

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0636.01 Shelby Ross x4510

HOUSE BILL 21-1041

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HOUSE SPONSORSHIP

Woog,

SENATE SPONSORSHIP

(None),

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House Committees

State, Civic, Military and Veterans Affairs

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE PROHIBITION AGAINST RESTRICTING A PRIVATE  
102 SECTOR ENTERPRISE'S FULL AND FREE RIGHTS TO CONDUCT  
103 BUSINESS IN ANY MANNER.

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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>.)*

The bill prohibits state government from passing or implementing any law or rule restricting the natural rights of a private sector enterprise or its customers to use and exercise their free will and free choice to conduct business, exchange goods and services, and take risks in any manner, time, or condition that is acceptable by the private sector

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



1 PRIVATE SECTOR ENTERPRISE OR ITS CUSTOMERS TO USE AND EXERCISE  
2 THEIR FREE WILL AND FREE CHOICE TO CONDUCT BUSINESS; EXCHANGE  
3 GOODS AND SERVICES; AND TAKE RISKS IN ANY MANNER, TIME, OR  
4 CONDITION THAT IS ACCEPTABLE BY THE PRIVATE SECTOR ENTERPRISE, ITS  
5 CUSTOMERS, AND ANY PRIVATE SECTOR INDIVIDUALS, INCLUDING RIGHTS  
6 PROTECTED BY THE UNITED STATES CONSTITUTION, THE NINTH  
7 AMENDMENT OF THE UNITED STATES CONSTITUTION, THE DECLARATION  
8 OF INDEPENDENCE, AND 18 U.S.C. SEC. 242.

9 (2) A PRIVATE SECTOR ENTERPRISE MAY ASSERT A VIOLATION OF  
10 THIS ARTICLE 116 AS A CLAIM AGAINST STATE GOVERNMENT IN ANY  
11 JUDICIAL OR ADMINISTRATIVE PROCEEDING OR AS A DEFENSE IN ANY  
12 JUDICIAL OR ADMINISTRATIVE PROCEEDING WITHOUT REGARD TO  
13 WHETHER THE PROCEEDING IS BROUGHT BY OR IN THE NAME OF STATE  
14 GOVERNMENT, ANY PRIVATE SECTOR ENTERPRISE, PRIVATE PERSON, OR  
15 ANY OTHER PARTY.

16 **SECTION 2. Act subject to petition - effective date.** This act  
17 takes effect at 12:01 a.m. on the day following the expiration of the  
18 ninety-day period after final adjournment of the general assembly; except  
19 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
20 of the state constitution against this act or an item, section, or part of this  
21 act within such period, then the act, item, section, or part will not take  
22 effect unless approved by the people at the general election to be held in  
23 November 2022 and, in such case, will take effect on the date of the  
24 official declaration of the vote thereon by the governor.