

An Act

SENATE BILL 26-147

BY SENATOR(S) Cutter and Pelton R., Carson, Catlin, Gonzales J., Jodeh, Kipp, Kolker, Lindstedt, Liston, Marchman, Rich, Sullivan, Danielson, Roberts, Rodriguez, Wallace, Weissman, Coleman;
also REPRESENTATIVE(S) Johnson and Froelich, Winter T., Bacon, Barron, Bottoms, Bradfield, Caldwell, Clifford, Goldstein, Gonzalez R., Hamrick, Hartsook, Jackson, Keltie, Lindsay, Marshall, Martinez, Richardson, Slauch, Soper, Stewart R., Story, Taggart, Titone, Velasco, Willford, Woog, Zokaie, Bradley, Brooks, Brown, Camacho, DeGraaf, English, Feret, Flanell, Garcia, Joseph, Lieder, Mabrey, Mauro, McCormick, Paschal, Sirota, Smith, Suckla, Weinberg, Woodrow.

CONCERNING THE REGULATION OF LOBBYISTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Community engagement is the foundation of a democratic legislative body and is critical to ensure a collaborate environment for developing sustainable public policy that impacts the state;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(b) Community engagement should be conducted in a transparent manner; and

(c) Government transparency is crucial to the democratic process and the general public should have transparent access to state agency engagement.

(2) Therefore, the general assembly further finds and declares that it seeks to foster collaboration and policy engagement by the community through strengthening the state's lobbying transparency laws and providing greater clarity to ensure a role for all entities and persons to participate.

SECTION 2. In Colorado Revised Statutes, 24-6-301, **amend** (3.7) and (6) as follows:

24-6-301. Definitions - legislative declaration.

As used in this part 3, unless the context otherwise requires:

(3.7) "Lobbyist" means ~~either~~ a professional LOBBYIST or a volunteer lobbyist.

(6) "Professional lobbyist" means a person, business entity, including a sole proprietorship, or an employee of a client, who is compensated by a client or another professional lobbyist for lobbying. "Professional lobbyist" does not include any volunteer lobbyist, any state official or employee acting in ~~his~~ THEIR official capacity, except as provided in section 24-6-303.5 OR 24-6-303.7, any elected public official acting in ~~his~~ THEIR official capacity, AN EMPLOYEE OF A CLIENT WHO IS ASSISTING A PROFESSIONAL LOBBYIST, UNLESS THE EMPLOYEE'S DUTIES FOR THE CLIENT INCLUDE LOBBYING ON BEHALF OF THE CLIENT, or any individual who appears as counsel or advisor in an adjudicatory proceeding.

SECTION 3. In Colorado Revised Statutes, 24-6-302, **amend** (5) as follows:

24-6-302. Disclosure statements - required - definition.

(5) This section ~~shall~~ DOES not apply to any political committee,

volunteer lobbyist, citizen who lobbies on ~~his or her~~ THEIR own behalf, state official or employee acting in ~~his or her~~ THEIR official capacity, except as provided in section 24-6-303.5 OR 24-6-303.7, ~~or~~ elected public official acting in ~~his or her~~ THEIR official capacity, OR AN EMPLOYEE OF A CLIENT WHO IS ASSISTING A PROFESSIONAL LOBBYIST IF THE PROFESSIONAL LOBBYIST IS IN COMPLIANCE WITH THE DISCLOSURE REQUIREMENTS MANDATED BY THIS SECTION, UNLESS THE EMPLOYEE'S DUTIES FOR THE CLIENT INCLUDE LOBBYING ON BEHALF OF THE CLIENT.

SECTION 4. In Colorado Revised Statutes, 24-6-303, **amend** (1.3)(a) and (6); and **add** (1.2) as follows:

24-6-303. Registration as professional lobbyist - filing of disclosure statements - certificate of registration - legislative declaration.

(1.2) BEFORE LOBBYING, A VOLUNTEER LOBBYIST SHALL REGISTER AND FILE WITH THE GENERAL ASSEMBLY IN ACCORDANCE WITH JOINT RULES ADOPTED BY THE GENERAL ASSEMBLY A REGISTRATION STATEMENT THAT CONTAINS AN ATTESTATION BY THE VOLUNTEER LOBBYIST THAT THE VOLUNTEER LOBBYIST IS NOT BEING PAID OR OTHERWISE COMPENSATED FOR THE LOBBYING.

