

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 22-0856.02 Kristen Forrestal x4217

HOUSE BILL 22-1313

HOUSE SPONSORSHIP

McCormick and Caraveo,

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Livestock, & Water

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING HOUSING REQUIREMENTS FOR AGRICULTURAL WORKERS**
102 **DURING A PUBLIC HEALTH EMERGENCY.**

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>.)

Current law specifies housing requirements for agricultural workers with which agricultural employers must comply during a public health emergency. The bill clarifies that these requirements apply only during a statewide public health emergency that concerns COVID-19. The bill allows an alternative to compliance with the existing housing requirements by authorizing a person engaged in agricultural employment

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.

HOUSE
Amended 2nd Reading
April 7, 2022

to instead comply with alternative protections identified in a public health order issued by the department of public health and environment.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-14.4-109, **amend**
3 (1)(a), (1)(b), and (1)(c); and **add** (2) as follows:

4 **8-14.4-109. Agricultural employers - responsibilities during**
5 **public health emergency - worker safety protections - definition.**

6 (1) During a public health emergency, in addition to the other protections
7 and rights afforded to workers, a principal engaged in agricultural
8 employment shall:

9 (a) (I) EXCEPT AS PROVIDED IN SUBSECTION (1)(a)(II) OF THIS
10 SECTION, provide each worker living in employer-provided housing with:

11 (⊕) (A) In a single-occupancy unit where the worker is housed
12 alone, at least eighty square feet of combined sleeping and living quarters;

13 (⊕) (B) In multiple-occupancy housing, at least one hundred
14 square feet of sleeping quarters per worker and one hundred twenty
15 square feet of space per worker in areas used for combined purposes such
16 as meal preparation and eating; and

17 (⊕) (C) In all housing, screened windows that open to the outside
18 or living space that has an air filtration system.

19 (II) A PRINCIPAL ENGAGED IN AGRICULTURAL EMPLOYMENT MAY,
20 AS AN ALTERNATIVE TO COMPLYING WITH SUBSECTION (1)(a)(I) OF THIS
21 SECTION, COMPLY WITH ALTERNATIVE PROTECTIONS APPLICABLE TO
22 HOUSING IDENTIFIED IN A PUBLIC HEALTH ORDER ISSUED BY THE
23 DEPARTMENT.

24 (b) Provide each worker actively engaged in the open-range
25 production of livestock with:

1 (I) A single occupancy mobile housing unit, regardless of any
2 variances otherwise available pursuant to 20 CFR 655.235; OR

3 (II) ALTERNATIVE PROTECTIONS APPLICABLE TO HOUSING
4 IDENTIFIED IN A PUBLIC HEALTH ORDER ISSUED BY THE DEPARTMENT;

5 (c) Allow the DEPARTMENT TO CONSULT WITH THE department of
6 public health and environment to routinely inspect employer-provided
7 housing to ensure compliance with guidelines issued by the department
8 of public health and environment applicable to a public health emergency;
9 and any applicable executive orders issued by the governor during a
10 disaster emergency declared pursuant to section 24-33.5-704 (4) IN
11 ENFORCING THIS SECTION; orders issued by the governor during a disaster
12 emergency declared pursuant to section 24-33.5-704 (4);

13 (2) AS USED IN THIS SECTION, "PUBLIC HEALTH EMERGENCY"
14 MEANS A STATEWIDE PUBLIC HEALTH EMERGENCY DECLARED BY
15 EXECUTIVE ORDER REGARDING COVID-19, THE CORONAVIRUS DISEASE
16 CAUSED BY THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS
17 2, ALSO KNOWN AS SARS-CoV-2, OR ANOTHER COMMUNICABLE DISEASE
18 AS DEFINED IN SECTION 25-1.5-102 (1)(a)(IV) THAT IS TRANSMISSIBLE
19 FROM PERSON TO PERSON.

20 **SECTION 2. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety.