

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0085.01 Renee Leone x2695

HOUSE BILL 26-1272

HOUSE SPONSORSHIP

Froelich and Velasco,

SENATE SPONSORSHIP

Cutter and Weissman,

House Committees

Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROTECTIONS FOR WORKERS NECESSITATED BY CLIMATE**
102 **CHANGE.**

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>.)

The bill requires the department of labor and employment (CDLE), on or before January 1, 2027, to begin collecting data concerning temperature-related injury or illness or temperature-related emergencies at worksites in the state, including by requiring the division of labor standards and statistics (division) to:

- Develop a platform on CDLE's website where users can

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

provide information about occurrences of temperature-related injury or illness or temperature-related emergencies;

- Obtain from the department of public health and environment (CDPHE) data that CDPHE has collected through its syndromic surveillance program regarding occurrences of heat-related injury or illness or heat-related emergencies; and
- Collect similar data from the division of workers' compensation and the Center for Improving Value in Health Care.

On or before January 1, 2028, the bill requires the division to develop a model temperature-related injury and illness prevention plan (TRIIPP) that thereafter must be made available on CDLE's website.

Employers of workers who are exposed to extreme hot or cold temperatures at worksites are required to develop and submit a TRIIPP to the division on or before September 1, 2028, and the division is required to develop procedures regarding how often employers will be required to submit an updated TRIIPP and how the division will handle review of TRIIPPs.

Lastly, the bill requires CDLE to develop training standards related to temperature safety and ensure that employers are providing proper training to workers who are affected by extreme temperatures.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 8-14.4-101
3 as follows:

4 **8-14.4-101. Definitions.**

5 As used in this article 14.4, unless the context otherwise requires:

6 (1) "ACCLIMATIZED" MEANS THE BODY'S ADAPTATION TO WORK IN
7 THE HEAT OR COLD AS THE BODY IS EXPOSED TO HEAT OR COLD
8 GRADUALLY OVER TIME, WHICH REDUCES THE STRAIN CAUSED BY HEAT
9 STRESS OR COLD STRESS AND REDUCES THE CHANCE OF DEVELOPING
10 HEAT-RELATED INJURY OR ILLNESS OR COLD-RELATED INJURY OR ILLNESS.

11 (†) (2) "Agricultural employment" has the meaning set forth in
12 section 8-13.5-201 (2).

1 (3) "COLD-RELATED INJURY OR ILLNESS" MEANS A SERIOUS
2 MEDICAL CONDITION RESULTING FROM THE BODY'S INABILITY TO COPE
3 WITH COLD STRESS. SIGNS AND SYMPTOMS OF COLD-RELATED INJURY OR
4 ILLNESS MAY INCLUDE NUMBNESS, THE FEELING OF PINS AND NEEDLES,
5 BLUE AND BLOTCHY SKIN, ACHES, FATIGUE, CONFUSION, DISORIENTATION,
6 EXCESSIVE SHIVERING, AND LOSS OF COORDINATION.

7 (4) "COLD-TEMPERATURE TRIGGER" MEANS A TEMPERATURE AT
8 WHICH AN INDIVIDUAL, IF EXPOSED FOR A PROLONGED PERIOD, MAY BE AT
9 RISK OF SUFFERING FROM A COLD-RELATED INJURY OR ILLNESS OR
10 TEMPERATURE-RELATED EMERGENCY.

11 ~~(1.5)~~ (5) "Department" means the department of labor and
12 employment.

13 ~~(2)~~ (6) "Division" means the division of labor standards and
14 statistics in the department.

15 (7) "HEAT-RELATED INJURY OR ILLNESS" MEANS A SERIOUS
16 MEDICAL CONDITION RESULTING FROM THE BODY'S INABILITY TO COPE
17 WITH HEAT STRESS. SIGNS AND SYMPTOMS OF HEAT-RELATED INJURY OR
18 ILLNESS MAY INCLUDE HEADACHE, NAUSEA, WEAKNESS, DIZZINESS,
19 ELEVATED BODY TEMPERATURE, MUSCLE CRAMPS, AND MUSCLE PAIN OR
20 SPASMS.

