

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. 26-0501.03 Jacob Baus x2173

HOUSE BILL 26-1276

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A BILL FOR AN ACT

101 **CONCERNING MEASURES TO PROTECT THE SAFETY OF INDIVIDUALS**
102 **WHO ARE IMMIGRANTS IN COLORADO, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN 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>.)

Under current law, the division of criminal justice (division) in the department of public safety (department) is required to create an annual report including information about law enforcement agency activity. The bill requires a law enforcement agency that participates in, or dedicates peace officers or resources to, a multijurisdictional or coordinated

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.

HOUSE
3rd Reading Unamended
April 27, 2026

HOUSE
Amended 2nd Reading
April 24, 2026

investigation or task force to submit that information to the division for inclusion in the report. The division is required to submit the information to the general assembly's judiciary committees. A law enforcement agency is subject to a civil penalty for intentional failure to report the information as required.

Under current law, a state agency or political subdivision employee who intentionally violates provisions concerning the treatment of a person's personal identifying information is subject to a civil penalty. The bill extends the civil penalty liability to the state agency or political subdivision.

The bill requires a state agency or political subdivision that is served a subpoena by federal immigration authorities to send a copy of the subpoena to the department for the department to upload to its website. If the state agency or political subdivision fulfills the subpoena, the state agency or political subdivision is required to notify the person who is subject to the subpoena.

The bill prohibits a governmental entity or an airport from engaging with federal immigration authorities to transport individuals detained by federal immigration authorities. A governmental entity that violates these requirements is subject to a civil penalty.

The bill authorizes a public health agency to inspect or examine a facility that houses or detains individuals who are noncitizens for purposes of civil immigration proceedings.

Under current law, the department of public health and environment is authorized to inspect facilities that house or detain individuals who are noncitizens for purposes of civil immigration proceedings. The bill expands the inspection authority, including the frequency of inspections and items that are subject to inspection. A facility that refuses to allow the inspection is subject to a license revocation or a civil penalty.

The bill authorizes the department of public health and environment to require facilities that house or detain individuals who are noncitizens for purposes of civil immigration proceedings to require the facility to comply with requirements, including health and safety standards and paying for environmental impact studies. A facility that fails to comply is subject to a civil penalty. The bill requires the department of public health and environment to submit an annual report to the attorney general concerning facilities' compliance with these new requirements.

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

2



1 **SECTION 1.** In Colorado Revised Statutes, 24-74-107, **amend**
2 (1) as follows:

3 **24-74-107. Data privacy breaches - civil penalty - legislative**
4 **declaration.**

5 (1) (a) A state agency employee or political subdivision employee
6 who intentionally violates a provision of this article 74 or section
7 25-2-108.5 is subject to an injunction and is liable for a civil penalty of
8 not more than fifty thousand dollars for each violation. IF A STATE
9 AGENCY EMPLOYEE OR POLITICAL SUBDIVISION EMPLOYEE IS FOUND TO
10 HAVE INTENTIONALLY VIOLATED A PROVISION OF THIS ARTICLE 74 OR
11 SECTION 25-2-108.5, THE STATE AGENCY OR POLITICAL SUBDIVISION THAT
12 EMPLOYS THE EMPLOYEE IS SUBJECT TO A CIVIL PENALTY OF NOT MORE
13 THAN FIFTY THOUSAND DOLLARS IF THE AGENCY OR POLITICAL
14 SUBDIVISION:

15 (I) INTENTIONALLY AUTHORIZED OR ENCOURAGED THE VIOLATION;
16 OR

17 (II) INTENTIONALLY FAILED TO TAKE MEASURES WITHIN THE
18 AGENCY OR POLITICAL SUBDIVISION TO IMPLEMENT POLICIES OR
19 PROCEDURES TO DISCOURAGE OR PREVENT THE VIOLATION FROM
20 OCCURRING.

21 (b) THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE
22 THIS SUBSECTION (1), INCLUDING AN ACTION SEEKING A CIVIL PENALTY.

