

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

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 26-0609.01 Owen Hatch x2698

**HOUSE BILL 26-1101**

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**HOUSE SPONSORSHIP**

**Espenoza and Soper**, Gonzalez R., Marshall, McCluskie

**SENATE SPONSORSHIP**

**Lindstedt and Pelton B.**,

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**House Committees**  
Judiciary

**Senate Committees**  
Judiciary

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**A BILL FOR AN ACT**

101      **CONCERNING ADDING CRIMINAL OFFENSES RELATED TO CRITICAL**  
102                    **INFRASTRUCTURE COMPONENTS TO CRIMINAL OFFENSES**  
103                    **INVOLVING COMMODITY METALS.**

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**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 defines critical infrastructure related to commodity metals and adds several different criminal offenses related to the sale of, possession of, and failure to report stolen critical infrastructure.

The bill prohibits an owner, keeper, or proprietor (owner) of a junk shop, junk store, salvage yard, or junk cart or other vehicle and every

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.*

SENATE  
2nd Reading Unamended  
April 6, 2026

HOUSE  
3rd Reading Unamended  
March 27, 2026

HOUSE  
Amended 2nd Reading  
March 26, 2026

collector of or dealer in junk, salvage, or other secondhand property who buys a commodity metal that was part of critical infrastructure (buyer) from paying cash for the commodity metal unless the seller is paid by means of any process in which a picture of the seller is taken.

The bill prohibits a buyer from possessing a commodity metal that was part of critical infrastructure without a certification from the seller or donator of the commodity metal. A buyer who unknowingly takes possession of commodity metals from critical infrastructure as part of a load of otherwise non-commodity metals without a written certification has a duty to notify the appropriate law enforcement agency or municipal code enforcement agency.

An owner of a junk shop, junk store, salvage yard, or junk cart must make their book or register available to a law enforcement agency or municipal code enforcement agency upon request.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-13-111, **amend**  
3 (1)(a), (1)(b) introductory portion, (1)(c) introductory portion, (1)(c)(I),  
4 (1)(d)(I), (1)(d)(II), (1)(e), (1.3)(a) introductory portion, (1.3)(a)(I),  
5 (1.3)(a)(III), (1.3)(b), (1.5)(a), (1.5)(b), (2), (3) introductory portion, (4),  
6 (5) introductory portion, (5)(c), (5)(d), (6), (10)(a)(II), and (10)(a)(III);  
7 **repeal** (5)(e), (5)(f), (5)(g), (5)(h), and (8); and **add** (1.6), (3)(f), (5.5),  
8 (10)(a)(IV), and (14) as follows:

9 **18-13-111. Purchases of commodity metals, critical**  
10 **infrastructure material, or detached catalytic converters - violations**  
11 **- creation - composition - reports - legislative declaration -**  
12 **definitions.**

13 (1) (a) Except as otherwise provided in subsection (3) of this  
14 section, every owner, keeper, or proprietor of a junk shop, junk store,  
15 salvage yard, or junk cart or other vehicle and every collector of or dealer  
16 in junk, salvage, or other secondhand property shall keep a book or  
17 register detailing all transactions involving commodity metals, CRITICAL

1       INFRASTRUCTURE MATERIAL, or detached catalytic converters.

2               (b) The owner, keeper, proprietor, collector, or dealer shall record  
3       the identification of a seller of commodity metals, CRITICAL  
4       INFRASTRUCTURE MATERIALS, or detached catalytic converters in the book  
5       or register and the method by which the seller verified the seller's identity.  
6       The seller shall verify the seller's identity by one of the following:

7               (c) The owner, keeper, proprietor, collector, or dealer shall require  
8       the seller of a commodity metal, CRITICAL INFRASTRUCTURE MATERIAL,  
9       or detached catalytic converter to provide for the book or register:

10              (I) A signed affidavit, sworn and affirmed under penalty of law,  
11       that the seller is the owner of the commodity metal, CRITICAL  
12       INFRASTRUCTURE MATERIAL, or detached catalytic converter or is  
13       otherwise entitled to sell the commodity metal, CRITICAL  
14       INFRASTRUCTURE MATERIAL, or detached catalytic converter. The owner,  
15       keeper, proprietor, collector, or dealer shall provide the affidavit form to  
16       the seller.

