

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

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.

SENATE
Amended 2nd Reading
May 8, 2026

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, 24-74-105, **add (3)**
2 **as follows:**

3 **24-74-105. Access to state agency or political subdivision**
4 **records - limitations.**

5 **(3) THE CERTIFICATION REQUIREMENT DESCRIBED IN SUBSECTION**
6 **(1) OF THIS SECTION DOES NOT APPLY TO COLORADO COURTS' E-FILEING**
7 **SYSTEM USERS.**

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

10 **24-74-107. Data privacy breaches - civil penalty - legislative**
11 **declaration.**

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

22 (I) INTENTIONALLY AUTHORIZED OR ENCOURAGED THE VIOLATION;
23 OR

24 (II) INTENTIONALLY FAILED TO TAKE MEASURES WITHIN THE
25 AGENCY OR POLITICAL SUBDIVISION TO IMPLEMENT POLICIES OR
26 PROCEDURES TO DISCOURAGE OR PREVENT THE VIOLATION FROM
27 OCCURRING.

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

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

8 **25-1-506. County or district public health agency.**

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

11 (XIV) To collaborate with the state department and the state board
12 in all matters pertaining to public health, the water quality control
13 commission in all matters pertaining to water quality, the air quality
14 control commission and the division of administration of the state
15 department in all matters pertaining to air pollution, and the solid and
16 hazardous waste commission in all matters pertaining to solid and
17 hazardous waste; ~~and~~

18 (XV) To establish or arrange for the establishment of, by January
19 1, 2015, and subject to available appropriations, a local or regional child
20 fatality prevention review team pursuant to section 25-20.5-404; AND

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

24 **SECTION 4.** In Colorado Revised Statutes, 25-1.5-101, **amend**
25 (1)(i)(I)(D); and **add** (1)(dd) as follows:

26 **25-1.5-101. Powers and duties of department - laboratory cash**
27 **fund - office of suicide prevention - suicide prevention coordination**

1 **cash fund - immigration facility inspection and detention cash fund**
2 **- dispensation of payments under contracts with grantees - report -**
3 **rules - definitions.**

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

7 (i) (I) (D) With respect to ~~any~~ A facility that houses or detains
8 INDIVIDUALS WHO ARE noncitizens for purposes of civil immigration
9 proceedings, ~~such~~ THE inspections and examinations must be made
10 annually, and additional unannounced inspections ~~may~~ AND
11 EXAMINATIONS MUST be conducted after the annual inspection.
12 UNANNOUNCED INSPECTIONS AND EXAMINATIONS MUST BE MADE AT
13 LEAST ONE TIME EVERY THREE MONTHS, AND MAY BE MADE MORE
14 FREQUENTLY, AND THE FACILITY SHALL PAY FOR THE INSPECTIONS AND
15 EXAMINATIONS. THE INSPECTIONS AND EXAMINATIONS MADE PURSUANT
16 TO THIS SUBSECTION (1)(i)(I)(D) MUST INCLUDE A REVIEW OF THE
17 FOLLOWING: ADHERENCE TO FOOD SAFETY STANDARDS AND DRINKING
18 WATER QUALITY STANDARDS, CONFINEMENT CONDITIONS, AND
19 STANDARDS OF CARE PROVIDED TO INDIVIDUALS WHO ARE DETAINED IN
20 THE FACILITY. THE FACILITY SHALL PROVIDE TO A DEPARTMENT
21 REPRESENTATIVE WHO IS CONDUCTING AN INSPECTION OR EXAMINATION
22 PURSUANT TO THIS SUBSECTION (1)(i)(I)(D), OR AN INVESTIGATION
23 RELATED TO AN EPIDEMIC OR COMMUNICABLE DISEASE, ALL ACCESS
24 NECESSARY TO PERFORM THE INSPECTION OR INVESTIGATION, INCLUDING
25 ACCESS TO PEOPLE WHO ARE DETAINED, RECORDS, FACILITY OFFICIALS,
26 AND FACILITY PERSONNEL. IF A FACILITY REFUSES TO ALLOW AN
27 INSPECTION OR EXAMINATION PURSUANT TO THIS SUBSECTION (1)(i)(I)(D)

