

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

**PREAMENDED**

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

LLS NO. 24-0412.01 Josh Schultz x5486

**HOUSE BILL 24-1095**

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**HOUSE SPONSORSHIP**

**Lieder and Amabile,**

**SENATE SPONSORSHIP**

**Sullivan,**

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**House Committees**

Business Affairs & Labor  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING PROTECTION FOR MINOR WORKERS IN THE "COLORADO**  
102 **YOUTH EMPLOYMENT OPPORTUNITY ACT OF 1971".**

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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 increases penalties for violations of the "Colorado Youth Employment Opportunity Act of 1971" (act) and requires that the penalties be deposited into the wage theft enforcement fund. Entities that violate the act must also pay specified damages to the individual who is aggrieved. The bill eliminates a provision in current law penalizing a person, having legal responsibility for a minor, who knowingly permits

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.

the minor to be employed in violation of the act.

The director of the division of labor standards and statistics (director) is required to include a description of the penalties and damages owed in the written notice issued to an employer if the act is violated.

The division of labor standards and statistics is required to treat all final orders issued for violations of the act as public records and to release information related to a violation to the public upon request pursuant to the "Colorado Open Records Act", unless the director makes a determination that the information is a trade secret.

The director may, or, at the request of the individual aggrieved, must, file a certified copy of a final order for a violation of the act with the clerk of any court having jurisdiction over the parties at any time after the entry of the order.

The bill applies the state's discrimination and retaliation prohibitions to individuals attempting to exercise rights protected by the act and creates a rebuttable presumption of retaliatory action if an entity engages in adverse action against an individual aggrieved within 90 calendar days after the individual aggrieved exercises a right protected by the act.

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

2           **SECTION 1.** In Colorado Revised Statutes, 8-12-115, **amend** (3)  
3 and (4); and **add** (4.5), (5.5), and (8) as follows:

4           **8-12-115. Director of division of labor standards and statistics**  
5 **- powers and duties - public records - filing final orders - rules -**  
6 **definition.** (3) (a) The director shall receive and investigate complaints  
7 and may from time to time visit employers at reasonable times and inspect  
8 pertinent records to determine compliance with this ~~article~~ ARTICLE 12.

9           (b) FOR THE PURPOSE OF INVESTIGATING A VIOLATION OF THIS  
10 ARTICLE 12, THE DIRECTOR MAY APPLY THE INFORMATION-GATHERING  
11 AUTHORIZATIONS DESCRIBED IN ARTICLE 1 OF THIS TITLE 8 TO AN  
12 EMPLOYER, AN EMPLOYEE, OR OTHER PERSON.

13           (4) (a) If investigation of any place of employment or complaint  
14 discloses a violation of this ~~article~~, ~~except section 8-12-105 (3)~~ ARTICLE

1 12, the director shall give the employer A written notice OF VIOLATION  
2 describing the violation, ORDERING MONETARY OR OTHER RELIEF AS  
3 APPROPRIATE, and specifying the provisions of this ~~article~~ ARTICLE 12 that  
4 ~~such~~ THE employer is ~~allegedly violating~~ VIOLATED. Within ~~ten~~  
5 THIRTY-FIVE days ~~of~~ AFTER receipt of ~~such~~ THE notice of violation, the  
6 employer may file a written request for a AN APPEAL hearing, ~~on the issue~~  
7 ~~of whether the violation exists~~, which hearing shall be conducted in  
8 accordance with ~~section 24-4-105, C.R.S.~~ After a hearing concerning a  
9 violation of this article, or after the expiration of twenty days after the  
10 issuance of a notice of violation during which the employer has neither  
11 requested a hearing nor ceased the conduct that constitutes the alleged  
12 violation, the director may issue a final order requiring the employer to  
13 cease and desist the conduct found to be in violation SECTION 8-4-111.5.

14 (b) At any time ~~thereafter~~ AFTER ISSUANCE OF A FINAL ORDER, the  
15 director may order ~~the violating employer to pay a penalty of twenty~~  
16 ~~dollars~~ PENALTIES PURSUANT TO SECTION 8-1-140 (2) FOR EACH OFFENSE.  
17 Each day that the conduct constituting the violation is continued after the  
18 order is made final, and each minor employed in violation of this ~~article~~  
19 ARTICLE 12, constitutes a separate offense. The order imposing the  
20 penalty ~~shall become~~ IS final upon issuance, and the penalty ~~shall be~~ IS  
21 due and payable ~~thirty~~ THIRTY-FIVE days after the order assessing the  
22 penalty is entered, unless prior to that time the order has been modified  
23 or a hearing on the penalty has been requested as provided by ~~section~~  
24 ~~24-4-105, C.R.S.~~ SECTION 8-4-111.5.

