

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0085.01 Renee Leone x2695

HOUSE BILL 26-1272

HOUSE SPONSORSHIP

Froelich and Velasco,

SENATE SPONSORSHIP

Cutter and Weissman,

House Committees

Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROTECTIONS FOR WORKERS NECESSITATED BY CLIMATE**
102 **CHANGE, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the department of labor and employment (CDLE), on or before January 1, 2027, to begin collecting data concerning temperature-related injury or illness or temperature-related emergencies at worksites in the state, including by requiring the division of labor standards and statistics (division) to:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

- Develop a platform on CDLE's website where users can provide information about occurrences of temperature-related injury or illness or temperature-related emergencies;
- Obtain from the department of public health and environment (CDPHE) data that CDPHE has collected through its syndromic surveillance program regarding occurrences of heat-related injury or illness or heat-related emergencies; and
- Collect similar data from the division of workers' compensation and the Center for Improving Value in Health Care.

On or before January 1, 2028, the bill requires the division to develop a model temperature-related injury and illness prevention plan (TRIIPP) that thereafter must be made available on CDLE's website.

Employers of workers who are exposed to extreme hot or cold temperatures at worksites are required to develop and submit a TRIIPP to the division on or before September 1, 2028, and the division is required to develop procedures regarding how often employers will be required to submit an updated TRIIPP and how the division will handle review of TRIIPPs.

Lastly, the bill requires CDLE to develop training standards related to temperature safety and ensure that employers are providing proper training to workers who are affected by extreme temperatures.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 8-14.4-101
3 as follows:

4 **8-14.4-101. Definitions.**

5 As used in this article 14.4, unless the context otherwise requires:

6 (1) "ACCLIMATIZED" MEANS THE BODY'S ADAPTATION TO WORK IN
7 THE HEAT OR COLD AS THE BODY IS EXPOSED TO HEAT OR COLD
8 GRADUALLY OVER TIME, WHICH REDUCES THE STRAIN CAUSED BY HEAT
9 STRESS OR COLD STRESS AND REDUCES THE CHANCE OF DEVELOPING
10 HEAT-RELATED INJURY OR ILLNESS OR COLD-RELATED INJURY OR ILLNESS.

11 (†) (2) "Agricultural employment" has the meaning set forth in

1 section 8-13.5-201 (2).

2 (3) "COLD-RELATED INJURY OR ILLNESS" MEANS A SERIOUS
3 MEDICAL CONDITION RESULTING FROM THE BODY'S INABILITY TO COPE
4 WITH COLD STRESS. SIGNS AND SYMPTOMS OF COLD-RELATED INJURY OR
5 ILLNESS MAY INCLUDE NUMBNESS, THE FEELING OF PINS AND NEEDLES,
6 BLUE AND BLOTCHY SKIN, ACHES, FATIGUE, CONFUSION, DISORIENTATION,
7 EXCESSIVE SHIVERING, AND LOSS OF COORDINATION.

8 (4) "COLD-TEMPERATURE TRIGGER" MEANS A TEMPERATURE AT
9 WHICH AN INDIVIDUAL, IF EXPOSED FOR A PROLONGED PERIOD, MAY BE AT
10 RISK OF SUFFERING FROM A COLD-RELATED INJURY OR ILLNESS OR
11 TEMPERATURE-RELATED EMERGENCY.

12 ~~(1.5)~~ (5) "Department" means the department of labor and
13 employment.

14 ~~(2)~~ (6) "Division" means the division of labor standards and
15 statistics in the department.

16 (7) "HEAT-RELATED INJURY OR ILLNESS" MEANS A SERIOUS
17 MEDICAL CONDITION RESULTING FROM THE BODY'S INABILITY TO COPE
18 WITH HEAT STRESS. SIGNS AND SYMPTOMS OF HEAT-RELATED INJURY OR
19 ILLNESS MAY INCLUDE HEADACHE, NAUSEA, WEAKNESS, DIZZINESS,
20 ELEVATED BODY TEMPERATURE, MUSCLE CRAMPS, AND MUSCLE PAIN OR
21 SPASMS.

22 (8) "HEAT-TEMPERATURE TRIGGER" MEANS A TEMPERATURE AT
23 WHICH AN INDIVIDUAL, IF EXPOSED FOR A PROLONGED PERIOD, MAY BE AT
24 RISK OF SUFFERING FROM A HEAT-RELATED INJURY OR ILLNESS OR
25 TEMPERATURE-RELATED EMERGENCY.

26 (9) "POTABLE DRINKING WATER" MEANS WATER THAT IS SAFE FOR
27 HUMAN CONSUMPTION.