1 OR INVESTIGATION RELATED TO AN EPIDEMIC OR COMMUNICABLE DISEASE,
2 THE FACILITY IS LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN FIFTY
3 THOUSAND DOLLARS FOR EACH REFUSAL. THE ATTORNEY GENERAL MAY
4 BRING AN ACTION TO ENFORCE THIS SUBSECTION (1)(i)(I)(D), INCLUDING
5 AN ACTION SEEKING A CIVIL PENALTY. ANY CIVIL PENALTY MONEY
6 COLLECTED PURSUANT TO THIS SUBSECTION (1)(i)(I)(D) MUST BE
7 TRANSFERRED TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY
8 TO THE IMMIGRATION LEGAL DEFENSE FUND ESTABLISHED PURSUANT TO
9 SECTION 8-3.8-101. THE DEPARTMENT MAY ADOPT RULES IT DETERMINES
10 ARE NECESSARY FOR PURPOSES OF THIS SUBSECTION (1)(i)(I)(D). THIS
11 SUBSECTION (1)(i)(I)(D) APPLIES TO A LOCAL, COUNTY, OR PRIVATE
12 FACILITY THAT HOUSES OR DETAINS INDIVIDUALS WHO ARE NONCITIZENS
13 FOR PURPOSES OF CIVIL IMMIGRATION PROCEEDINGS, INCLUDING A
14 FACILITY THAT IS OPERATED ON BEHALF OF OR PURSUANT TO A CONTRACT
15 WITH FEDERAL IMMIGRATION AUTHORITIES. THIS SUBSECTION (1)(i)(I)(D)
16 DOES NOT APPLY TO DETENTION FACILITIES OPERATED DIRECTLY BY THE
17 FEDERAL GOVERNMENT.

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

21 (A) PROVIDE TO THE DEPARTMENT A YEARLY REPORT DETAILING
22 THE FOLLOWING: THE OUTCOMES OF PREGNANT INDIVIDUALS IN THE
23 FACILITY, OUTCOMES OF INDIVIDUALS WITH CHRONIC HEALTH CONDITIONS,
24 OUTCOMES OF INDIVIDUALS WITH DISABILITIES, ACCESS TO FOOD FOR
25 INDIVIDUALS WITH DIETARY RESTRICTIONS, AVERAGE TEMPERATURE
26 WITHIN THE FACILITY, HIGHEST AND LOWEST TEMPERATURES RECORDED
27 WITHIN THE FACILITY, INDIVIDUALS' ACCESS TO AN ATTORNEY, AND

1 INDIVIDUALS' ACCESS TO SPACES OF WORSHIP OR SILENT REFLECTION;

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

5 (C) ON THE FACILITY'S SITE AND AT ALL TIMES, STAFF THE
6 FACILITY WITH MEDICAL PROFESSIONALS AND MENTAL HEALTH
7 PROFESSIONALS WHO ARE ACCESSIBLE TO INDIVIDUALS WHO ARE
8 NONCITIZENS AND DETAINED FOR PURPOSES OF CIVIL IMMIGRATION
9 PROCEEDINGS.

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

14 (B) THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE
15 THIS SUBSECTION (1)(dd), INCLUDING AN ACTION SEEKING A CIVIL
16 PENALTY.

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

21 (III) ON OR BEFORE JANUARY 15, 2027, AND ON OR BEFORE
22 JANUARY 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT
23 A REPORT TO THE ATTORNEY GENERAL REGARDING FACILITIES'
24 COMPLIANCE WITH THIS SUBSECTION (1)(dd) AND INFORMATION
25 COLLECTED PURSUANT TO SUBSECTION (1)(dd)(I)(A) OF THIS SECTION.
26 THE DEPARTMENT SHALL MAKE THE REPORT AVAILABLE ON A
27 PUBLIC-FACING PAGE ON THE DEPARTMENT'S WEBSITE.

1 (IV) THIS SUBSECTION (1)(dd) APPLIES TO LOCAL, COUNTY, OR
2 PRIVATE DETENTION FACILITIES THAT HOUSE OR DETAIN INDIVIDUALS WHO
3 ARE NONCITIZENS FOR PURPOSES OF CIVIL IMMIGRATION PROCEEDINGS,
4 INCLUDING ANY FACILITY THAT IS OPERATED ON BEHALF OF OR PURSUANT
5 TO A CONTRACT WITH FEDERAL IMMIGRATION AUTHORITIES. THIS
6 SUBSECTION (1)(dd) DOES NOT APPLY TO DETENTION FACILITIES OPERATED
7 DIRECTLY BY THE FEDERAL GOVERNMENT.

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

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

12 (VI) (A) THE IMMIGRATION FACILITY INSPECTION AND DETENTION
13 CASH FUND IS CREATED IN THE STATE TREASURY. THE IMMIGRATION
14 FACILITY INSPECTION AND DETENTION CASH FUND CONSISTS OF PAYMENTS
15 MADE BY THE FACILITY TO THE DEPARTMENT FOR UNANNOUNCED
16 INSPECTIONS AND EXAMINATIONS, AS REQUIRED PURSUANT TO
17 SUBSECTION (1)(i)(I)(D) OF THIS SECTION. THE DEPARTMENT SHALL
18 TRANSFER ALL PAYMENTS COLLECTED PURSUANT TO SUBSECTION
19 (1)(i)(I)(D) OF THIS SECTION TO THE STATE TREASURER, WHO SHALL
20 CREDIT THE PAYMENTS TO THE IMMIGRATION FACILITY INSPECTION AND
21 DETENTION CASH FUND.