23 == ===== ==
24 ■ ■

25 **SECTION 2.** In Colorado Revised Statutes, 25-1-506, **amend**
26 (3)(b) introductory portion, (3)(b)(XIV), and (3)(b)(XV); and **add**
27 (3)(b)(XVI) as follows:

1 **25-1-506. County or district public health agency.**

2 (3) (b) In addition to other powers and duties, an agency ~~shall~~
3 ~~have~~ HAS the following duties:

4 (XIV) To collaborate with the state department and the state board
5 in all matters pertaining to public health, the water quality control
6 commission in all matters pertaining to water quality, the air quality
7 control commission and the division of administration of the state
8 department in all matters pertaining to air pollution, and the solid and
9 hazardous waste commission in all matters pertaining to solid and
10 hazardous waste; ~~and~~

11 (XV) To establish or arrange for the establishment of, by January
12 1, 2015, and subject to available appropriations, a local or regional child
13 fatality prevention review team pursuant to section 25-20.5-404; AND

14 (XVI) IN ITS DISCRETION, TO INSPECT OR EXAMINE A FACILITY
15 THAT HOUSES OR DETAINS INDIVIDUALS WHO ARE NONCITIZENS FOR
16 PURPOSES OF CIVIL IMMIGRATION PROCEEDINGS.

17 **SECTION 3.** In Colorado Revised Statutes, 25-1.5-101, **amend**
18 (1)(i)(I)(D); and **add** (1)(dd) as follows:

19 **25-1.5-101. Powers and duties of department - laboratory cash**
20 **fund - office of suicide prevention - suicide prevention coordination**
21 **cash fund - immigration facility inspection and detention cash fund**
22 **- dispensation of payments under contracts with grantees - report -**
23 **rules - definitions.**

24 (1) The department has, in addition to all other powers and duties
25 imposed upon it by law, the powers and duties provided in this section as
26 follows:

27 (i) (I) (D) With respect to ~~any~~ A facility that houses or detains

1 INDIVIDUALS WHO ARE noncitizens for purposes of civil immigration
2 proceedings, ~~such~~ THE inspections and examinations must be made
3 annually, and additional unannounced inspections ~~may~~ AND
4 EXAMINATIONS MUST be conducted after the annual inspection.
5 UNANNOUNCED INSPECTIONS AND EXAMINATIONS MUST BE MADE AT
6 LEAST ONE TIME EVERY THREE MONTHS, AND MAY BE MADE MORE
7 FREQUENTLY, AND THE FACILITY SHALL PAY FOR THE INSPECTIONS AND
8 EXAMINATIONS. THE INSPECTIONS AND EXAMINATIONS MADE PURSUANT
9 TO THIS SUBSECTION (1)(i)(I)(D) MUST INCLUDE A REVIEW OF THE
10 FOLLOWING: ADHERENCE TO FOOD SAFETY STANDARDS AND DRINKING
11 WATER QUALITY STANDARDS, CONFINEMENT CONDITIONS, AND
12 STANDARDS OF CARE PROVIDED TO INDIVIDUALS WHO ARE DETAINED IN
13 THE FACILITY. THE FACILITY SHALL PROVIDE TO A DEPARTMENT
14 REPRESENTATIVE WHO IS CONDUCTING AN INSPECTION OR EXAMINATION
15 PURSUANT TO THIS SUBSECTION (1)(i)(I)(D), OR AN INVESTIGATION
16 RELATED TO AN EPIDEMIC OR COMMUNICABLE DISEASE, ALL ACCESS
17 NECESSARY TO PERFORM THE INSPECTION OR INVESTIGATION, INCLUDING
18 ACCESS TO PEOPLE WHO ARE DETAINED, RECORDS, FACILITY OFFICIALS,
19 AND FACILITY PERSONNEL. IF A FACILITY REFUSES TO ALLOW AN
20 INSPECTION OR EXAMINATION PURSUANT TO THIS SUBSECTION (1)(i)(I)(D)
21 OR INVESTIGATION RELATED TO AN EPIDEMIC OR COMMUNICABLE DISEASE,
22 THE FACILITY IS LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN FIFTY
23 THOUSAND DOLLARS FOR EACH REFUSAL. THE ATTORNEY GENERAL MAY
24 BRING AN ACTION TO ENFORCE THIS SUBSECTION (1)(i)(I)(D), INCLUDING
25 AN ACTION SEEKING A CIVIL PENALTY. ANY CIVIL PENALTY MONEY
26 COLLECTED PURSUANT TO THIS SUBSECTION (1)(i)(I)(D) MUST BE
27 TRANSFERRED TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY

1 TO THE IMMIGRATION LEGAL DEFENSE FUND ESTABLISHED PURSUANT TO
2 SECTION 8-3.8-101. THE DEPARTMENT MAY ADOPT RULES IT DETERMINES
3 ARE NECESSARY FOR PURPOSES OF THIS SUBSECTION (1)(i)(I)(D). THIS
4 SUBSECTION (1)(i)(I)(D) APPLIES TO A LOCAL, COUNTY, OR PRIVATE
5 FACILITY THAT HOUSES OR DETAINS INDIVIDUALS WHO ARE NONCITIZENS
6 FOR PURPOSES OF CIVIL IMMIGRATION PROCEEDINGS, INCLUDING A
7 FACILITY THAT IS OPERATED ON BEHALF OF OR PURSUANT TO A CONTRACT
8 WITH FEDERAL IMMIGRATION AUTHORITIES. THIS SUBSECTION (1)(i)(I)(D)
9 DOES NOT APPLY TO DETENTION FACILITIES OPERATED DIRECTLY BY THE
10 FEDERAL GOVERNMENT.

11 (dd) (I) WITH RESPECT TO A FACILITY THAT HOUSES OR DETAINS
12 INDIVIDUALS WHO ARE NONCITIZENS FOR PURPOSES OF CIVIL IMMIGRATION
13 PROCEEDINGS, THE POWER TO REQUIRE THE FACILITY TO:

14 (A) PROVIDE TO THE DEPARTMENT A YEARLY REPORT DETAILING
15 THE FOLLOWING: THE OUTCOMES OF PREGNANT INDIVIDUALS IN THE
16 FACILITY, OUTCOMES OF INDIVIDUALS WITH CHRONIC HEALTH CONDITIONS,
17 OUTCOMES OF INDIVIDUALS WITH DISABILITIES, ACCESS TO FOOD FOR
18 INDIVIDUALS WITH DIETARY RESTRICTIONS, AVERAGE TEMPERATURE
19 WITHIN THE FACILITY, HIGHEST AND LOWEST TEMPERATURES RECORDED
20 WITHIN THE FACILITY, INDIVIDUALS' ACCESS TO AN ATTORNEY, AND
21 INDIVIDUALS' ACCESS TO SPACES OF WORSHIP OR SILENT REFLECTION;

22

23 (B) PROHIBIT THE HOUSING OR DETENTION OF A MINOR IN THE
24 SAME ROOM AS A NONFAMILIAL ADULT; AND

25 (C) ON THE FACILITY'S SITE AND AT ALL TIMES, STAFF THE
26 FACILITY WITH MEDICAL PROFESSIONALS AND MENTAL HEALTH
27 PROFESSIONALS WHO ARE ACCESSIBLE TO INDIVIDUALS WHO ARE

1 NONCITIZENS AND DETAINED FOR PURPOSES OF CIVIL IMMIGRATION
2 PROCEEDINGS.

3 (II) (A) IF A FACILITY FAILS TO COMPLY WITH A REQUIREMENT
4 IMPOSED BY THE DEPARTMENT PURSUANT TO THIS SUBSECTION (1)(dd),
5 THE FACILITY IS LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN FIFTY
6 THOUSAND DOLLARS FOR EACH VIOLATION.

7 (B) THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE
8 THIS SUBSECTION (1)(dd), INCLUDING AN ACTION SEEKING A CIVIL
9 PENALTY.

10 (C) ANY CIVIL PENALTY MONEY COLLECTED PURSUANT TO THIS
11 SUBSECTION (1)(dd) MUST BE TRANSFERRED TO THE STATE TREASURER,
12 WHO SHALL CREDIT THE MONEY TO THE IMMIGRATION LEGAL DEFENSE
13 FUND ESTABLISHED PURSUANT TO SECTION 8-3.8-101.