17              (d) The owner, keeper, proprietor, collector, or dealer shall  
18       include the following in the book or register:

19              (I) The date and place of each purchase of the commodity metal,  
20       CRITICAL INFRASTRUCTURE MATERIAL, or detached catalytic converter;  
21       and

22              (II) The description and quantity of the commodity metal,  
23       CRITICAL INFRASTRUCTURE MATERIAL, or detached catalytic converter  
24       purchased.

25              (e) The book or register shall be made available to ~~any peace~~  
26       ~~officer~~ A LAW ENFORCEMENT AGENCY OR MUNICIPAL CODE ENFORCEMENT  
27       AGENCY for inspection at ~~any reasonable time~~ UPON REQUEST.

1 (1.3) (a) A purchaser of commodity metals, CRITICAL  
2 INFRASTRUCTURE MATERIALS, or detached catalytic converters shall:

3 (I) Sign up with the scrap theft alert system maintained by the  
4 Institute of Scrap Recycling Industries, Incorporated, or its successor  
5 organization, to receive alerts regarding thefts of commodity metals,  
6 CRITICAL INFRASTRUCTURE MATERIALS, or detached catalytic converters  
7 in the purchaser's geographic area;

8 (III) Use the alerts to identify potentially stolen commodity  
9 metals, CRITICAL INFRASTRUCTURE MATERIALS, or detached catalytic  
10 converters, including training the purchaser's employees to use the alerts  
11 during the purchaser's daily operations.

12 (b) A purchaser of commodity metals, CRITICAL INFRASTRUCTURE  
13 MATERIALS, or detached catalytic converters shall maintain for ninety  
14 days copies of any theft alerts received and downloaded pursuant to  
15 subsection (1.3)(a) of this section. A purchaser shall also maintain  
16 documentation that the purchaser educates employees about, and provides  
17 to employees, scrap theft alerts.

18 (1.5) (a) An owner, keeper, proprietor, collector, or dealer is  
19 permitted to pay a seller in cash for any commodity metal, CRITICAL  
20 INFRASTRUCTURE MATERIAL, or detached catalytic converter transaction  
21 of three hundred dollars or less.

22 (b) If the transaction costs more than three hundred dollars OR  
23 INVOLVES CRITICAL INFRASTRUCTURE MATERIAL THAT THE PAYING PARTY  
24 KNOWS OR SHOULD HAVE KNOWN WAS PART OF CRITICAL  
25 INFRASTRUCTURE, the owner, keeper, proprietor, collector, or dealer shall  
26 pay the seller of a commodity metal or detached catalytic converter by  
27 check unless the seller is paid by means of any process in which a picture

1 of the seller is taken when the money is paid. FOR THE PURPOSES OF THIS  
2 SUBSECTION (1.5)(b), THE PAYING PARTY SHOULD HAVE KNOWN THE  
3 COMMODITY METALS WERE PART OF CRITICAL INFRASTRUCTURE IF  
4 EVIDENCE EXISTS THAT THE INSULATING CASING OF THE COMMODITY  
5 METAL WAS BURNED OR SMOLDERED OFF.

6 (1.6) (a) AN OWNER, KEEPER, PROPRIETOR, COLLECTOR, OR  
7 DEALER WHO KNOWINGLY POSSESSES CRITICAL INFRASTRUCTURE  
8 MATERIAL IN VIOLATION OF THIS SECTION COMMITS UNLAWFUL  
9 POSSESSION OF CRITICAL INFRASTRUCTURE MATERIALS.

10 (b) (I) AN OWNER, KEEPER, PROPRIETOR, COLLECTOR, OR DEALER  
11 WHO TAKES POSSESSION OF CRITICAL INFRASTRUCTURE MATERIAL AS PART  
12 OF A LOAD OF OTHERWISE NONCRITICAL INFRASTRUCTURE MATERIALS  
13 WITH AN AFFIDAVIT STATING THAT THE TRANSFEROR MAY LAWFULLY  
14 TRANSFER THE NONCRITICAL INFRASTRUCTURE MATERIAL HAS A DUTY TO  
15 NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY OR MUNICIPAL  
16 CODE ENFORCEMENT AGENCY BY THE END OF THE NEXT BUSINESS DAY  
17 AFTER DISCOVERING THE CRITICAL INFRASTRUCTURE MATERIALS. THE  
18 CRITICAL INFRASTRUCTURE MATERIAL MUST BE SET ASIDE AND MUST NOT  
19 BE SOLD, PENDING A DETERMINATION AS TO ITS LEGAL STATUS MADE BY  
20 A LAW ENFORCEMENT AGENCY OR MUNICIPAL CODE ENFORCEMENT  
21 AGENCY.

22 (II) AN OWNER, KEEPER, PROPRIETOR, COLLECTOR, OR DEALER  
23 DOES NOT VIOLATE THIS SUBSECTION (1.6) IF THE OWNER, KEEPER,  
24 PROPRIETOR, COLLECTOR, OR DEALER HAS AN AFFIDAVIT STATING THAT  
25 THE TRANSFEROR MAY LAWFULLY TRANSFER THE CRITICAL  
26 INFRASTRUCTURE MATERIAL.

27 (III) AN OWNER, KEEPER, PROPRIETOR, COLLECTOR, OR DEALER

1 WHO UNKNOWINGLY TAKES POSSESSION OF CRITICAL INFRASTRUCTURE  
2 MATERIAL AS PART OF A LOAD OF OTHERWISE NONCRITICAL  
3 INFRASTRUCTURE MATERIALS WITH AN AFFIDAVIT STATING THAT THE  
4 TRANSFEROR MAY LAWFULLY TRANSFER THE NONCRITICAL  
5 INFRASTRUCTURE MATERIAL AND KNOWINGLY DOES NOT NOTIFY THE  
6 APPROPRIATE LAW ENFORCEMENT AGENCY OR MUNICIPAL CODE  
7 ENFORCEMENT AGENCY BY THE END OF THE NEXT BUSINESS DAY AFTER  
8 BECOMING AWARE THEY ARE IN POSSESSION OF CRITICAL INFRASTRUCTURE  
9 MATERIALS IN VIOLATION OF THIS SUBSECTION (1.6)(b) COMMITS FAILURE  
10 TO REPORT STOLEN CRITICAL INFRASTRUCTURE MATERIALS.

11 (2) Except as otherwise provided in subsection (3) of this section,  
12 the owner, keeper, proprietor, collector, or dealer of any commodity  
13 metal, CRITICAL INFRASTRUCTURE MATERIAL, or detached catalytic  
14 converter shall make a digital photographic record, video record, or other  
15 record that identifies the seller and the commodity metal, CRITICAL  
16 INFRASTRUCTURE MATERIAL, or detached catalytic converter that the  
17 seller is selling. The digital photographic record, video record, or other  
18 record format shall be retained for one hundred eighty days, and the  
19 owner shall permit a law enforcement officer OR MUNICIPAL CODE  
20 ENFORCEMENT OFFICER to make inspections of the record.

21 (3) The following transactions and materials are exempt from the  
22 requirements specified in subsections (1), (1.6), and (2) of this section:

23 (f) THE PURCHASE OF CRITICAL INFRASTRUCTURE MATERIALS  
24 WHEN THE OWNER, KEEPER, PROPRIETOR, COLLECTOR, OR DEALER HAS A  
25 WRITTEN CONTRACT WITH THE ORIGINAL SOURCE COMPANY THAT CLAIMS  
26 AND AFFIRMS THAT THE CRITICAL INFRASTRUCTURE MATERIAL BELONGS  
27 TO THE OWNER, KEEPER, PROPRIETOR, COLLECTOR, OR DEALER.

1 (4) The information entered in the book or register, as provided  
2 in subsection (1) of this section, need not be kept for a period longer than  
3 three years after the date of purchase of the commodity metal, CRITICAL  
4 INFRASTRUCTURE MATERIAL, or detached catalytic converter.

5 (5) A person who violates subsection (1) of this section by failing  
6 to keep a book or register, ~~any~~ A person who knowingly gives false  
7 information with respect to the information required to be maintained in  
8 the book or register provided for in subsection (1) of this section, and ~~any~~  
9 A person who violates subsection (1.3), (1.5), or (2) of this section  
10 commits:

11 (c) A class 1 misdemeanor if the amount is one thousand dollars  
12 or more but less than two thousand dollars; AND

13 (d) A class 6 felony if the amount is two thousand dollars or more.  
14 ~~but less than one thousand dollars;~~

15 (e) ~~A class 5 felony if the amount is five thousand dollars or more~~  
16 ~~but less than twenty thousand dollars;~~

17 (f) ~~A class 4 felony if the amount is twenty thousand dollars or~~  
18 ~~more but less than one hundred thousand dollars;~~