21 (8) "HEAT-TEMPERATURE TRIGGER" MEANS A TEMPERATURE AT
22 WHICH AN INDIVIDUAL, IF EXPOSED FOR A PROLONGED PERIOD, MAY BE AT
23 RISK OF SUFFERING FROM A HEAT-RELATED INJURY OR ILLNESS OR
24 TEMPERATURE-RELATED EMERGENCY.

25 (9) "POTABLE DRINKING WATER" MEANS WATER THAT IS SAFE FOR
26 HUMAN CONSUMPTION.

27 ~~(3)~~ (10) "Principal" means:

1 (a) An "employer" as set forth in the federal "Fair Labor Standards
2 Act of 1938", 29 U.S.C. sec. 203 (d);

3 (b) A foreign labor contractor ~~and~~ OR a migratory field labor
4 contractor or crew leader;

5 (c) The state of Colorado, local governments, and political
6 subdivisions of the state as defined in section 1-7.5-103 (6);

7 (d) An entity that contracts with five or more independent
8 contractors in the state each year; and

9 (e) A person or entity engaged in agricultural employment.

10 ~~(4)~~ (11) "Public health emergency" means:

11 (a) A public health order issued by a state or local public health
12 agency; or

13 (b) A disaster emergency declared by the governor based on a
14 public health concern.

15 (12) "SHADE" MEANS THE BLOCKAGE OF DIRECT SUNLIGHT, SUCH
16 THAT OBJECTS DO NOT CAST A SHADOW IN THE AREA OF BLOCKED
17 SUNLIGHT.

18 (13) "SIGNS OR SYMPTOMS OF A COLD EMERGENCY" MEANS THE
19 PHYSIOLOGICAL MANIFESTATION OF A COLD-RELATED INJURY OR ILLNESS,
20 INCLUDING HYPOTHERMIA, FROSTBITE, DROWSINESS, LOSS OF
21 CONSCIOUSNESS, OR TRENCH FOOT.

22 (14) "SIGNS OR SYMPTOMS OF A HEAT EMERGENCY" MEANS THE
23 PHYSIOLOGICAL MANIFESTATION OF A HEAT-RELATED INJURY OR ILLNESS,
24 INCLUDING HEAT STROKE, HEAT EXHAUSTION, FAINTING, OR LOSS OF
25 CONSCIOUSNESS.

26 (15) "TEMPERATURE-RELATED EMERGENCY" MEANS A SERIOUS
27 MEDICAL EMERGENCY IN WHICH A WORKER IS EXHIBITING SIGNS OR

1 SYMPTOMS OF A HEAT EMERGENCY OR SIGNS OR SYMPTOMS OF A COLD
2 EMERGENCY.

3 (16) "TEMPERATURE-RELATED INJURY OR ILLNESS" MEANS
4 COLD-RELATED INJURY OR ILLNESS, HEAT-RELATED INJURY OR ILLNESS, OR
5 BOTH.

6 (17) "TRIIPP" OR "TEMPERATURE-RELATED INJURY AND ILLNESS
7 PREVENTION PLAN" MEANS A WORKSITE TEMPERATURE-RELATED INJURY
8 AND ILLNESS PREVENTION PLAN.

9 (5) (18) "Worker" means:

10 (a) An "employee" as defined in section 8-4-101 (5); or

11 (b) ~~A person~~ AN INDIVIDUAL who works for an entity that
12 contracts with five or more independent contractors in the state each year.

13 
14 (19) "WORKSITE" MEANS A PHYSICAL LOCATION WHERE A
15 PRINCIPAL'S WORK OR OPERATIONS ARE PERFORMED.

