



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

SB 25-128: AG WORKER SERVICE PROVIDERS ACCESS PRIVATE PROP

Prime Sponsors:

Sen. Pelton B.; Roberts
Rep. McCormick; Winter T.

Fiscal Analyst:

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Date: February 10, 2025

Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill repeals current law deemed unconstitutional by the United States Supreme Court.

Types of impacts. The bill is expected to impact the following areas on an ongoing basis:

- Minimal State Workload

Appropriations. No appropriation is required.

**Table 1
State Fiscal Impacts**

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

The bill repeals certain agricultural worker key service provider access provisions adopted in [Senate Bill 21-087](#).

Background

Under current law, an employer may not interfere with an agricultural worker's reasonable access to key service providers. The law permits third parties to have access to an employer's private property to communicate with workers during periods of uncompensated time. In June 2021, the United State Supreme Court ruled in *Cedar Point Nursery v. Hassid*, 594 U.S. 139 (2021) that this access provision violates the fifth amendment takings clause of the U.S. Constitution.

State Expenditure

The bill aligns state law with federal law. The relevant sections of SB 21-087 primarily impacted the conduct of private actors; however, the Departments of Law, Labor, and Agriculture have a role in enforcing the protections of rights for agricultural workers established in SB 21-087. These include adopting rules, providing legal services, and investigation and enforcement of all claims and appeals. Removing access to key service providers as one right of agricultural workers will minimally decrease the amount of state workload in these departments; however, no change in appropriations is required.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, and applies to conduct occurring on or after that date.

State and Local Government Contacts

Agriculture	Labor
Counties	Law

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).