

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 26, 2026
Date

Committee on Agriculture, Water & Natural Resources.

After consideration on the merits, the Committee recommends the following:

HB26-1033 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, line 5, after "(2)(c)," insert "(2)(e),".
- 2 Page 2, line 5, strike "(4)," and substitute "(3)(a)(II), (4), (8),".
- 3 Page 2, lines 5 and 6, strike "**repeal** (2)(e);".
- 4 Page 2, line 18, after "SELL" insert "PACKAGED".
- 5 Page 2, line 19, after "TORTAS." add "A PRODUCER MAY SELL UP TO FIVE
6 INDIVIDUAL FOOD PRODUCTS OF ONE TYPE OF FOOD THAT REQUIRES TIME
7 AND TEMPERATURE CONTROL FOR SAFETY. THE PRODUCER MUST SPECIFY
8 THE INDIVIDUAL FOOD PRODUCTS THAT REQUIRE TIME AND TEMPERATURE
9 CONTROL FOR SAFETY AND PROVIDE A LIST OF SUCH FOOD PRODUCTS TO
10 THE DEPARTMENT OR A COUNTY, DISTRICT, OR REGIONAL HEALTH AGENCY
11 UPON REQUEST. A PRODUCER MAY CHANGE THE FOOD PRODUCTS THAT
12 REQUIRE TIME AND TEMPERATURE CONTROL FOR SAFETY, AS LONG AS THE
13 PRODUCER IS NOT SELLING MORE THAN FIVE FOOD PRODUCTS THAT
14 REQUIRE TIME AND TEMPERATURE CONTROL FOR SAFETY AT ANY GIVEN
15 TIME. THE PRODUCER MUST PACKAGE FOOD PRODUCTS REQUIRING TIME
16 AND TEMPERATURE CONTROL IN THE PRODUCER'S HOME KITCHEN OR A
17 COMMERCIAL, PRIVATE, OR PUBLIC KITCHEN."
- 18 Page 3, strike lines 14 through 17 and substitute "SECTION SATISFIES AN
19 EXEMPTION FROM INSPECTION, SUCH AS THE".
- 20 Page 3, line 19, strike "POULTRY." and substitute "POULTRY OR A FEDERAL
21 MEAT PROCESSING EXEMPTION."

1 Page 3, strike line 25 and substitute "FOLLOW ALL COOKING, COOLING,
2 AND HOLDING TEMPERATURES AS SPECIFIED IN RULES ADOPTED BY THE
3 DEPARTMENT PURSUANT TO SECTION 25-4-1604 (1)(b) TO".

4 Page 4, line 3, after "APPROPRIATE" insert "HOLDING".

5 Page 4, after line 6 insert:

6 "(IV) A PRODUCER SHALL NOT MAKE BARE-HAND CONTACT WITH
7 READY-TO-EAT FOODS SOLD UNDER THIS SECTION."

8 Page 4, strike lines 21 through 24 and substitute:

9 "(e) This section applies only to producers ~~who~~ THAT earn net
10 GROSS revenues of ~~ten~~ ONE HUNDRED FIFTY thousand dollars or less per
11 calendar year from the sale of ~~each eligible food product produced in the~~
12 ~~producer's home kitchen or a commercial, private, or public kitchen~~ FOOD
13 PERMITTED UNDER THIS SECTION. THE DEPARTMENT SHALL ANNUALLY
14 ADJUST THE CAP FOR INFLATION. THE DEPARTMENT MAY ROUND THE
15 ADJUSTED AMOUNT UPWARD TO THE NEAREST DOLLAR. INFLATION IS
16 MEASURED BY THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES
17 DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE
18 INDEX, OR A SUCCESSOR INDEX, FOR DENVER-AURORA-LAKWOOD FOR
19 ALL ITEMS PAID FOR BY URBAN CONSUMERS. A PRODUCER SHALL NOT
20 ESTABLISH, REORGANIZE, OR OPERATE MULTIPLE ENTITIES OR
21 CONTRACTUAL ARRANGEMENTS FOR THE PURPOSE OF CIRCUMVENTING
22 THIS REVENUE CAP.