- 1 ~~(3)~~ (10) "Principal" means:
- 2 (a) An "employer" as set forth in the federal "Fair Labor Standards
- 3 Act of 1938", 29 U.S.C. sec. 203 (d);
- 4 (b) A foreign labor contractor ~~and~~ OR a migratory field labor
- 5 contractor or crew leader;
- 6 (c) The state of Colorado, local governments, and political
- 7 subdivisions of the state as defined in section 1-7.5-103 (6);
- 8 (d) An entity that contracts with five or more independent
- 9 contractors in the state each year; and
- 10 (e) A person or entity engaged in agricultural employment.
- 11 ~~(4)~~ (11) "Public health emergency" means:
- 12 (a) A public health order issued by a state or local public health
- 13 agency; or
- 14 (b) A disaster emergency declared by the governor based on a
- 15 public health concern.
- 16 (12) "SHADE" MEANS THE BLOCKAGE OF DIRECT SUNLIGHT, SUCH
- 17 THAT OBJECTS DO NOT CAST A SHADOW IN THE AREA OF BLOCKED
- 18 SUNLIGHT.
- 19 (13) "SIGNS OR SYMPTOMS OF A COLD EMERGENCY" MEANS THE
- 20 PHYSIOLOGICAL MANIFESTATION OF A COLD-RELATED INJURY OR ILLNESS,
- 21 INCLUDING HYPOTHERMIA, FROSTBITE, DROWSINESS, LOSS OF
- 22 CONSCIOUSNESS, OR TRENCH FOOT.
- 23 (14) "SIGNS OR SYMPTOMS OF A HEAT EMERGENCY" MEANS THE
- 24 PHYSIOLOGICAL MANIFESTATION OF A HEAT-RELATED INJURY OR ILLNESS,
- 25 INCLUDING HEAT STROKE, HEAT EXHAUSTION, FAINTING, OR LOSS OF
- 26 CONSCIOUSNESS.
- 27 (15) "TEMPERATURE-RELATED EMERGENCY" MEANS A SERIOUS


1 MEDICAL EMERGENCY IN WHICH A WORKER IS EXHIBITING SIGNS OR
2 SYMPTOMS OF A HEAT EMERGENCY OR SIGNS OR SYMPTOMS OF A COLD
3 EMERGENCY.

4 (16) "TEMPERATURE-RELATED INJURY OR ILLNESS" MEANS
5 COLD-RELATED INJURY OR ILLNESS, HEAT-RELATED INJURY OR ILLNESS, OR
6 BOTH.

7 (17) "TRIIPP" OR "TEMPERATURE-RELATED INJURY AND ILLNESS
8 PREVENTION PLAN" MEANS A WORKSITE TEMPERATURE-RELATED INJURY
9 AND ILLNESS PREVENTION PLAN.

10 (5) (18) "Worker" means:

- 11 (a) An "employee" as defined in section 8-4-101 (5); or
- 12 (b) ~~A person~~ AN INDIVIDUAL who works for an entity that
13 contracts with five or more independent contractors in the state each year.

14 
15 (19) "WORKSITE" MEANS A PHYSICAL LOCATION WHERE A
16 PRINCIPAL'S WORK OR OPERATIONS ARE PERFORMED.

17 **SECTION 2.** In Colorado Revised Statutes, **add** 8-14.4-101.5 as
18 follows:

19 **8-14.4-101.5. Worker protection - extreme temperatures -**
20 **temperature-related injury and illness prevention plan - legislative**
21 **declaration - rules.**

22 (1) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS AND
23 DECLARES THAT:

24 (a) CLIMATE CHANGE IS EXACERBATING THE EFFECTS OF EXTREME
25 WEATHER EVENTS, INCLUDING EXTREME HEAT, EXTREME COLD, DROUGHT,
26 AND WILDFIRE IN COLORADO;

27 (b) SINCE 2011, COLORADO HAS MADE IT A PRIORITY TO TRACK

1 TEMPERATURE-RELATED INJURY AND ILLNESS AND TO ENSURE
2 COLORADANS ARE AWARE OF THE RISKS OF EXPOSURE TO EXTREME HEAT
3 AND EXTREME COLD;

4 (c) IN 2024, COLORADO'S LARGEST WORKERS' COMPENSATION
5 INSURER HAS INDICATED THAT INDOOR AND OUTDOOR WORKERS IN THE
6 STATE ARE FIFTY-TWO PERCENT MORE LIKELY TO EXPERIENCE INJURY
7 DURING EXTREME TEMPERATURE EVENTS;

8 (d) SINCE 2021, FEDERAL EXPERTS AT THE UNITED STATES
9 DEPARTMENT OF LABOR HAVE RECOGNIZED THAT WORKERS WORKING IN
10 EXTREME TEMPERATURES NEED ADDITIONAL PROTECTIONS, AND THE
11 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION HAS ASSERTED
12 THAT EXPOSURE TO EXTREME TEMPERATURES IN THE WORKPLACE POSES
13 A SIGNIFICANT RISK OF SERIOUS INJURY AND ILLNESS;

