

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0151.01 Bob Lackner x4350

**SENATE BILL 19-103**

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**SENATE SPONSORSHIP**

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**Senate Committees**

Business, Labor, & Technology

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE ABILITY OF A MINOR TO OPERATE A BUSINESS ON A**  
102              **LIMITED BASIS WITHOUT OBTAINING THE APPROVAL OF A LOCAL**  
103              **GOVERNMENT.**

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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 prohibits any county, municipality, or city and county (local government) or any agency of a local government from requiring a license or permit for a business that is:

!      Operated on an occasional basis by a minor (a person under the age of 18 years); and

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

! Located a sufficient distance from a commercial entity, determined by the local government, that is required to obtain a permit or license from the local government or an agency of the local government to prevent the minor's business from becoming a direct economic competitor of the commercial entity.

The bill defines "occasional basis" to mean the business does not operate more than 84 days in any one calendar year.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 11.3 to  
3 title 29 as follows:

4 **ARTICLE 11.3**

5 **Businesses Operated by Minors**

6 **29-11.3-101. Definitions.** AS USED IN THIS ARTICLE 11.3, UNLESS  
7 THE CONTEXT OTHERWISE REQUIRES:

8 (1) "BUSINESS" MEANS ANY ENTERPRISE CARRIED ON FOR THE  
9 PURPOSE OF GAIN OR ECONOMIC PROFIT; EXCEPT THAT THE ACT OF  
10 EMPLOYEES RENDERING SERVICES TO EMPLOYERS ARE NOT INCLUDED IN  
11 THIS DEFINITION.

12 (2) "LOCAL GOVERNMENT" MEANS ANY COUNTY, MUNICIPALITY,  
13 OR CITY AND COUNTY.

14 (3) "MINOR" MEANS A PERSON UNDER THE AGE OF EIGHTEEN  
15 YEARS.

16 (4) "OCCASIONAL BASIS" MEANS A BUSINESS THAT DOES NOT  
17 OPERATE MORE THAN EIGHTY FOUR DAYS IN ANY ONE CALENDAR YEAR.

18 **29-11.3-102. Restrictions on licenses or permits - businesses**  
19 **operated by a minor - legislative declaration.** (1) THE GENERAL  
20 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

21 (a) IN THE ABSENCE OF COMMON SENSE RELIEF, LAWS IMPOSED

1 AND ADMINISTERED AT THE LOCAL LEVEL REQUIRING BUSINESSES TO  
2 OBTAIN PERMITS OR LICENSES TO OPERATE, WITH THE DISTINCT  
3 POSSIBILITY OF CRIMINAL OR CIVIL PENALTIES FOR NONCOMPLIANCE, MAY  
4 BE USED TO ENSNARE MINORS WANTING TO OPERATE SMALL-SCALE  
5 BUSINESSES ON A VERY LIMITED BASIS; AND

6 (b) THESE LAWS IMPOSE INORDINATE AND HEAVY-HANDED  
7 REGULATORY BURDENS ON MINOR ENTREPRENEURS WHO ARE NOT SEEKING  
8 TO COMPETE WITH FULLY ESTABLISHED COMMERCIAL ENTITIES OPERATED  
9 BY ADULTS, FRUSTRATE AND THWART ENTREPRENEURIAL ACTIVITY  
10 MINORS HAVE UNDERTAKEN FROM THE FOUNDING OF THE REPUBLIC AS A  
11 MEANS TO LEARN ABOUT BUSINESS AND ECONOMIC PRINCIPLES AND TO  
12 MAKE MONEY, AND DIVERT LAW ENFORCEMENT RESOURCES OF LOCAL  
13 GOVERNMENTS FROM INVESTIGATING AND PROSECUTING MORE SERIOUS  
14 CRIMINAL OR CIVIL MATTERS.

15 (2) BY ENACTING THIS ARTICLE 11.3, THE GENERAL ASSEMBLY  
16 INTENDS TO PROVIDE A UNIFORM BAN ON THE IMPOSITION AND  
17 ADMINISTRATION OF SUCH LAWS ACROSS THE STATE, AVOID THE  
18 INCONSISTENT APPLICATION OF THE LAW DEPENDING UPON THE POLITICAL  
19 SUBDIVISION IN WHICH A MINOR'S BUSINESS IS BEING OPERATED, AND GIVE  
20 EVERY MINOR ENTREPRENEUR ACROSS THE STATE AN EVEN PLAYING FIELD  
21 WITHIN WHICH TO GAIN PRACTICAL EXPERIENCE IN BUSINESS AND  
22 ECONOMIC MATTERS AND AN OPPORTUNITY TO MAKE MONEY BY  
23 OPERATING A BUSINESS ON A LIMITED BASIS THAT DOES NOT INTEND TO  
24 COMPETE WITH PERMANENT, ONGOING COMMERCIAL ENTITIES OPERATED  
25 BY ADULTS. TOWARD THIS END, THE GENERAL ASSEMBLY FURTHER  
26 DECLARES THAT THE MATTERS DISCUSSED IN THIS SECTION ARE MATTERS  
27 OF STATEWIDE CONCERN. NOTWITHSTANDING THE ENACTMENT OF THIS

1 ARTICLE 11.3 AND THE PROTECTIONS IT AFFORDS MINOR ENTREPRENEURS,  
2 THE GENERAL ASSEMBLY ENCOURAGES MINOR ENTREPRENEURS TO  
3 UNDERSTAND THAT, IN ORDER TO SUCCESSFULLY COMPETE AS ADULTS IN  
4 THE BUSINESS WORLD, THEY WILL NEED TO FULLY COMPLY WITH THE  
5 EXISTING REGULATORY AND LEGAL ENVIRONMENT.

6 (3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A LOCAL  
7 GOVERNMENT OR ANY AGENCY OF A LOCAL GOVERNMENT SHALL NOT  
8 REQUIRE A LICENSE OR PERMIT FOR A BUSINESS THAT IS:

9 (a) OPERATED ON AN OCCASIONAL BASIS BY A MINOR; AND

10 (b) LOCATED A SUFFICIENT DISTANCE FROM A COMMERCIAL  
11 ENTITY, DETERMINED BY THE LOCAL GOVERNMENT, THAT IS REQUIRED TO  
12 OBTAIN A PERMIT OR LICENSE FROM THE LOCAL GOVERNMENT OR AN  
13 AGENCY OF THE LOCAL GOVERNMENT TO PREVENT THE MINOR'S BUSINESS  
14 FROM BECOMING A DIRECT ECONOMIC COMPETITOR OF THE COMMERCIAL  
15 ENTITY.

16 **SECTION 2. Applicability.** This act applies to minors'  
17 businesses operating on or after the effective date of this act.

18 **SECTION 3. Safety clause.** The general assembly hereby finds,  
19 determines, and declares that this act is necessary for the immediate  
20 preservation of the public peace, health, and safety.