19 (g) ~~A class 3 felony if the amount is one hundred thousand dollars~~  
20 ~~or more but less than one million dollars; and~~

21 (h) ~~A class 2 felony if the amount is one million dollars or more.~~

22 (5.5) (a) UNLAWFUL POSSESSION OF CRITICAL INFRASTRUCTURE  
23 MATERIALS, AS DESCRIBED IN SUBSECTION (1.6)(a) OF THIS SECTION, IS:

24 (I) A CLASS 2 MISDEMEANOR IF THE AMOUNT IS LESS THAN ONE  
25 THOUSAND DOLLARS;

26 (II) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND  
27 DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS; AND

1 (III) A CLASS 6 FELONY IF THE AMOUNT IS TWO THOUSAND  
2 DOLLARS OR MORE.

3 (b) FAILURE TO REPORT STOLEN CRITICAL INFRASTRUCTURE  
4 MATERIALS, AS DESCRIBED IN SUBSECTION (1.6)(b) OF THIS SECTION, IS:

5 (I) A CLASS 2 MISDEMEANOR IF THE AMOUNT IS LESS THAN ONE  
6 THOUSAND DOLLARS;

7 (II) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND  
8 DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS; AND

9 (III) A CLASS 6 FELONY IF THE AMOUNT IS TWO THOUSAND  
10 DOLLARS OR MORE.

11 (6) There is a ~~rebuttable presumption~~ PERMISSIVE INFERENCE that  
12 metal purchased by a dealer for the purpose of recycling is a commodity  
13 metal if the commodity metal has a value of fifty cents per pound or  
14 greater for purposes of recycling the commodity metal.

15 (8) ~~As used in this section, unless the context otherwise requires:~~

16 (a) ~~(Deleted by amendment, L. 2007, p. 759, § 1, effective July 1,~~  
17 ~~2007.)~~

18 (a.5) ~~"Applicable facility" means dealers, owners, keepers, or~~  
19 ~~proprietors of a junk shop, junk store, salvage yard, or other secondhand~~  
20 ~~property.~~

21 (b) ~~"Book or register" means any written or electronic record of~~  
22 ~~transactions kept by any owner, keeper, proprietor, collector, or dealer,~~  
23 ~~including sequentially numbered receipts containing the information~~  
24 ~~required by subsection (1) of this section.~~

25 (b.5) ~~"Commodity metal" means copper; a copper alloy, such as~~  
26 ~~bronze or brass; or aluminum. "Commodity metal" does not include~~  
27 ~~precious metals, such as gold, silver, or platinum.~~

1 (c) (Deleted by amendment, L. 2007, p. 759, § 1, effective July 1,  
2 2007.)

3 (d) "Dealer" means any person, business, or entity that buys, sells,  
4 or distributes, for the purpose of recycling, processing, or smelting, any  
5 commodity metal or detached catalytic converter on a wholesale basis.  
6 For the purposes of this subsection (8)(d), a transaction between a dealer  
7 and a motor vehicle dealer is not a wholesale sale.

8 (e) (Deleted by amendment, L. 2011, (HB 11-1130), ch. 106, p.  
9 330, § 1, effective April 13, 2011.)

10 (f) "Detached catalytic converter" means a post-combustion  
11 device that:

12 (I) Oxidizes hydrocarbons and carbon monoxide gases or reduces  
13 oxides of nitrogen;

14 (II) Is designed or intended for use as part of an emission control  
15 system; and

16 (III) Was previously installed on a motor vehicle and subsequently  
17 removed.

18 (10) (a) The general assembly hereby finds, determines, and  
19 declares that:

20 (II) Such THE thefts impact every community in Colorado; and

21 (III) The regulation of commodity metal or detached catalytic  
22 converter purchases is a matter of statewide concern; AND

23 (IV) THEFTS OF COMMODITY METALS THAT MAKE UP CRITICAL  
24 INFRASTRUCTURE MATERIALS REPRESENTS A SIGNIFICANT THREAT TO  
25 COLORADO CITIZENS.

26 (14) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
27 REQUIRES:

1 (a) "APPLICABLE FACILITY" MEANS A JUNK SHOP, JUNK STORE,  
2 SALVAGE YARD, OR OTHER SECONDHAND PROPERTY OPERATED BY A  
3 DEALER, OWNER, KEEPER, OR PROPRIETOR.