14 (e) THE STATE'S ECONOMY DEPENDS ON THE LABOR OF WORKERS
15 ACROSS MANY SECTORS AND INDUSTRIES WHO ARE ROUTINELY EXPOSED
16 TO DANGEROUS WORKING CONDITIONS, INCLUDING EXTREME HEAT,
17 EXTREME COLD, AND OTHER ENVIRONMENTAL HAZARDS THAT MAY
18 THREATEN THEIR HEALTH, SAFETY, AND LIVES. THE RISKS THESE WORKERS
19 FACE INCREASE AS OUTDOOR TEMPERATURES BECOME MORE VOLATILE,
20 AND WORKERS WHO ARE EXPOSED TO PROLONGED HEAT OR COLD
21 SOMETIMES SUFFER PREVENTABLE INJURIES, ILLNESSES, AND DEATHS.

22 (f) THE STATE'S CURRENT PROTECTIONS ARE INADEQUATE TO
23 PROTECT WORKERS EXPOSED TO EXTREME TEMPERATURES AT WORKSITES.
24 EXISTING WORKPLACE STANDARDS DO NOT REQUIRE COMPREHENSIVE
25 PREVENTION PLANS; DO NOT GUARANTEE ACCESS TO POTABLE DRINKING
26 WATER, SHADE, OR COOL-DOWN OR WARM-UP AREAS; AND DO NOT
27 ESTABLISH PROCEDURES FOR MONITORING TEMPERATURES, ADJUSTING

1 WORK PRACTICES DURING EXTREME HEAT OR EXTREME COLD, OR
2 PROTECTING NEWLY HIRED OR RETURNING WORKERS WHO ARE NOT
3 ACCLIMATIZED. AS A RESULT, MANY WORKERS CONTINUE TO FACE UNSAFE
4 CONDITIONS WITHOUT ENFORCEABLE SAFEGUARDS.

5 (g) THE ABSENCE OF CONSISTENT STATEWIDE STANDARDS
6 CREATES UNEQUAL PROTECTIONS ACROSS INDUSTRIES AND REGIONS,
7 LEAVING THE MOST VULNERABLE WORKERS, INCLUDING THOSE WHO WORK
8 IN LOW-PAYING POSITIONS, AT THE GREATEST RISK OF HARM. THESE
9 WORKERS OFTEN FACE ADDITIONAL BARRIERS, SUCH AS FEAR OF
10 RETALIATION, LIMITED ACCESS TO COMPLAINT SYSTEMS OR REPORTING,
11 AND A LACK OF ACCESSIBLE INFORMATION IN A LANGUAGE THEY
12 UNDERSTAND. THESE BARRIERS CONTRIBUTE TO UNDERREPORTING OF
13 DANGEROUS CONDITIONS AND PREVENT TIMELY INTERVENTION.

14 (h) REQUIRING PRINCIPALS TO ADOPT CLEAR, PROACTIVE
15 MEASURES, INCLUDING MONITORING AND RECORDING TEMPERATURE
16 CONDITIONS, PROVIDING POTABLE DRINKING WATER AND REST BREAKS,
17 ENSURING ACCESS TO SHADE OR SHELTER, DEVELOPING WRITTEN
18 PREVENTION AND RESPONSE PLANS, AND ADEQUATELY TRAINING
19 WORKERS, IS NECESSARY TO REDUCE TEMPERATURE-RELATED INJURIES
20 AND ILLNESSES IN THE STATE. THE STATE SHOULD REQUIRE PROTECTIONS
21 THAT ARE PRACTICAL, EVIDENCE-BASED, AND ACHIEVABLE FOR
22 EMPLOYERS OF ALL SIZES.

23 (i) PROTECTING WORKERS FROM EXTREME TEMPERATURES IS A
24 MATTER OF PUBLIC HEALTH AND SAFETY AND ECONOMIC STABILITY.
25 ENSURING SAFER WORKING CONDITIONS ACROSS INDUSTRIES WILL REDUCE
26 PREVENTABLE MEDICAL EMERGENCIES, SUPPORT WORKFORCE RETENTION
27 AND PRODUCTIVITY, AND PROMOTE FAIRNESS FOR PRINCIPALS THAT

1 ALREADY COMPLY WITH HIGH SAFETY STANDARDS.

2 (j) ESTABLISHING STATEWIDE ENFORCEABLE PROTECTIONS FOR
3 WORKERS EXPOSED TO EXTREME TEMPERATURES IS NECESSARY TO
4 SAFEGUARD THE STATE'S WORKFORCE, STRENGTHEN FAMILIES AND
5 COMMUNITIES, AND UPHOLD THE STATE'S RESPONSIBILITY TO ENSURE THAT
6 WORKERS CAN PERFORM THEIR DUTIES WITHOUT RISKING THEIR HEALTH,
7 THEIR SAFETY, OR THEIR LIVES.

