

CHAPTER 234

GOVERNMENT - LOCAL

HOUSE BILL 19-1246

BY REPRESENTATIVE(S) 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., Arndt, Beckman, Catlin, Duran, Liston, Rich, Titone, Becker;
also SENATOR(S) Cooke and Moreno, Bridges, Court, Crowder, Gonzales, Hill, Holbert, Lundeen, Rankin, Scott, Smallwood, Story, Tate, Todd, Winter, Woodward, Garcia.

AN ACT

CONCERNING THE REGULATION OF FOOD TRUCK BUSINESSES BY LOCAL GOVERNMENTS.

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

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

ARTICLE 11.6
Food Trucks

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

- (a) FOOD TRUCKS ARE A GROWING PART OF THE COLORADO ECONOMY;
 - (b) FOOD TRUCKS ARE INHERENTLY MOBILE AND INTENDED TO OPERATE IN VARIOUS LOCATIONS ACROSS THE STATE; AND
 - (c) LAWS IMPOSED AND ADMINISTERED AT THE LOCAL LEVEL REQUIRING FOOD TRUCK BUSINESSES TO OBTAIN SEPARATE PERMITS OR LICENSES TO OPERATE WITHIN A LOCAL GOVERNMENT'S JURISDICTION IMPOSE INORDINATE BURDENS ON THOSE BUSINESSES.
- (2) THE GENERAL ASSEMBLY FURTHER DECLARES THAT THE UNIQUE ISSUES RAISED BY THE MOBILE NATURE OF THE FOOD TRUCK INDUSTRY MERIT FURTHER STUDY AND DISCUSSION TO INFORM POSSIBLE SOLUTIONS THAT MEET THE NEEDS OF

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

THE FOOD TRUCK INDUSTRY AND LOCAL GOVERNMENTS.

29-11.6-102. Study of local government regulation of food trucks. ISSUES RAISED BY THE REGULATION OF FOOD TRUCKS FOR FIRE SAFETY AND HEALTH CODE COMPLIANCE MAY BE STUDIED BY STATE AND REGIONAL ORGANIZATIONS REPRESENTING LOCAL GOVERNMENTS IN ORDER TO DETERMINE AREAS OF DUPLICATE OR CONFLICTING REGULATION. ANY FINDINGS OR RECOMMENDATIONS FOR LEGISLATIVE SOLUTIONS, IF ANY, MADE BY THE ORGANIZATIONS REPRESENTING LOCAL GOVERNMENTS MAY BE PRESENTED TO THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON OR BEFORE NOVEMBER 1, 2019.

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 THIS ARTICLE 11.6 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2020.

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

Approved: May 20, 2019