(1.3) (a) At the time a professional lobbyist files a registration statement in accordance with subsection (1) of this section prior to engaging in lobbying, and each time such lobbyist files an updated registration statement in accordance with subsection (1.5) of this section, ~~such~~ THE individual shall pay a registration fee in an amount ~~that shall be~~ set by the secretary of state by rule ~~promulgated~~ ADOPTED in accordance with article 4 of this title and ~~shall be~~ set at a level that offsets the costs to the secretary of state of providing electronic access to information pursuant to section 24-6-304 (2), and in processing and maintaining the disclosure information required by this part 3. The secretary of state shall charge a reduced fee to a professional lobbyist that files ~~his or her~~ THEIR registration statement pursuant to ~~paragraph (b) of~~ subsection (6.3)(b) of this section. The secretary of state may waive the fee of a professional lobbyist for a not-for-profit organization who derives ~~his or her~~ THEIR compensation solely from the organization. A volunteer lobbyist ~~shall be~~ IS exempt from the requirement to pay the registration fee mandated by this ~~paragraph (a)~~ SUBSECTION (1.3)(a).

(6) This section ~~shall~~ DOES not apply to any political committee, volunteer lobbyist, citizen who lobbies on ~~his or her~~ THEIR own behalf, state official or employee acting in ~~his or her~~ THEIR official capacity, except as provided in section 24-6-303.5 OR 24-6-303.7, ~~or~~ elected public official acting in ~~his or her~~ THEIR official capacity, OR AN EMPLOYEE OF A CLIENT WHO IS ASSISTING A PROFESSIONAL LOBBYIST IF THE PROFESSIONAL LOBBYIST IS IN COMPLIANCE WITH THE REGISTRATION REQUIREMENTS MANDATED BY THIS SECTION, UNLESS THE EMPLOYEE'S DUTIES FOR THE CLIENT INCLUDE LOBBYING ON BEHALF OF THE CLIENT.

SECTION 5. In Colorado Revised Statutes, 24-6-303.5, **amend** (1)(a), (2)(a) introductory portion, (2)(a)(III), (4) introductory portion, and (5); **repeal** (4)(c); and **add** (2)(a)(IV) and (6) as follows:

24-6-303.5. Lobbying by state officials and employees.

(1) (a) Each principal department of state government, as defined in section 24-1-110, shall designate one ~~person~~ INDIVIDUAL who ~~shall be~~ IS responsible for any lobbying of the type defined in section 24-6-301 (3.5)(a)(I) or (3.5)(a)(III) by a state official or employee on behalf of ~~said~~ THE principal department. All designated ~~persons~~ INDIVIDUALS from the principal departments, ~~as well as any person~~ OR AN INDIVIDUAL lobbying, as defined in section 24-6-301 (3.5)(a)(I) or (3.5)(a)(III), on behalf of an institution or governing board of higher education OR ON BEHALF OF THE OFFICES OF THE GOVERNOR OR LIEUTENANT GOVERNOR AS A MEMBER OF THE GOVERNOR'S CABINET OR AS A PERSONAL STAFF EMPLOYEE IN THE OFFICES OF THE GOVERNOR OR THE LIEUTENANT GOVERNOR shall register with the secretary of state by filing a written statement on or before January 15 of each year. ~~Such~~ THE registration statement ~~shall~~ MUST be on a form prescribed by the secretary of state and ~~shall~~ MUST include the following:

(I) The ~~designated person's~~ INDIVIDUAL'S full legal name, ~~principal department~~ BUSINESS address, and business telephone number;

(II) The name of any state official or employee who is lobbying on behalf of the principal department, OFFICES OF THE GOVERNOR OR LIEUTENANT GOVERNOR, OR AN INSTITUTION OR GOVERNING BOARD OF HIGHER EDUCATION;

(III) The name of ~~such person's~~ THE INDIVIDUAL'S division or unit

within the principal department, ~~his~~ OFFICES OF THE GOVERNOR OR LIEUTENANT GOVERNOR, OR AN INSTITUTION OR GOVERNING BOARD OF HIGHER EDUCATION;

(IV) The individual's classification or job title; and

(V) The address and telephone number of ~~his~~ THE INDIVIDUAL'S division or unit.

