

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

HB25-1295 be amended as follows:

1 Amend reengrossed bill, page 3, strike lines 13 through 16 and substitute:

2 "(1) "DENVER RETAIL FOOD LICENSE" MEANS THE BUSINESS
3 LICENSE GRANTED BY THE CITY AND COUNTY OF DENVER THAT
4 AUTHORIZES A MOBILE RETAIL FOOD ESTABLISHMENT TO OPERATE WITHIN
5 THE CITY AND COUNTY OF DENVER AND INDICATES THAT THE MOBILE
6 RETAIL FOOD ESTABLISHMENT IS IN COMPLIANCE WITH APPLICABLE FOOD
7 SAFETY STANDARDS.".

8 Page 3, after line 16 insert:

9 "(2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
10 AND ENVIRONMENT CREATED IN SECTION 25-1-102.".

11 Renumber succeeding subsections accordingly.

12 Page 5, line 7, after "JURISDICTION." add "THE OWNER OR OPERATOR OF
13 THE MOBILE RETAIL FOOD ESTABLISHMENT SHALL SUBMIT THE COPY OF
14 THE FIRE SAFETY PERMIT TO THE LOCAL GOVERNMENT ENTITY
15 RESPONSIBLE FOR ISSUING FIRE SAFETY PERMITS FOR THE LOCAL
16 GOVERNMENT IN WHICH THE MOBILE RETAIL FOOD ESTABLISHMENT
17 INTENDS TO OPERATE.".

18 Page 5, strike lines 14 through 21.

19 Page 6, strike lines 10 through 13 and substitute:

20 **"29-11.6-104. Mobile retail food establishment operations -
21 Denver retail food license - state health department license -
22 reciprocity between jurisdictions. (1) Denver retail food license.
23 (a) THE CITY AND COUNTY OF DENVER".**

24 Page 6, strike lines 18 through 27 and substitute "DENVER IF THE OWNER
25 OR OPERATOR MEETS THE REQUIREMENTS OF SUBSECTIONS (1)(b) AND
26 (1)(c) OF THIS SECTION.

27 (b) (I) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
28 ESTABLISHMENT SHALL SUBMIT TO THE CITY AND COUNTY OF DENVER,
29 THROUGH REASONABLE ELECTRONIC MEANS AS DETERMINED BY THE CITY
30 AND COUNTY OF DENVER, THE FOLLOWING DOCUMENTATION AND
31 INFORMATION AT LEAST FOURTEEN CALENDAR DAYS BEFORE OPERATING
32 WITHIN THE JURISDICTION OF THE CITY AND COUNTY OF DENVER:

33 (A) A COPY OF THE VALID STATE HEALTH DEPARTMENT LICENSE;
34 (B) A COPY OF THE STATE HEALTH DEPARTMENT LICENSE
35 APPLICATION SUBMITTED TO THE DEPARTMENT OR ANOTHER LOCAL

1 GOVERNMENT JURISDICTION, INCLUDING ANY PERMITS THAT WERE
2 SUBMITTED AS PART OF THE APPLICATION; AND

3 (C) ANY HISTORY OF ANY VIOLATIONS COMMITTED BY THE OWNER
4 OR OPERATOR OF THE MOBILE RETAIL FOOD ESTABLISHMENT RELATED TO
5 THE STATE HEALTH DEPARTMENT LICENSE.

6 (II) (A) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
7 ESTABLISHMENT SHALL DISPLAY THE STATE HEALTH DEPARTMENT LICENSE
8 IN THE SERVICE WINDOW OF THE MOBILE RETAIL FOOD ESTABLISHMENT AT
9 ALL TIMES DURING THE OPERATION OF THE MOBILE RETAIL FOOD
10 ESTABLISHMENT IN THE CITY AND COUNTY OF DENVER.

11 (B) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD
12 ESTABLISHMENT SHALL MAINTAIN ALL REQUIRED FIRE SAFETY PERMITS,
13 INCLUDING FIRE SAFETY PERMITS REQUIRED FOR FLAMMABLE OPERATIONS,
14 WITHIN THE MOBILE RETAIL FOOD ESTABLISHMENT AND PROVIDE THE
15 PERMITS UPON REQUEST DURING AN INSPECTION OF THE MOBILE RETAIL
16 FOOD ESTABLISHMENT.".

17 Page 7, strike lines 1 through 11.

18 Page 7, line 13, after "DENVER" insert "PURSUANT TO SUBSECTION (1)(a)
19 OF THIS SECTION".

20 Page 7, line 22, strike the first "SECTION" and substitute "SUBSECTION"
21 and after the second "OF" insert "ANY APPLICABLE STATE LAW OR OF".

22 Page 7, strike lines 25 through 27 and substitute "MAY:

23 (A) PROHIBIT THE MOBILE RETAIL FOOD ESTABLISHMENT FROM
24 OPERATING WITHIN THE CITY AND COUNTY OF DENVER UNTIL THE MOBILE
25 RETAIL FOOD ESTABLISHMENT PASSES A HEALTH INSPECTION BY THE CITY
26 AND COUNTY OF DENVER, HAS PAID ALL FINES ASSESSED BY THE CITY AND
27 COUNTY OF DENVER FOR THE VIOLATIONS, AND IS FOUND TO BE IN
28 COMPLIANCE WITH ALL APPLICABLE STATE LAWS AND THE LAWS OF THE
29 CITY AND COUNTY OF DENVER; AND

30 (B) NOTIFY THE DEPARTMENT OF THE VIOLATIONS COMMITTED BY
31 THE MOBILE RETAIL FOOD ESTABLISHMENT WHILE OPERATING IN THE CITY
32 AND COUNTY OF DENVER.".

33 Page 8, strike lines 1 and 2 and substitute:

34 "(III) IF THE DEPARTMENT RECEIVES NOTICE FROM THE CITY AND
35 COUNTY OF DENVER PURSUANT TO THIS SUBSECTION (1)(c), THE
36 DEPARTMENT MAY TAKE ENFORCEMENT ACTION AGAINST A MOBILE
37 RETAIL FOOD ESTABLISHMENT WITH A STATE HEALTH DEPARTMENT
38 LICENSE FOR THE VIOLATIONS.".

1 Page 8, lines 14 and 15, strike "OF PUBLIC HEALTH AND ENVIRONMENT,
2 CREATED IN SECTION 25-1-102,".

3 Page 10, line 6, strike "DEPARTMENT OF PUBLIC HEALTH AND
4 ENVIRONMENT" and substitute "DEPARTMENT,".

5 Page 10, line 19, strike "FOOD SAFETY" and substitute "RETAIL FOOD".

6 Page 10, line 22, strike "29-11.6-102 (5)." and substitute "29-11.6-102
7 (6).".

8 Page 11, line 17 strike "29-11.6-102 (5)," and substitute "29-11.6-102
9 (6),".

10 Page 11, strike lines 20 through 27 and substitute:

11 **"SECTION 5. Act subject to petition - effective date -**
12 **applicability.** (1) This act takes effect January 1, 2026; except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within the ninety-day period after final adjournment of the general
16 assembly, then the act, item, section, or part will not take effect unless
17 approved by the people at the general election to be held in November
18 2026 and, in such case, will take effect on the date of the official
19 declaration of the vote thereon by the governor.

20 (2) This act applies to the operation of mobile retail food
21 establishments on or after the applicable effective date of this act.".

22 Page 12, strike lines 1 through 4.

23 Strike "DENVER FOOD SAFETY LICENSE" and substitute "DENVER RETAIL
24 FOOD LICENSE" on: **Page 8**, lines 5, 11, 18 and 19, 20, and 26; **Page 9**,
25 lines 2 and 3, 5, 11 and 12, 18 and 19, and 25; and **Page 11**, lines 7 and
26 8.

27 Strike "OF PUBLIC HEALTH AND ENVIRONMENT" on: **Page 4**, line 13; **Page**
28 **9**, line 22; and **Page 10**, lines 1 and 8.

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