



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 26-1031: PROTECTIONS FOR AG PRODUCTS GROWN IN CO

**Prime Sponsors:**

Rep. Soper; Martinez

Sen. Roberts; Catlin

**Fiscal Analyst:**

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**Version:** Initial Fiscal Note

**Date:** January 20, 2026

**Fiscal note status:** This fiscal note reflects the introduced bill, which was requested by the Water Resources and Agriculture Review Committee.

### Summary Information

**Overview.** The bill prohibits marketing agricultural products not grown in Colorado as grown in Colorado.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload
- State Revenue
- Local Government

**Appropriations.** No appropriation is required.

**Table 1**  
**State Fiscal Impacts**

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
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**

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The bill prohibits an individual from identifying an agricultural product as being grown in Colorado when selling, marketing, advertising, or distributing the product unless it is grown in Colorado. Additionally, an individual may not use the Colorado Proud designation or logo unless authorized by the Department of Agriculture. A violation of these provisions constitutes a deceptive trade practice.

## **Background**

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Under current law, the Attorney General or a district attorney may bring a civil action on behalf of the state to seek the imposition of civil penalties against a person who violates the Colorado Consumer Protection Act. Civil penalties vary by type of violation and are paid to the General Fund.

## **State Revenue**

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The bill may increase revenue from civil penalties and civil case filing fees from additional civil actions filed related to the new deceptive trade practice.

## **Civil Penalties**

Under the Colorado Consumer Protection Act, a person committing a deceptive trade practice may be subject to a civil penalty of up to \$20,000 for each violation. Additional penalties may be imposed for subsequent violations of a court order or injunction. This revenue is classified as a damage award and not subject to TABOR. Given the uncertainty about the number of cases that may be pursued by the Attorney General and district attorneys, as well as the wide range in potential penalty amounts, the fiscal note cannot estimate the potential impact of these civil penalties.

## **Filing Fees**

Additionally, the bill may increase revenue to the Judicial Department from an increase in civil case filings. This revenue is subject to TABOR.

## **State Expenditures**

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### **Department of Law**

The department may see a minimal increase in workload to review and investigate complaints filed under the Colorado Consumer Protection Act from the new violation created by the bill.

The fiscal note assumes this can be accomplished within existing resources and no change in appropriations is required.

### **Judicial Department**

Trial courts and the Judicial Department may experience an increase in workload to the extent additional civil cases are filed under the bill. The fiscal note assumes that individuals will comply with the law and any increase will be minimal, and no change in appropriations is required.

### **Department of Agriculture**

The department may see a minimal increase in workload to refer violations to the Attorney General's office. The fiscal note assumes this can be accomplished within existing resources and no change in appropriations is required.

### **Local Government**

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Similar to the state, to the extent district attorneys receive additional deceptive trade practice complaints related to the new requirements established by the bill, workload will increase to investigate complaints and seek relief when appropriate. Workload will also increase if more civil actions are filed. It is assumed most such cases will be handled at the state level by the Attorney General.

### **Effective Date**

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The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

### **State and Local Government Contacts**

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Agriculture

Law

Judicial

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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](#).