16 **SECTION 2.** In Colorado Revised Statutes, **add** 8-14.4-101.5 as
17 follows:

18 **8-14.4-101.5. Worker protection - extreme temperatures -**
19 **temperature-related injury and illness prevention plan - legislative**
20 **declaration - rules.**

21 (1) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS AND
22 DECLARES THAT:

23 (a) CLIMATE CHANGE IS EXACERBATING THE EFFECTS OF EXTREME
24 WEATHER EVENTS, INCLUDING EXTREME HEAT, EXTREME COLD, DROUGHT,
25 AND WILDFIRE IN COLORADO;

26 (b) SINCE 2011, COLORADO HAS MADE IT A PRIORITY TO TRACK
27 TEMPERATURE-RELATED INJURY AND ILLNESS AND TO ENSURE

1 COLORADANS ARE AWARE OF THE RISKS OF EXPOSURE TO EXTREME HEAT
2 AND EXTREME COLD;

3 (c) IN 2024, COLORADO'S LARGEST WORKERS' COMPENSATION
4 INSURER HAS INDICATED THAT INDOOR AND OUTDOOR WORKERS IN THE
5 STATE ARE FIFTY-TWO PERCENT MORE LIKELY TO EXPERIENCE INJURY
6 DURING EXTREME TEMPERATURE EVENTS;

7 (d) SINCE 2021, FEDERAL EXPERTS AT THE UNITED STATES
8 DEPARTMENT OF LABOR HAVE RECOGNIZED THAT WORKERS WORKING IN
9 EXTREME TEMPERATURES NEED ADDITIONAL PROTECTIONS, AND THE
10 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION HAS ASSERTED
11 THAT EXPOSURE TO EXTREME TEMPERATURES IN THE WORKPLACE POSES
12 A SIGNIFICANT RISK OF SERIOUS INJURY AND ILLNESS;

13 (e) THE STATE'S ECONOMY DEPENDS ON THE LABOR OF WORKERS
14 ACROSS MANY SECTORS AND INDUSTRIES WHO ARE ROUTINELY EXPOSED
15 TO DANGEROUS WORKING CONDITIONS, INCLUDING EXTREME HEAT,
16 EXTREME COLD, AND OTHER ENVIRONMENTAL HAZARDS THAT MAY
17 THREATEN THEIR HEALTH, SAFETY, AND LIVES. THE RISKS THESE WORKERS
18 FACE INCREASE AS OUTDOOR TEMPERATURES BECOME MORE VOLATILE,
19 AND WORKERS WHO ARE EXPOSED TO PROLONGED HEAT OR COLD
20 SOMETIMES SUFFER PREVENTABLE INJURIES, ILLNESSES, AND DEATHS.

21 (f) THE STATE'S CURRENT PROTECTIONS ARE INADEQUATE TO
22 PROTECT WORKERS EXPOSED TO EXTREME TEMPERATURES AT WORKSITES.
23 EXISTING WORKPLACE STANDARDS DO NOT REQUIRE COMPREHENSIVE
24 PREVENTION PLANS; DO NOT GUARANTEE ACCESS TO POTABLE DRINKING
25 WATER, SHADE, OR COOL-DOWN OR WARM-UP AREAS; AND DO NOT
26 ESTABLISH PROCEDURES FOR MONITORING TEMPERATURES, ADJUSTING
27 WORK PRACTICES DURING EXTREME HEAT OR EXTREME COLD, OR

1 PROTECTING NEWLY HIRED OR RETURNING WORKERS WHO ARE NOT
2 ACCLIMATIZED. AS A RESULT, MANY WORKERS CONTINUE TO FACE UNSAFE
3 CONDITIONS WITHOUT ENFORCEABLE SAFEGUARDS.

4 (g) THE ABSENCE OF CONSISTENT STATEWIDE STANDARDS
5 CREATES UNEQUAL PROTECTIONS ACROSS INDUSTRIES AND REGIONS,
6 LEAVING THE MOST VULNERABLE WORKERS, INCLUDING THOSE WHO WORK
7 IN LOW-PAYING POSITIONS, AT THE GREATEST RISK OF HARM. THESE
8 WORKERS OFTEN FACE ADDITIONAL BARRIERS, SUCH AS FEAR OF
9 RETALIATION, LIMITED ACCESS TO COMPLAINT SYSTEMS OR REPORTING,
10 AND A LACK OF ACCESSIBLE INFORMATION IN A LANGUAGE THEY
11 UNDERSTAND. THESE BARRIERS CONTRIBUTE TO UNDERREPORTING OF
12 DANGEROUS CONDITIONS AND PREVENT TIMELY INTERVENTION.