(2) (a) In addition to the registration statement filed pursuant to subsection (1) of this section, the designated ~~person, and any person~~ INDIVIDUAL, AN INDIVIDUAL lobbying on behalf of an institution or governing board of higher education, OR AN INDIVIDUAL LOBBYING ON BEHALF OF THE OFFICES OF THE GOVERNOR OR LIEUTENANT GOVERNOR AS A MEMBER OF THE GOVERNOR'S CABINET OR AS A PERSONAL STAFF EMPLOYEE IN THE OFFICES OF THE GOVERNOR OR THE LIEUTENANT GOVERNOR shall file, monthly, a disclosure statement with the secretary of state in accordance with this subsection (2). The secretary of state shall prescribe the form for such disclosure statement, which ~~shall~~ MUST include:

(III) An estimate of the time spent on lobbying or ~~preparation thereof~~ PREPARING TO ENGAGE IN LOBBYING by ~~any state official or employee~~ THE INDIVIDUAL named in the registration statement or BY any ~~other~~ employee of the principal department, OFFICES OF THE GOVERNOR OR LIEUTENANT GOVERNOR, OR AN INSTITUTION OR GOVERNING BOARD OF HIGHER EDUCATION; AND

(IV) THE BILL OR RESOLUTION NUMBER OF THE LEGISLATION AT ISSUE AND THE LEGISLATIVE POSITION OF THE PERSON ON WHOSE BEHALF THE INDIVIDUAL IS LOBBYING. THE POSITION MUST BE INDICATED ON THE INDIVIDUAL'S DISCLOSURE STATEMENT AND MUST INCLUDE WHETHER THE PERSON IS SUPPORTING, OPPOSING, AMENDING, OR MONITORING THE LEGISLATION. IF THE PERSON'S POSITION CHANGES, THE INDIVIDUAL SHALL UPDATE THE POSITION INDICATED ON THE DISCLOSURE STATEMENT WITHIN SEVENTY-TWO HOURS OF THE CHANGE.

(4) This section ~~shall~~ DOES not apply to the following ~~persons~~ INDIVIDUALS:

(c) ~~Members of the governor's cabinet and personal staff employees~~

~~in the offices of the governor and the lieutenant governor whose functions are confined to such offices and who report directly to the governor or lieutenant governor;~~

(5) ~~Any person~~ AN INDIVIDUAL who engages in lobbying for a principal department, THE OFFICES OF THE GOVERNOR OR LIEUTENANT GOVERNOR, OR AN INSTITUTION OR GOVERNING BOARD OF HIGHER EDUCATION but who is not a state official or employee shall comply with the requirements of sections 24-6-302 and 24-6-303.

(6) NO STATEWIDE ELECTED OFFICEHOLDER OR MEMBER OF THE GENERAL ASSEMBLY IS ALLOWED TO BE THE PERSON DESIGNATED TO LOBBY PURSUANT TO SECTION (1)(a) OF THIS SECTION FOR A PERIOD OF TWO YEARS FOLLOWING VACATION OF OFFICE.

SECTION 6. In Colorado Revised Statutes, **add** 24-6-303.7 as follows:

24-6-303.7. Lobbying by judicial department officials and employees - independent agencies - definition.

(1) (a) THE JUDICIAL DEPARTMENT AND EACH OF ITS INDEPENDENT AGENCIES MAY DESIGNATE AT LEAST ONE INDIVIDUAL WHO IS RESPONSIBLE FOR ANY LOBBYING OF THE TYPE DEFINED IN SECTION 24-6-301 (3.5)(a)(I) OR (3.5)(a)(III) ON BEHALF OF THE JUDICIAL DEPARTMENT OR ANY OF ITS INDEPENDENT AGENCIES.