8 (2) **Data collection - model temperature-related injury and**
9 **illness prevention plan.**

10 (a) ON OR BEFORE JANUARY 15, 2027, THE DIVISION SHALL:

11 (I) DEVELOP A PLATFORM ON THE DEPARTMENT'S WEBSITE WHERE
12 USERS CAN PROVIDE INFORMATION ABOUT OCCURRENCES OF
13 TEMPERATURE-RELATED INJURY OR ILLNESS OR TEMPERATURE-RELATED
14 EMERGENCIES AT WORKSITES IN THE STATE;

15 (II) OBTAIN DATA FROM THE DEPARTMENT OF PUBLIC HEALTH AND
16 ENVIRONMENT USING THE DEPARTMENT OF PUBLIC HEALTH AND
17 ENVIRONMENT'S CURRENT SYNDROMIC SURVEILLANCE PROGRAM, OR A
18 SUCCESSOR PROGRAM, TO TRACK OCCURRENCES OF HEAT-RELATED INJURY
19 OR ILLNESS OR HEAT-RELATED EMERGENCIES AT WORKSITES IN THE STATE;
20 AND

21 (III) BEGIN WORKING WITH:

22 (A) THE DIVISION OF WORKERS' COMPENSATION TO PERIODICALLY,
23 AND AT LEAST TWICE ANNUALLY, COLLECT INFORMATION CONCERNING
24 CLAIMS FOR WORKERS' COMPENSATION THAT INVOLVE
25 TEMPERATURE-RELATED INJURY OR ILLNESS OR TEMPERATURE-RELATED
26 EMERGENCIES; AND

27 (B) THE CENTER FOR IMPROVING VALUE IN HEALTH CARE, OR A

1 SUCCESSOR ORGANIZATION, TO PERIODICALLY, AND AT LEAST TWICE
2 ANNUALLY, COLLECT INFORMATION CONCERNING OCCURRENCES OF
3 TEMPERATURE-RELATED INJURY OR ILLNESS OR TEMPERATURE-RELATED
4 EMERGENCIES AT WORKSITES IN THE STATE.

5 (b) (I) ON OR BEFORE JULY 1, 2028, THE DIVISION SHALL DEVELOP
6 A MODEL TRIIPP THAT INCLUDES WRITTEN PROCEDURES FOR:

7 (A) PROVIDING WORKERS ACCESS TO COOL, POTABLE DRINKING
8 WATER AT NO COST;

9 (B) PROVIDING WORKERS ACCESS TO COOL-DOWN OR WARM-UP
10 REST AREAS;

11 (C) MONITORING WORKPLACE TEMPERATURE CONDITIONS;

12 (D) ACCLIMATIZING NEW OR RETURNING WORKERS DURING THEIR
13 FIRST FOURTEEN DAYS OF ASSIGNMENT;

14 (E) TRAINING WORKERS TO RECOGNIZE SIGNS AND SYMPTOMS OF
15 TEMPERATURE-RELATED INJURY AND ILLNESS;

16 (F) RESPONDING TO TEMPERATURE-RELATED MEDICAL
17 EMERGENCIES; AND

18 (G) OTHER COMPONENTS AND EXEMPTIONS AS NECESSARY.

19 (II) THE DIVISION MAY INCORPORATE BY REFERENCE AND ADAPT
20 ESTABLISHED TRIIPP MODELS.

21 (III) THE DIVISION MAY ADOPT RULES NECESSARY TO IMPLEMENT
22 THIS SECTION.

23 (IV) THE DIVISION SHALL ENSURE THE MODEL TRIIPP IS
24 AVAILABLE ON THE DEPARTMENT'S WEBSITE IN A FORMAT THAT CAN BE
25 VIEWED OR DOWNLOADED.

26 (V) THE DIVISION SHALL REVIEW AND UPDATE THE MODEL TRIIPP
27 AS NECESSARY AND NOT LESS THAN EVERY FIVE YEARS.

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SECTION 3. **Appropriation.** For the 2026-27 state fiscal year, \$63,382 is appropriated to the department of labor and employment for use by the division of labor standards and statistics. This appropriation is from the general fund and is based on an assumption that the division will require an additional 0.4 FTE. To implement this act, the division may use this appropriation for program costs related to labor standards.

SECTION 4. **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 12, 2026, if adjournment sine die is on May 13, 2026); 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 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.