13 (h) REQUIRING PRINCIPALS TO ADOPT CLEAR, PROACTIVE
14 MEASURES, INCLUDING MONITORING AND RECORDING TEMPERATURE
15 CONDITIONS, PROVIDING POTABLE DRINKING WATER AND REST BREAKS,
16 ENSURING ACCESS TO SHADE OR SHELTER, DEVELOPING WRITTEN
17 PREVENTION AND RESPONSE PLANS, AND ADEQUATELY TRAINING
18 WORKERS, IS NECESSARY TO REDUCE TEMPERATURE-RELATED INJURIES
19 AND ILLNESSES IN THE STATE. THE STATE SHOULD REQUIRE PROTECTIONS
20 THAT ARE PRACTICAL, EVIDENCE-BASED, AND ACHIEVABLE FOR
21 EMPLOYERS OF ALL SIZES.

22 (i) PROTECTING WORKERS FROM EXTREME TEMPERATURES IS A
23 MATTER OF PUBLIC HEALTH AND SAFETY AND ECONOMIC STABILITY.
24 ENSURING SAFER WORKING CONDITIONS ACROSS INDUSTRIES WILL REDUCE
25 PREVENTABLE MEDICAL EMERGENCIES, SUPPORT WORKFORCE RETENTION
26 AND PRODUCTIVITY, AND PROMOTE FAIRNESS FOR PRINCIPALS THAT
27 ALREADY COMPLY WITH HIGH SAFETY STANDARDS.

1 (j) ESTABLISHING STATEWIDE ENFORCEABLE PROTECTIONS FOR
2 WORKERS EXPOSED TO EXTREME TEMPERATURES IS NECESSARY TO
3 SAFEGUARD THE STATE'S WORKFORCE, STRENGTHEN FAMILIES AND
4 COMMUNITIES, AND UPHOLD THE STATE'S RESPONSIBILITY TO ENSURE THAT
5 WORKERS CAN PERFORM THEIR DUTIES WITHOUT RISKING THEIR HEALTH,
6 THEIR SAFETY, OR THEIR LIVES.

7 (2) **Data collection - model temperature-related injury and**
8 **illness prevention plan.**

9 (a) ON OR BEFORE JANUARY 15, 2027, THE DIVISION SHALL:

10 (I) DEVELOP A PLATFORM ON THE DEPARTMENT'S WEBSITE WHERE
11 USERS CAN PROVIDE INFORMATION ABOUT OCCURRENCES OF
12 TEMPERATURE-RELATED INJURY OR ILLNESS OR TEMPERATURE-RELATED
13 EMERGENCIES AT WORKSITES IN THE STATE;

14 (II) OBTAIN DATA FROM THE DEPARTMENT OF PUBLIC HEALTH AND
15 ENVIRONMENT USING THE DEPARTMENT OF PUBLIC HEALTH AND
16 ENVIRONMENT'S CURRENT SYNDROMIC SURVEILLANCE PROGRAM, OR A
17 SUCCESSOR PROGRAM, TO TRACK OCCURRENCES OF HEAT-RELATED INJURY
18 OR ILLNESS OR HEAT-RELATED EMERGENCIES AT WORKSITES IN THE STATE;
19 AND

20 (III) BEGIN WORKING WITH:

21 (A) THE DIVISION OF WORKERS' COMPENSATION TO PERIODICALLY,
22 AND AT LEAST TWICE ANNUALLY, COLLECT INFORMATION CONCERNING
23 CLAIMS FOR WORKERS' COMPENSATION THAT INVOLVE
24 TEMPERATURE-RELATED INJURY OR ILLNESS OR TEMPERATURE-RELATED
25 EMERGENCIES; AND

26 (B) THE CENTER FOR IMPROVING VALUE IN HEALTH CARE, OR A
27 SUCCESSOR ORGANIZATION, TO PERIODICALLY, AND AT LEAST TWICE

1 ANNUALLY, COLLECT INFORMATION CONCERNING OCCURRENCES OF
2 TEMPERATURE-RELATED INJURY OR ILLNESS OR TEMPERATURE-RELATED
3 EMERGENCIES AT WORKSITES IN THE STATE.