23 (3) (a) A food product sold under this section must have an
24 affixed label that includes at least:

25 (II) The producer's name, DEPARTMENT-ISSUED REGISTRATION
26 NUMBER, ~~the address at~~ COUNTY IN which the food was prepared, and the
27 producer's current telephone number or electronic mail address;"

28 Page 5, line 4, after "IF" insert "THE DEPARTMENT OR".

29 Page 5, line 6, strike "CAUSED" and substitute "MAY CAUSE".

30 Page 5, line 7, after "THE" insert "DEPARTMENT OR".

31 Page 5, after line 13 insert:

32 "(c) IF THE DEPARTMENT OR A COUNTY, DISTRICT, OR REGIONAL
33 HEALTH AGENCY DETERMINES THAT, ON THREE SEPARATE OCCASIONS

1 WITHIN TWELVE MONTHS, A PRODUCER HAS MISBRANDED FOOD THAT
2 REQUIRES TIME AND TEMPERATURE CONTROL FOR SAFETY OR FAILED TO
3 COMPLY WITH REQUIREMENTS RELATED TO FOOD THAT REQUIRES TIME
4 AND TEMPERATURE CONTROL FOR SAFETY, THE PRODUCER SHALL NOT
5 SELL FOODS THAT REQUIRE TIME AND TEMPERATURE CONTROL PURSUANT
6 TO THIS SECTION.

7 (8) (a) ON AND AFTER JANUARY 1, 2027, A PRODUCER SHALL
8 REGISTER WITH THE DEPARTMENT BEFORE SELLING ANY FOOD UNDER THIS
9 SECTION. THE REGISTRATION MUST INDICATE THE TYPES OF FOOD THE
10 PRODUCER ANTICIPATES SELLING UNDER THIS SECTION. THE DEPARTMENT
11 SHALL ISSUE A REGISTRATION NUMBER TO EACH PRODUCER.

12 (b) The department ~~or a county, district, or regional health agency~~
13 ~~may~~ SHALL create a ~~voluntary~~ AND MAINTAIN AN electronic registry of
14 producers ~~if it determines that a registry would be of value to producers~~
15 ~~and consumers~~ AND MAKE THE REGISTRY AVAILABLE ON THE
16 DEPARTMENT'S PUBLIC-FACING WEBSITE."

17 Page 6, strike lines 8 and 9 and substitute "section 25-4-1614 (9)(c), ~~who~~
18 THAT earns ~~net~~ GROSS revenues ~~of ten thousand dollars or less per~~
19 ~~calendar year from the sale of each eligible food product~~ LESS THAN THE
20 AMOUNT PERMITTED PURSUANT TO SECTION 25-4-1614 (2)(e)."

21 Page 6, strike lines 12 and 13 and substitute "section 25-4-1614 (9)(c),
22 ~~who~~ THAT earns ~~net~~ GROSS revenues ~~of ten thousand dollars or less per~~
23 ~~calendar year from the sale of each eligible food product~~ LESS THAN THE
24 AMOUNT PERMITTED PURSUANT TO SECTION 25-4-1614 (2)(e)."

25 Page 6, strike lines 14 through 23 and substitute:

26 "SECTION 4. Act subject to petition - effective date -
27 applicability. (1) This act takes effect January 1, 2027; except that, if a
28 referendum petition is filed pursuant to section 1 (3) of article V of the
29 state constitution against this act or an item, section, or part of this act
30 within the ninety-day period after final adjournment of the general
31 assembly, then the act, item, section, or part will not take effect unless
32 approved by the people at the general election to be held in November
33 2026 and, in such case, will take effect January 1, 2027, or on the date of
34 the official declaration of the vote thereon by the governor, whichever is
35 later."

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