4 (b) "BOOK OR REGISTER" MEANS ANY WRITTEN OR ELECTRONIC  
5 RECORD OF TRANSACTIONS KEPT BY AN OWNER, KEEPER, PROPRIETOR,  
6 COLLECTOR, OR DEALER, INCLUDING SEQUENTIALLY NUMBERED RECEIPTS  
7 CONTAINING THE INFORMATION REQUIRED BY SUBSECTION (1) OF THIS  
8 SECTION.

9 (c) "COMMODITY METAL" MEANS COPPER; A COPPER ALLOY, SUCH  
10 AS BRONZE OR BRASS; OR ALUMINUM. "COMMODITY METAL" DOES NOT  
11 INCLUDE PRECIOUS METALS, SUCH AS GOLD, SILVER, OR PLATINUM.

12 (d) "COVERED INFRASTRUCTURE" MEANS:

13 (I) COMMUNICATION INFRASTRUCTURE, INCLUDING FIBER-OPTIC  
14 CABLES AND OTHER INFRASTRUCTURE USED FOR:

15 (A) INTERNET, INCLUDING BROADBAND INTERNET SERVICE;

16 (B) CABLE COMMUNICATIONS;

17 (C) WIRELESS COMMUNICATIONS;

18 (D) TELECOMMUNICATIONS; AND

19 (E) A PUBLIC SAFETY ANSWERING POINT, AS DEFINED IN SECTION  
20 29-11-101;

21 (II) TRANSPORTATION INFRASTRUCTURE, INCLUDING  
22 INFRASTRUCTURE USED FOR:

23 (A) LIGHT RAIL, AS DEFINED IN SECTION 29-35-103;

24 (B) PASSENGER RAIL;

25 (C) FREIGHT RAIL;

26 (D) A PUBLIC ROADWAY SYSTEM; AND

27 (E) BRIDGES;

- 1 (III) HOUSING INFRASTRUCTURE;
- 2 (IV) AN ELECTRIC VEHICLE CHARGING STATION; AND
- 3 (V) PUBLIC UTILITY INFRASTRUCTURE.

4 (e) "CRITICAL INFRASTRUCTURE MATERIAL" MEANS ANY  
5 COMPONENT OR PART USED IN COVERED INFRASTRUCTURE THAT IS MADE  
6 OF OR CONTAINS A COMMODITY METAL, THE THEFT OF WHICH POSES AN  
7 IMMINENT THREAT TO LIFE OR THE PHYSICAL SAFETY OF A PERSON,  
8 INCLUDING THROUGH SERIOUS HARM TO THE BASIC SUPPLY OF COVERED  
9 INFRASTRUCTURE TO THE POPULATION OR TO THE EXERCISE OF A CORE  
10 FUNCTION OF COVERED INFRASTRUCTURE.

11 (f) "DEALER" MEANS ANY PERSON, BUSINESS, OR ENTITY THAT  
12 BUYS, SELLS, OR DISTRIBUTES, FOR THE PURPOSE OF RECYCLING,  
13 PROCESSING, OR SMELTING, ANY COMMODITY METAL OR DETACHED  
14 CATALYTIC CONVERTER ON A WHOLESALE BASIS. FOR THE PURPOSES OF  
15 THIS SUBSECTION (14)(f), A TRANSACTION BETWEEN A DEALER AND A  
16 MOTOR VEHICLE DEALER IS NOT A WHOLESALE SALE.

17 (g) "DETACHED CATALYTIC CONVERTER" MEANS A  
18 POST-COMBUSTION DEVICE THAT:

19 (I) OXIDIZES HYDROCARBONS AND CARBON MONOXIDE GASES OR  
20 REDUCES OXIDES OF NITROGEN;

21 (II) IS DESIGNED OR INTENDED FOR USE AS PART OF AN EMISSION  
22 CONTROL SYSTEM; AND

23 (III) WAS PREVIOUSLY INSTALLED ON A MOTOR VEHICLE AND  
24 SUBSEQUENTLY REMOVED.

25 **SECTION 2. Applicability.** This act applies to offenses  
26 committed on or after July 1, 2026.

27 **SECTION 3. Safety clause.** The general assembly finds,

1 determines, and declares that this act is necessary for the immediate  
2 preservation of the public peace, health, or safety or for appropriations for  
3 the support and maintenance of the departments of the state and state  
4 institutions.