4 (b) (I) ON OR BEFORE JULY 1, 2028, USING DATA COLLECTED
5 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION AND ANY OTHER
6 AVAILABLE RESOURCES, INCLUDING RESOURCES FROM THE FEDERAL
7 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, THE DIVISION
8 SHALL DEVELOP A MODEL TRIIPP. THE MODEL TRIIPP MAY INCLUDE:

9 (A) A LIST OF THE TYPE OF WORK ACTIVITIES COVERED BY THE
10 TRIIPP;

11 (B) AN IDENTIFICATION OF THE TEMPERATURE METRIC THAT A
12 PRINCIPAL SHALL MONITOR, INCLUDING THE HEAT-TEMPERATURE TRIGGER
13 AND THE COLD-TEMPERATURE TRIGGER;

14 (C) A MONITORING PLAN TO ENSURE WORKER SAFETY WHEN A
15 WORKER IS EXPOSED TO CONDITIONS AT OR ABOVE THE
16 HEAT-TEMPERATURE TRIGGER OR AT OR BELOW THE COLD-TEMPERATURE
17 TRIGGER;

18 (D) A PLAN FOR WARM-UP BREAKS FOR WORKERS WHO ARE
19 EXPOSED TO CONDITIONS AT OR BELOW THE COLD-TEMPERATURE TRIGGER;

20 (E) A PLAN FOR COOL-DOWN BREAKS, WITH ACCESS TO SHADE OR
21 AN AIR-CONDITIONED AREA, FOR WORKERS WHO ARE EXPOSED TO
22 CONDITIONS AT OR ABOVE THE HEAT-TEMPERATURE TRIGGER;

23 (F) A PLAN FOR ENSURING THAT WORKERS HAVE EASY ACCESS TO
24 POTABLE DRINKING WATER AND A CLIMATE-APPROPRIATE REST AREA; AND

25 (G) ADDITIONAL POLICIES AND PROCEDURES AS DETERMINED
26 NECESSARY BY THE DIVISION.

27 (II) THE DIVISION'S MODEL TRIIPP MUST ALSO INCLUDE A SAMPLE

1 TEMPERATURE-RELATED EMERGENCY RESPONSE PLAN OR PROVIDE
2 INFORMATION REGARDING BEST PRACTICES FOR CREATING A
3 TEMPERATURE-RELATED EMERGENCY RESPONSE PLAN.

4 (3) **Rule-making and access to model temperature-related**
5 **injury and illness prevention plan.**

6 (a) BY JANUARY 15, 2028, THE DIVISION SHALL BEGIN A
7 RULE-MAKING PROCEEDING, IN ACCORDANCE WITH SECTION 8-14.4-108
8 AND IN RESPONSE TO THE DATA COLLECTED PURSUANT TO SUBSECTION
9 (2)(a) OF THIS SECTION, TO ADOPT RULES NECESSARY TO IMPLEMENT THIS
10 SECTION.

11 (b) (I) ON AND AFTER JULY 15, 2028, THE DIVISION SHALL ENSURE
12 THE MODEL TRIIPP, DEVELOPED PURSUANT TO SUBSECTION (2)(b) OF THIS
13 SECTION, IS AVAILABLE ON THE DEPARTMENT'S WEBSITE IN A FORMAT
14 THAT CAN BE VIEWED OR DOWNLOADED.

15 (II) THE DIVISION SHALL ANNUALLY REVIEW AND MAKE
16 NECESSARY UPDATES TO THE MODEL TRIIPP.

17

18 **SECTION 3. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly (August
21 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
22 referendum petition is filed pursuant to section 1 (3) of article V of the
23 state constitution against this act or an item, section, or part of this act
24 within such period, then the act, item, section, or part will not take effect
25 unless approved by the people at the general election to be held in
26 November 2026 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.