22 (B) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
23 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
24 IMMIGRATION FACILITY INSPECTION AND DETENTION CASH FUND TO THE
25 IMMIGRATION FACILITY INSPECTION AND DETENTION CASH FUND.

26 (C) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
27 ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR

1 THE PURPOSE OF CONDUCTING UNANNOUNCED INSPECTIONS AND
2 EXAMINATIONS, AS REQUIRED PURSUANT TO SUBSECTION (1)(i)(I)(D) OF
3 THIS SECTION.

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

6 (A) "MEDICAL PROFESSIONAL" MEANS AN ADVANCED PRACTICE
7 REGISTERED NURSE REGISTERED PURSUANT TO SECTION 12-255-111, A
8 PHYSICIAN ASSISTANT LICENSED PURSUANT TO SECTION 12-240-113, OR
9 A MEDICAL DOCTOR OR DOCTOR OF OSTEOPATHY LICENSED PURSUANT TO
10 ARTICLE 240 OF TITLE 12.

11 (B) "MENTAL HEALTH PROFESSIONAL" MEANS A MENTAL HEALTH
12 PROFESSIONAL LICENSED OR CERTIFIED PURSUANT TO ARTICLE 245 OF
13 TITLE 12, AN ADVANCED PRACTICE REGISTERED NURSE REGISTERED
14 PURSUANT TO SECTION 12-255-111 WITH TRAINING IN SUBSTANCE USE
15 DISORDERS OR MENTAL HEALTH, OR A PHYSICIAN ASSISTANT LICENSED
16 PURSUANT TO SECTION 12-240-113 WITH TRAINING IN SUBSTANCE USE
17 DISORDERS OR MENTAL HEALTH. "MENTAL HEALTH PROFESSIONAL" DOES
18 NOT MEAN AN UNLICENSED PSYCHOTHERAPIST AS DEFINED IN SECTION
19 12-245-202.

20 **SECTION 5.** In Colorado Revised Statutes, 24-31-101, **amend**
21 **(1)(i)(XXX) and (1)(i)(XXXI); and add (1)(i)(XXXII) as follows:**

22 **24-31-101. Powers and duties of attorney general.**

23 (1) The attorney general:

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

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

27 **and**

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

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

3 **SECTION 6.** In Colorado Revised Statutes, 24-31-303, **add**
4 (1)(v) as follows:

5 **24-31-303. Duties - powers of the P.O.S.T. board - definition**
6 **- repeal.**

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

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

10 (II) (A) AN INDIVIDUAL WHO IS A CERTIFIED PEACE OFFICER AS OF
11 JULY 1, 2026, SHALL COMPLETE THE TRAINING STANDARDS ESTABLISHED
12 PURSUANT TO THIS SUBSECTION (1)(v) BEFORE DECEMBER 31, 2027.

13 (B) THIS SUBSECTION (1)(v)(II) IS REPEALED, EFFECTIVE JULY 1,
14 2028.

15 **SECTION 7.** In Colorado Revised Statutes, **add** 24-31-120 as
16 follows:

17 **24-31-120. Policy regarding the protection of personal**
18 **identifying information.**

19 NO LATER THAN SEPTEMBER 1, 2026, THE OFFICE OF THE
20 ATTORNEY GENERAL SHALL DEVELOP AND MAKE AVAILABLE TO THE
21 ENTITIES THAT ARE SUBJECT TO ARTICLE 74.1 OF THIS TITLE 24 A MODEL
22 POLICY THAT ALIGNS WITH THE REQUIREMENTS OF ARTICLE 74.1 OF THIS
23 TITLE 24. ___

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

26 **8-3.8-101. Immigration legal assistance - fund - report -**
27 **definitions.**

1 (2) (b) The state treasurer shall credit any civil penalty money
2 transferred to the state treasurer pursuant to section 24-74-107, or
3 24-74.1-103, OR *25-1.5-101 (1)(i)(I)(D)* OR *(1)(dd)* and interest and
4 income derived from the deposit and investment of the civil penalty
5 money in the fund to the fund.

6 == ==
7 **SECTION 9. Appropriation.** For the 2026-27 state fiscal year,
8 \$107,283 is appropriated to the department of public health and
9 environment for use by the division of environmental health and
10 sustainability. This appropriation is from the immigration facility
11 inspection and detention cash fund created in section 25-1.5-101
12 (1)(dd)(VI)(A), C.R.S., and is based on an assumption that the division
13 will require an additional 1.0 FTE. To implement this act, the division
14 may use this appropriation for environmental health programs.

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

20 **SECTION 11. Safety clause.** The general assembly finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety or for appropriations for
23 the support and maintenance of the departments of the state and state
24 institutions.