14 (III) ON OR BEFORE JANUARY 15, 2027, AND ON OR BEFORE
15 JANUARY 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT
16 A REPORT TO THE ATTORNEY GENERAL REGARDING FACILITIES'
17 COMPLIANCE WITH THIS SUBSECTION (1)(dd) AND INFORMATION
18 COLLECTED PURSUANT TO SUBSECTION (1)(dd)(I)(A) OF THIS SECTION.
19 THE DEPARTMENT SHALL MAKE THE REPORT AVAILABLE ON A
20 PUBLIC-FACING PAGE ON THE DEPARTMENT'S WEBSITE.

21 (IV) THIS SUBSECTION (1)(dd) APPLIES TO LOCAL, COUNTY, OR
22 PRIVATE DETENTION FACILITIES THAT HOUSE OR DETAIN INDIVIDUALS WHO
23 ARE NONCITIZENS FOR PURPOSES OF CIVIL IMMIGRATION PROCEEDINGS,
24 INCLUDING ANY FACILITY THAT IS OPERATED ON BEHALF OF OR PURSUANT
25 TO A CONTRACT WITH FEDERAL IMMIGRATION AUTHORITIES. THIS
26 SUBSECTION (1)(dd) DOES NOT APPLY TO DETENTION FACILITIES OPERATED
27 DIRECTLY BY THE FEDERAL GOVERNMENT.

1 (V) (A) THE DEPARTMENT MAY ADOPT RULES IT DETERMINES ARE
2 NECESSARY FOR PURPOSES OF THIS SUBSECTION (1)(dd).

3 (B) THE DEPARTMENT SHALL SET FEES FOR INSPECTIONS AND
4 EXAMINATIONS PURSUANT TO SUBSECTION (1)(i)(I)(D) OF THIS SECTION.

5 (VI) (A) THE IMMIGRATION FACILITY INSPECTION AND DETENTION
6 CASH FUND IS CREATED IN THE STATE TREASURY. THE IMMIGRATION
7 FACILITY INSPECTION AND DETENTION CASH FUND CONSISTS OF PAYMENTS
8 MADE BY THE FACILITY TO THE DEPARTMENT FOR UNANNOUNCED
9 INSPECTIONS AND EXAMINATIONS, AS REQUIRED PURSUANT TO
10 SUBSECTION (1)(i)(I)(D) OF THIS SECTION. THE DEPARTMENT SHALL
11 TRANSFER ALL PAYMENTS COLLECTED PURSUANT TO SUBSECTION
12 (1)(i)(I)(D) OF THIS SECTION TO THE STATE TREASURER, WHO SHALL
13 CREDIT THE PAYMENTS TO THE IMMIGRATION FACILITY INSPECTION AND
14 DETENTION CASH FUND.

15 (B) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
16 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
17 IMMIGRATION FACILITY INSPECTION AND DETENTION CASH FUND TO THE
18 IMMIGRATION FACILITY INSPECTION AND DETENTION CASH FUND.

19 (C) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
20 ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR
21 THE PURPOSE OF CONDUCTING UNANNOUNCED INSPECTIONS AND
22 EXAMINATIONS, AS REQUIRED PURSUANT TO SUBSECTION (1)(i)(I)(D) OF
23 THIS SECTION.

24 (VII) AS USED IN THIS SUBSECTION (1)(dd), UNLESS THE CONTEXT
25 OTHERWISE REQUIRES:

26 (A) "MEDICAL PROFESSIONAL" MEANS AN ADVANCED PRACTICE
27 REGISTERED NURSE REGISTERED PURSUANT TO SECTION 12-255-111, A

1 PHYSICIAN ASSISTANT LICENSED PURSUANT TO SECTION 12-240-113, OR
2 A MEDICAL DOCTOR OR DOCTOR OF OSTEOPATHY LICENSED PURSUANT TO
3 ARTICLE 240 OF TITLE 12.

