

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

**REREVISED**

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

LLS NO. 26-0501.03 Jacob Baus x2173

**HOUSE BILL 26-1276**

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**House Committees**

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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.**

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**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.

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

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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-FILING**  
7 **SYSTEM USERS.**

8            == ==  
9            == =====  
10           █ █

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

14           **25-1-506. County or district public health agency.**

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

17           (XIV) To collaborate with the state department and the state board  
18 in all matters pertaining to public health, the water quality control  
19 commission in all matters pertaining to water quality, the air quality  
20 control commission and the division of administration of the state  
21 department in all matters pertaining to air pollution, and the solid and  
22 hazardous waste commission in all matters pertaining to solid and  
23 hazardous waste; ~~and~~

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

27           (XVI) IN ITS DISCRETION, TO INSPECT OR EXAMINE A FACILITY

1 THAT HOUSES OR DETAINS INDIVIDUALS WHO ARE NONCITIZENS FOR  
2 PURPOSES OF CIVIL IMMIGRATION PROCEEDINGS.

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

5 **25-1.5-101. Powers and duties of department - laboratory cash**  
6 **fund - office of suicide prevention - suicide prevention coordination**  
7 **cash fund - immigration facility inspection and detention cash fund**  
8 **- dispensation of payments under contracts with grantees - report -**  
9 **rules - definitions.**

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

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

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

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

27 (A) PROVIDE TO THE DEPARTMENT A YEARLY REPORT DETAILING

1 THE FOLLOWING: THE OUTCOMES OF PREGNANT INDIVIDUALS IN THE  
2 FACILITY, OUTCOMES OF INDIVIDUALS WITH CHRONIC HEALTH CONDITIONS,  
3 OUTCOMES OF INDIVIDUALS WITH DISABILITIES, ACCESS TO FOOD FOR  
4 INDIVIDUALS WITH DIETARY RESTRICTIONS, AVERAGE TEMPERATURE  
5 WITHIN THE FACILITY, HIGHEST AND LOWEST TEMPERATURES RECORDED  
6 WITHIN THE FACILITY, INDIVIDUALS' ACCESS TO AN ATTORNEY, AND  
7 INDIVIDUALS' ACCESS TO SPACES OF WORSHIP OR SILENT REFLECTION;

8  
9 (B) PROHIBIT THE HOUSING OR DETENTION OF A MINOR IN THE  
10 SAME ROOM AS A NONFAMILIAL ADULT; AND

11 (C) ON THE FACILITY'S SITE AND AT ALL TIMES, STAFF THE  
12 FACILITY WITH MEDICAL PROFESSIONALS AND MENTAL HEALTH  
13 PROFESSIONALS WHO ARE ACCESSIBLE TO INDIVIDUALS WHO ARE  
14 NONCITIZENS AND DETAINED FOR PURPOSES OF CIVIL IMMIGRATION  
15 PROCEEDINGS.

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

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

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

27 (III) ON OR BEFORE JANUARY 15, 2027, AND ON OR BEFORE

1 JANUARY 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT  
2 A REPORT TO THE ATTORNEY GENERAL REGARDING FACILITIES'  
3 COMPLIANCE WITH THIS SUBSECTION (1)(dd) AND INFORMATION  
4 COLLECTED PURSUANT TO SUBSECTION (1)(dd)(I)(A) OF THIS SECTION.  
5 THE DEPARTMENT SHALL MAKE THE REPORT AVAILABLE ON A  
6 PUBLIC-FACING PAGE ON THE DEPARTMENT'S WEBSITE.

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

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

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

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

1 (B) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
2 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
3 IMMIGRATION FACILITY INSPECTION AND DETENTION CASH FUND TO THE  
4 IMMIGRATION FACILITY INSPECTION AND DETENTION CASH FUND.

5 (C) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
6 ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR  
7 THE PURPOSE OF CONDUCTING UNANNOUNCED INSPECTIONS AND  
8 EXAMINATIONS, AS REQUIRED PURSUANT TO SUBSECTION (1)(i)(I)(D) OF  
9 THIS SECTION.

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

12 (A) "MEDICAL PROFESSIONAL" MEANS AN ADVANCED PRACTICE  
13 REGISTERED NURSE REGISTERED PURSUANT TO SECTION 12-255-111, A  
14 PHYSICIAN ASSISTANT LICENSED PURSUANT TO SECTION 12-240-113, OR  
15 A MEDICAL DOCTOR OR DOCTOR OF OSTEOPATHY LICENSED PURSUANT TO  
16 ARTICLE 240 OF TITLE 12.

17 (B) "MENTAL HEALTH PROFESSIONAL" MEANS A MENTAL HEALTH  
18 PROFESSIONAL LICENSED OR CERTIFIED PURSUANT TO ARTICLE 245 OF  
19 TITLE 12, AN ADVANCED PRACTICE REGISTERED NURSE REGISTERED  
20 PURSUANT TO SECTION 12-255-111 WITH TRAINING IN SUBSTANCE USE  
21 DISORDERS OR MENTAL HEALTH, OR A PHYSICIAN ASSISTANT LICENSED  
22 PURSUANT TO SECTION 12-240-113 WITH TRAINING IN SUBSTANCE USE  
23 DISORDERS OR MENTAL HEALTH. "MENTAL HEALTH PROFESSIONAL" DOES  
24 NOT MEAN AN UNLICENSED PSYCHOTHERAPIST AS DEFINED IN SECTION  
25 12-245-202.

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

1 **24-31-101. Powers and duties of attorney general.**

2 (1) The attorney general:

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

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

6 **and**

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

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

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

11 **24-31-303. Duties - powers of the P.O.S.T. board - definition**  
12 **- repeal.**

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

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

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

19 (B) THIS SUBSECTION (1)(v)(II) IS REPEALED, EFFECTIVE JULY 1,  
20 2028.

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

23 **24-31-120. Policy regarding the protection of personal**  
24 **identifying information.**

25 NO LATER THAN SEPTEMBER 1, 2026, THE OFFICE OF THE  
26 ATTORNEY GENERAL SHALL DEVELOP AND MAKE AVAILABLE TO THE  
27 ENTITIES THAT ARE SUBJECT TO ARTICLE 74.1 OF THIS TITLE 24 A MODEL

1 POLICY THAT ALIGNS WITH THE REQUIREMENTS OF ARTICLE 74.1 OF THIS  
2 TITLE 24. ==

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

5 **8-3.8-101. Immigration legal assistance - fund - report -**  
6 **definitions.**

7 (2) (b) The state treasurer shall credit any civil penalty money  
8 transferred to the state treasurer pursuant to section 24-74-107, or  
9 24-74.1-103, OR **25-1.5-101 (1)(i)(I)(D)** OR **(1)(dd)** and interest and  
10 income derived from the deposit and investment of the civil penalty  
11 money in the fund to the fund.

12 == ==

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

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

26 **SECTION 10. Safety clause.** The general assembly finds,  
27 determines, and declares that this act is necessary for the immediate

1 preservation of the public peace, health, or safety or for appropriations for  
2 the support and maintenance of the departments of the state and state  
3 institutions.