(b) (I) A DESIGNATED INDIVIDUAL SHALL REGISTER WITH THE SECRETARY OF STATE BY FILING A WRITTEN STATEMENT ON OR BEFORE JANUARY 15 OF EACH YEAR. THE WRITTEN REGISTRATION STATEMENT MUST BE ON A FORM PRESCRIBED BY THE SECRETARY OF STATE AND MUST INCLUDE THE DESIGNATED INDIVIDUAL'S FULL LEGAL NAME, JUDICIAL DEPARTMENT OR INDEPENDENT AGENCY'S ADDRESS, AND BUSINESS TELEPHONE NUMBER.

(II) IF ANY INFORMATION ON THE ORIGINAL WRITTEN STATEMENT CHANGES, THE DESIGNATED INDIVIDUAL SHALL FILE AN AMENDMENT TO THE STATEMENT WITH THE SECRETARY OF STATE WITHIN SEVEN CALENDAR DAYS OF THE CHANGE.

(c) A DESIGNATED INDIVIDUAL SHALL FILE COPIES OF THE ORIGINAL

WRITTEN REGISTRATION STATEMENT, ANY ACCOMPANYING DOCUMENTS, AND ANY AMENDMENTS TO THE REGISTRATION STATEMENT WITH THE GOVERNOR'S OFFICE, THE SECRETARY OF THE SENATE, AND THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES WITHIN SEVEN CALENDAR DAYS OF FILING THE DOCUMENT WITH THE SECRETARY OF STATE.

(d) FOR THE PURPOSES OF THIS SECTION, "INDEPENDENT AGENCY" MEANS AN INDEPENDENT AGENCY OF THE JUDICIAL DEPARTMENT, INCLUDING AN AGENCY IDENTIFIED AS ONE OF THE "INCLUDED AGENCIES" IDENTIFIED IN SECTION 13-100-102 (3) AND THE OFFICE OF THE STATE PUBLIC DEFENDER CREATED PURSUANT TO SECTION 21-1-101.

(2) IN ADDITION TO THE WRITTEN REGISTRATION STATEMENT FILED PURSUANT TO SUBSECTION (1) OF THIS SECTION, A DESIGNATED INDIVIDUAL SHALL DISCLOSE TO THE SECRETARY OF STATE THE LEGISLATION ON WHICH LOBBYING OF THE TYPE DEFINED IN SECTION 24-6-301 (3.5)(a)(I) OR (3.5)(a)(III) IS BEING PERFORMED BY THE DESIGNATED INDIVIDUAL AND THE POSITION THAT THE DESIGNATED INDIVIDUAL IS TAKING ON BEHALF OF THE JUDICIAL DEPARTMENT OR INDEPENDENT AGENCY AS EITHER SUPPORTING, OPPOSING, AMENDING, OR MONITORING THE LEGISLATION. IF THE JUDICIAL DEPARTMENT OR AN INDEPENDENT AGENCY'S POSITION CHANGES, THE DESIGNATED INDIVIDUAL SHALL UPDATE THE POSITION DISCLOSURE WITH THE SECRETARY OF STATE WITHIN SEVENTY-TWO HOURS OF THE CHANGE.

(3) AN INDIVIDUAL WHO ENGAGES IN LOBBYING FOR THE JUDICIAL DEPARTMENT OR AN INDEPENDENT AGENCY BUT WHO IS NOT A JUDICIAL DEPARTMENT EMPLOYEE OR INDEPENDENT AGENCY EMPLOYEE SHALL COMPLY WITH THE REQUIREMENTS OF SECTIONS 24-6-302 AND 24-6-303.

(4) A DESIGNATED INDIVIDUAL LOBBYING ON BEHALF OF THE JUDICIAL DEPARTMENT OR AN INDEPENDENT AGENCY IS EXEMPT FROM THE REGISTRATION AND DISCLOSURE FEES IMPOSED BY SECTIONS 24-6-302 AND 24-6-303.

(5) THIS SECTION DOES NOT APPLY TO MUNICIPAL, STATE, OR FEDERAL JUDGES OR MAGISTRATES.

SECTION 7. Appropriation. For the 2026-27 state fiscal year, \$91,000 is appropriated to the department of state. This appropriation is from the department of state cash fund created in section 24-21-104 (3)(b),

C.R.S. To implement this act, the division of information technology may use this appropriation for personal services.

SECTION 8. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO