMENT LICENSE; AND

10 (II) PAYMENT OF THE APPLICATION FEE AND LICENSING FEE
11 CHARGED BY THE CITY AND COUNTY OF DENVER FOR A DENVER FOOD
12 SAFETY LICENSE IN ACCORDANCE WITH SUBSECTION (3)(c) OF THIS
13 SECTION.

14 (b) UPON REVIEW OF A RECIPROCAL LICENSE APPLICATION
15 SUBMITTED IN ACCORDANCE WITH SUBSECTION (3)(a) OF THIS SECTION,
16 THE CITY AND COUNTY OF DENVER MAY DENY AN OWNER OR OPERATOR
17 OF A MOBILE RETAIL FOOD ESTABLISHMENT A RECIPROCAL LICENSE
18 APPLICATION FOR A DENVER FOOD SAFETY LICENSE IF THE OWNER OR
19 OPERATOR OF THE MOBILE RETAIL FOOD ESTABLISHMENT:

20 (I) HAS NOT OBTAINED OR RENEWED A STATE HEALTH
21 DEPARTMENT LICENSE WITHIN THE MOST RECENT PAST CALENDAR YEAR;

22 (II) HAS FAILED AN INSPECTION RELATED TO THE STATE HEALTH
23 DEPARTMENT LICENSE WITHIN THE MOST RECENT PAST CALENDAR YEAR;
24 OR

25 (III) HAS OUTSTANDING FEES, FINES, OR PENALTIES IN THE CITY
26 AND COUNTY OF DENVER OR ANOTHER LOCAL GOVERNMENT
27 JURISDICTION.

28 (c) (I) THE CITY AND COUNTY OF DENVER MAY CHARGE A
29 RECIPROCAL LICENSE APPLICATION FEE TO AN OWNER OR OPERATOR OF A
30 MOBILE RETAIL FOOD ESTABLISHMENT THAT APPLIES FOR A DENVER FOOD
31 SAFETY LICENSE. THE RECIPROCAL LICENSE APPLICATION FEE MUST NOT
32 EXCEED THE ADMINISTRATIVE COST INCURRED BY THE CITY AND COUNTY
33 OF DENVER TO REVIEW THE APPLICATION.

34 (II) THE CITY AND COUNTY OF DENVER MAY CHARGE A
35 RECIPROCAL LICENSING FEE TO AN OWNER OR OPERATOR OF A MOBILE
36 RETAIL FOOD ESTABLISHMENT TO OBTAIN A DENVER FOOD SAFETY
37 LICENSE. THE RECIPROCAL LICENSING FEE MUST NOT EXCEED
38 TWENTY-FIVE PERCENT OF THE COST OF OBTAINING AN INITIAL DENVER
39 FOOD SAFETY LICENSE.

40 (d) (I) AN OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
41 ESTABLISHMENT THAT HAS BEEN GRANTED A DENVER FOOD SAFETY

1 LICENSE PURSUANT TO THIS SUBSECTION (4) MAY OPERATE THE MOBILE
2 RETAIL FOOD ESTABLISHMENT WITHIN THE CITY AND COUNTY OF DENVER
3 UNTIL THE EXPIRATION DATE STATED ON THE STATE HEALTH DEPARTMENT
4 LICENSE.

5 (II) THE CITY AND COUNTY OF DENVER MAY REVOKE A DENVER
6 FOOD SAFETY LICENSE GRANTED TO AN OWNER OR OPERATOR OF A MOBILE
7 RETAIL FOOD ESTABLISHMENT PURSUANT TO THIS SUBSECTION (4) IF THE
8 CITY AND COUNTY OF DENVER FINDS THAT THE MOBILE RETAIL FOOD
9 ESTABLISHMENT IS BEING OPERATED IN VIOLATION OF THE ORDINANCES,
10 RESOLUTIONS, REGULATIONS, ZONING CODES, OR OTHER CODES OF THE
11 CITY AND COUNTY OF DENVER.

12 (e) THE CITY AND COUNTY OF DENVER SHALL REVIEW A
13 RECIPROCAL LICENSE APPLICATION FOR A DENVER FOOD SAFETY LICENSE
14 SUBMITTED PURSUANT TO THIS SUBSECTION (3) AND ISSUE THE DECISION
15 TO APPROVE OR DENY THE RECIPROCAL LICENSE APPLICATION WITHIN
16 THIRTY CALENDAR DAYS AFTER RECEIVING THE APPLICATION.

17 **SECTION 2.** In Colorado Revised Statutes, 25-4-1602, **add** (2.7)
18 and (10.5) as follows:

19 **25-4-1602. Definitions.** As used in this part 16, unless the context
20 otherwise requires:

21 (2.7) "DENVER FOOD SAFETY LICENSE" HAS THE MEANING SET
22 FORTH IN SECTION 29-11.6-102 (2).

23 (10.5) "MOBILE RETAIL FOOD ESTABLISHMENT" MEANS A RETAIL
24 FOOD ESTABLISHMENT THAT IS OPERATED FROM A MOVABLE,
25 MOTOR-DRIVEN, OR PROPELLED VEHICLE, PORTABLE STRUCTURE, OR
26 WATERCRAFT THAT CAN CHANGE LOCATION AND IS INTENDED TO
27 PHYSICALLY REPORT TO AND OPERATE FROM A COMMISSARY FOR
28 SERVICING, RESTOCKING, AND MAINTENANCE.

29 **SECTION 3.** In Colorado Revised Statutes, 25-4-1604, **amend**
30 (2); and **add** (3) as follows:

31 **25-4-1604. Powers and duties of department - reciprocal**
32 **license - rules.** (2) (a) Subsection (1) of this section ~~shall~~ DOES not apply
33 to the city and county of Denver, which, by ordinance, may provide for
34 the licensure of retail food establishments.

35 (b) THE CITY AND COUNTY OF DENVER SHALL GRANT A DENVER
36 FOOD SAFETY LICENSE TO A LICENSEE IN ACCORDANCE WITH SECTION
37 29-11.6-103 (3).

38 (3) **Reciprocity with the city and county of Denver.** (a) THE
39 DEPARTMENT SHALL GRANT A LICENSE TO THE OWNER OR OPERATOR OF A
40 MOBILE RETAIL FOOD ESTABLISHMENT IF THE OWNER OR OPERATOR
41 SUBMITS THE FOLLOWING TO THE DEPARTMENT:

42 (I) AN ACTIVE DENVER FOOD SAFETY LICENSE ISSUED BY THE CITY
43 AND COUNTY OF DENVER; AND

1 (II) PAYMENT OF A RECIPROCAL LICENSE APPLICATION FEE AND
2 RECIPROCAL LICENSING FEE REQUIRED FOR THE LICENSE.

3 (b) (I) THE DEPARTMENT MAY CHARGE A RECIPROCAL LICENSE
4 APPLICATION FEE TO AN OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
5 ESTABLISHMENT THAT APPLIES FOR A LICENSE IN ACCORDANCE WITH THIS
6 SUBSECTION (3). THE RECIPROCAL LICENSE APPLICATION FEE MUST NOT
7 EXCEED THE ADMINISTRATIVE COST INCURRED BY THE DEPARTMENT TO
8 REVIEW THE RECIPROCAL LICENSE APPLICATION.

9 (II) THE DEPARTMENT MAY CHARGE A RECIPROCAL LICENSING FEE
10 TO AN OWNER OR OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT
11 TO OBTAIN A LICENSE IN ACCORDANCE WITH THIS SUBSECTION (3). THE
12 RECIPROCAL LICENSING FEE MUST NOT EXCEED TWENTY-FIVE PERCENT OF
13 THE LICENSING FEE CHARGED PURSUANT TO SECTION 25-4-1607."

14 Page 8, line 4, strike "2." and substitute "4."

15 Strike "PERMITS" and substitute "PERMIT" on: **Page 4**, lines 8 and 24; and
16 **Page 6**, lines 5, 8, 13, 18, 22, and 26.

17 Strike "FOOD TRUCK" and substitute "MOBILE RETAIL FOOD
18 ESTABLISHMENT" on: **Page 3**, lines 10, 14, and 16; **Page 4**, lines 12, 19,
19 23, 25, and 27; **Page 5**, lines 14, 18, 19, and 22; **Page 6**, lines 7, 12, 17,
20 20, and 27; **Page 7**, line 1; and **Page 8**, line 3.

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