

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB26-1054 be amended as follows:

1 Amend printed bill, page 9, before line 1 insert:

2 "SECTION 2. In Colorado Revised Statutes, 24-31-1302, **add** (3)
3 and (4) as follows:

4 **24-31-1302. Worker and employee protection unit - creation**
5 **- duties - court order - injunctive relief - attorney fees.**

6 (3) IF A PERSON, OR AN AGENT THEREOF, FAILS TO OBEY AN
7 INVESTIGATIVE DEMAND, SUBPOENA, WARRANT, OR OTHER INVESTIGATIVE
8 PROCESS ISSUED OR CONDUCTED PURSUANT TO SUBSECTION (2) OF THIS
9 SECTION, THE ATTORNEY GENERAL MAY APPLY TO THE APPROPRIATE
10 DISTRICT COURT FOR AN ORDER TO EFFECT THE PURPOSES OF THIS SECTION.
11 THE APPLICATION MUST STATE REASONABLE GROUNDS ON WHICH THE
12 ATTORNEY GENERAL BELIEVES THAT THE ORDER IS NECESSARY TO
13 INVESTIGATE A DEPRIVATION OF A PERSON'S RIGHTS, PRIVILEGES, OR
14 IMMUNITIES SECURED OR PROTECTED BY THE STATE CONSTITUTION OR
15 LAWS OF THE UNITED STATES OR THE STATE OF COLORADO. IF THE COURT
16 IS SATISFIED THAT REASONABLE GROUNDS EXIST, THE COURT IN ITS ORDER
17 MAY:

18 (a) REQUIRE THE ATTENDANCE OF OR THE PRODUCTION OF
19 DOCUMENTS BY A PERSON, OR BOTH;

20 (b) GRANT INJUNCTIVE RELIEF AS NECESSARY TO OBTAIN
21 COMPLIANCE WITH INVESTIGATIVE DEMANDS, SUBPOENAS, WARRANTS, OR
22 OTHER INVESTIGATIVE PROCESSES ISSUED OR CONDUCTED PURSUANT TO
23 SUBSECTION (2) OF THIS SECTION; AND

24 (c) GRANT FURTHER RELIEF AS MAY BE NECESSARY TO OBTAIN
25 COMPLIANCE WITH INVESTIGATIVE DEMANDS, SUBPOENAS, WARRANTS, OR
26 OTHER INVESTIGATIVE PROCESSES ISSUED OR CONDUCTED PURSUANT TO
27 SUBSECTION (2) OF THIS SECTION.

28 (4) COSTS AND ATTORNEY FEES SHALL BE AWARDED TO THE
29 ATTORNEY GENERAL WHERE THE ATTORNEY GENERAL SUCCESSFULLY
30 ENFORCES THIS SECTION.

31 **SECTION 3.** In Colorado Revised Statutes, 24-31-1303, **amend**
32 (1)(b) and (2)(b); and **add** (3) as follows:

33 **24-31-1303. Worker misclassification - wage determinations**
34 **- investigation and enforcement by the unit - coordination with**
35 **department of labor and employment.**

36 (1) (b) The unit may investigate and enforce an alleged
37 misclassification that is not described in subsection (1)(a) of this section
38 if the unit provides written notice to the division of unemployment
39 insurance of the unit's intent to pursue a misclassification investigation.
40 ~~and the division of unemployment insurance:~~

1 ~~(I) Declines to investigate the matter;~~
2 ~~(II) Has investigated the matter and made a formal determination;~~
3 or
4 ~~(III) Fails to respond to the unit within thirty days after the date~~
5 ~~of the notice.~~
6 (2) (b) If the division of labor standards and statistics has not
7 referred a wage determination to the unit, the unit may enforce the wage
8 determination if the unit provides written notice to the division of labor
9 standards and statistics of the unit's intent to enforce the wage
10 determination. ~~and the division of labor standards and statistics:~~
11 ~~(I) Declines to pursue enforcement of the wage determination;~~
12 ~~(II) Has attempted to pursue enforcement of the wage~~
13 ~~determination and has been unsuccessful in enforcing the determination~~
14 ~~in full after the later of twelve months after the determination or the~~
15 ~~conclusion of any appeals;~~
16 ~~(III) Fails to respond to the unit within thirty days after the date~~
17 ~~of the notice; or~~
18 ~~(IV) Has not initiated an investigation.~~
19 (3) THE UNIT MAY INVESTIGATE AND ENFORCE AN ALLEGED
20 VIOLATION OF PART 2 OF ARTICLE 14.4 OF TITLE 8.
21 **SECTION 4.** In Colorado Revised Statutes, 24-31-101, **amend**
22 (1)(i)(XXX) and (1)(i)(XXXI); and **add** (1)(i)(XXXII) as follows:
23 **24-31-101. Powers and duties of attorney general.**
24 (1) The attorney general:
25 (i) May independently initiate and bring civil and criminal actions
26 to enforce state laws, including actions brought pursuant to:
27 (XXX) Beginning January 1, 2026, part 10 of article 12 of title 38;
28 and
29 (XXXI) Section 13-16-126; AND
30 (XXXII) PART 2 OF ARTICLE 14.4 OF TITLE 8."

31 Renumber succeeding sections accordingly.

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