4 (B) "MENTAL HEALTH PROFESSIONAL" MEANS A MENTAL HEALTH
5 PROFESSIONAL LICENSED OR CERTIFIED PURSUANT TO ARTICLE 245 OF
6 TITLE 12, AN ADVANCED PRACTICE REGISTERED NURSE REGISTERED
7 PURSUANT TO SECTION 12-255-111 WITH TRAINING IN SUBSTANCE USE
8 DISORDERS OR MENTAL HEALTH, OR A PHYSICIAN ASSISTANT LICENSED
9 PURSUANT TO SECTION 12-240-113 WITH TRAINING IN SUBSTANCE USE
10 DISORDERS OR MENTAL HEALTH. "MENTAL HEALTH PROFESSIONAL" DOES
11 NOT MEAN AN UNLICENSED PSYCHOTHERAPIST AS DEFINED IN SECTION
12 12-245-202.

13 **SECTION 4.** In Colorado Revised Statutes, 24-31-101, **amend**
14 (1)(i)(XXX) and (1)(i)(XXXI); and **add** (1)(i)(XXXII) as follows:

15 **24-31-101. Powers and duties of attorney general.**

16 (1) The attorney general:

17 (i) May independently initiate and bring civil and criminal actions
18 to enforce state laws, including actions brought pursuant to:

19 (XXX) Beginning January 1, 2026, part 10 of article 12 of title 38;

20 **and**

21 (XXXI) Section 13-16-126; AND

22 (XXXII) SECTION 25-1.5-101 (1)(i)(I)(D) AND (1)(dd).

23 **SECTION 5.** In Colorado Revised Statutes, 24-31-303, **add**
24 (1)(v) as follows:

25 **24-31-303. Duties - powers of the P.O.S.T. board - definition**
26 **- repeal.**

27 (1) The P.O.S.T. board has the following duties:

1 (v) (I) TO ESTABLISH TRAINING STANDARDS RELATED TO PEACE
2 OFFICER COMPLIANCE WITH SECTION 24-76.6-102.

3 (II) (A) AN INDIVIDUAL WHO IS A CERTIFIED PEACE OFFICER AS OF
4 JULY 1, 2026, SHALL COMPLETE THE TRAINING STANDARDS ESTABLISHED
5 PURSUANT TO THIS SUBSECTION (1)(v) BEFORE JULY 1, 2027.

6 (B) THIS SUBSECTION (1)(v)(II) IS REPEALED, EFFECTIVE JULY 1,
7 2028.

8 **SECTION 6.** In Colorado Revised Statutes, add 24-31-120 as
9 follows:

10 **24-31-120. Policy regarding the protection of personal**
11 **identifying information.**

12 NO LATER THAN SEPTEMBER 1, 2026, THE OFFICE OF THE
13 ATTORNEY GENERAL SHALL DEVELOP AND MAKE AVAILABLE TO THE
14 ENTITIES THAT ARE SUBJECT TO ARTICLE 74.1 OF THIS TITLE 24 A MODEL
15 POLICY THAT ALIGNS WITH THE REQUIREMENTS OF ARTICLE 74.1 OF THIS
16 TITLE 24. ==

17 **SECTION 7.** In Colorado Revised Statutes, 8-3.8-101, amend
18 (2)(b) as follows:

19 **8-3.8-101. Immigration legal assistance - fund - report -**
20 **definitions.**

21 (2) (b) The state treasurer shall credit any civil penalty money
22 transferred to the state treasurer pursuant to section 24-74-107, or
23 24-74.1-103, OR 25-1.5-101 (1)(i)(I)(D) OR (1)(dd) and interest and
24 income derived from the deposit and investment of the civil penalty
25 money in the fund to the fund.

26 == ==

27 **SECTION 8. Appropriation.** For the 2026-27 state fiscal year,

1 \$107,283 is appropriated to the department of public health and
2 environment for use by the division of environmental health and
3 sustainability. This appropriation is from the general fund and is based on
4 an assumption that the division will require an additional 1.0 FTE. To
5 implement this act, the division may use this appropriation for
6 environmental health programs.

7 **SECTION 9. Severability.** If any provision of this act or the
8 application of this act to any person or circumstance is held invalid, the
9 invalidity does not affect other provisions or applications of the act that
10 can be given effect without the invalid provision or application, and to
11 this end the provisions of this act are declared to be severable.

12 **SECTION 10. Safety clause.** The general assembly finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, or safety or for appropriations for
15 the support and maintenance of the departments of the state and state
16 institutions.