25 (c) ~~All penalties imposed by this section shall be collected as~~  
26 ~~provided in section 8-1-142~~ THE DIVISION SHALL COLLECT ALL PENALTIES  
27 IMPOSED BY THIS SECTION AS PROVIDED IN SECTION 8-1-142 AND

1 TRANSMIT THE COLLECTED PENALTIES TO THE STATE TREASURER. THE  
2 STATE TREASURER SHALL DEPOSIT THE MONEY INTO THE WAGE THEFT  
3 ENFORCEMENT FUND CREATED IN SECTION 8-4-113 (3).

4 ~~(b) (I) If investigation of any place of employment or complaint~~  
5 ~~discloses a violation of section 8-12-105 (3), the director shall give the~~  
6 ~~employer written notice describing the violation and specifying the~~  
7 ~~provisions of this article that such employer is allegedly violating. Within~~  
8 ~~ten days after receipt of such notice of violation, the employer may file a~~  
9 ~~written request for a hearing on the issue of whether the violation exists,~~  
10 ~~which hearing shall be conducted in accordance with section 24-4-105,~~  
11 ~~C.R.S. After a hearing concerning a violation of section 8-12-105 (3), or~~  
12 ~~after the expiration of twenty days after the issuance of a notice of~~  
13 ~~violation during which the employer has neither requested a hearing nor~~  
14 ~~ceased the conduct which constitutes the alleged violation, the director~~  
15 ~~may issue a final order requiring the employer to cease and desist the~~  
16 ~~conduct found to be in violation. At any time thereafter, the director may~~  
17 ~~order the violating employer to pay a penalty pursuant to subparagraph~~  
18 ~~(H) of this paragraph (b). The order imposing the penalty shall become~~  
19 ~~final upon issuance, and the penalty shall be due and payable thirty days~~  
20 ~~after the order assessing the penalty is entered, unless prior to that time~~  
21 ~~the order has been modified or a hearing on the penalty has been~~  
22 ~~requested as provided by section 24-4-105, C.R.S. All penalties imposed~~  
23 ~~by this section shall be collected as provided in section 8-1-142.~~

24 ~~(H) Failure to comply with the provisions of this paragraph (b)~~  
25 ~~shall make the offender liable for administrative fines pursuant to the~~  
26 ~~following penalty schedule:~~

27 ~~(A) For a first offense, by a fine of not less than two hundred~~

1 ~~dollars nor more than five hundred dollars;~~

2 ~~(B) For a second offense within six months after the first offense,~~  
3 ~~by a fine of not less than five hundred dollars nor more than one thousand~~  
4 ~~dollars;~~

5 ~~(C) For a third or subsequent offense within six months after the~~  
6 ~~first offense, by a fine of not less than one thousand dollars nor more than~~  
7 ~~ten thousand dollars.~~

8 (4.5) (a) AFTER TWENTY DAYS ELAPSE TO ALLOW AN EMPLOYER  
9 TO NOTIFY THE DIRECTOR OF A POTENTIAL TRADE SECRET PURSUANT TO  
10 SUBSECTION (4.5)(a)(II) OF THIS SECTION, THE DIVISION SHALL TREAT ANY  
11 FINAL ORDER ISSUED FOR A VIOLATION OF THIS ARTICLE 12 AS A PUBLIC  
12 RECORD AND SHALL RELEASE THE INFORMATION RELATED TO THE  
13 VIOLATION TO THE PUBLIC UPON REQUEST PURSUANT TO THE "COLORADO  
14 OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24; EXCEPT THAT:

15 (I) THE DIVISION SHALL REDACT ANY IDENTIFYING INFORMATION  
16 PERTAINING TO A MINOR WORKER; AND

17 (II) THE DIVISION SHALL NOT RELEASE INFORMATION RELATED TO  
18 A VIOLATION OF THIS ARTICLE 12 IF THE DIRECTOR MAKES A  
19 DETERMINATION THAT THE INFORMATION IS A TRADE SECRET. UPON  
20 ISSUING A FINAL ORDER, THE DIRECTOR SHALL NOTIFY THE EMPLOYER OF  
21 THE POTENTIAL RELEASE OF THE INFORMATION. THE EMPLOYER MAY,  
22 WITHIN TWENTY DAYS AFTER THE NOTIFICATION, PROVIDE THE DIRECTOR  
23 WITH ANY DOCUMENTATION DEMONSTRATING THAT THE INFORMATION, OR  
24 SPECIFIC MATTERS INCLUDED IN THE INFORMATION, IS A TRADE SECRET. IF  
25 THE DIRECTOR, IN THE DIRECTOR'S DISCRETION, DETERMINES THAT THE  
26 INFORMATION, OR ANY PORTION OF THE INFORMATION, IS A TRADE SECRET,  
27 THE DIRECTOR SHALL TREAT THE INFORMATION AS CONFIDENTIAL.

1 (b) AS USED IN THIS SUBSECTION (4.5), "TRADE SECRET" HAS THE  
2 MEANING SET FORTH IN SECTION 7-74-102 (4).

3 (5.5) (a) THE DIRECTOR MAY, OR, AT THE REQUEST OF ANY  
4 INDIVIDUAL AGGRIEVED BY A VIOLATION OF THIS ARTICLE 12, SHALL, FILE  
5 A CERTIFIED COPY OF A FINAL ORDER ISSUED PURSUANT TO THIS ARTICLE  
6 12 WITH THE CLERK OF ANY COURT HAVING JURISDICTION OVER THE  
7 PARTIES AT ANY TIME AFTER THE ENTRY OF THE ORDER. THE DIRECTOR  
8 MAY FILE ONE CERTIFIED COPY OF THE FINAL ORDER FOR ALL AMOUNTS  
9 OWED TO, OR FOR OTHER RELIEF FOR, ALL INDIVIDUALS AGGRIEVED.

10 (b) THE CLERK OF THE COURT SHALL RECORD THE FINAL ORDER IN  
11 THE JUDGMENT BOOK OF THE COURT AND MAKE AN ENTRY IN THE  
12 JUDGMENT DOCKET. UPON RECORDING, THE FINAL ORDER HAS THE EFFECT  
13 OF AND MAY BE EXECUTED AS A JUDGMENT OF THE COURT.

14 (c) (I) UPON RECORDING PURSUANT TO SUBSECTION (5.5)(b) OF  
15 THIS SECTION, THE JUDGMENT IS SUFFICIENT TO SUPPORT THE ISSUANCE OF  
16 WRITS OF GARNISHMENT IN THE MANNER PROVIDED BY LAW IN THE CASE  
17 OF A JUDGMENT THAT IS WHOLLY OR PARTIALLY UNSATISFIED.

18 (II) THE COURT SHALL MAIL A COPY OF THE JUDGMENT TO ALL  
19 PARTIES TO THE MATTER WITHIN THREE DAYS AFTER THE DIRECTOR HAS  
20 FILED THE ORDER WITH THE CLERK OF THE COURT.

21 (8) THE DIRECTOR MAY ADOPT RULES AS NECESSARY TO  
22 IMPLEMENT AND ADMINISTER THIS ARTICLE 12.

23 **SECTION 2.** In Colorado Revised Statutes, **amend** 8-12-116 as  
24 follows:

25 **8-12-116. Penalty and damages for violations.** (1) Any person,  
26 ~~having legal responsibility for a minor under the age of eighteen years,~~  
27 ~~who knowingly permits such minor to be employed in violation of this~~

1 ~~article, is guilty of a misdemeanor and, upon conviction thereof, shall be~~  
2 ~~punished by a fine of not less than twenty dollars nor more than one~~  
3 ~~hundred dollars for each offense.~~ INCLUDING ANY FIRM OR CORPORATION,  
4 OR ANY AGENT, MANAGER, SUPERINTENDENT, OR FOREPERSON OF ANY  
5 FIRM OR CORPORATION, THAT, INDIVIDUALLY OR THROUGH AN AGENT,  
6 SUBAGENT, MANAGER, SUPERINTENDENT, OR FOREPERSON, VIOLATES OR  
7 FAILS TO COMPLY WITH THIS ARTICLE 12 IS SUBJECT TO THE FOLLOWING  
8 PENALTIES:

9 (a) EXCEPT AS DESCRIBED IN SUBSECTIONS (1)(c) AND (5) OF THIS  
10 SECTION, A PERSON WHO COMMITS A VIOLATION OF SECTION 8-12-110 OR  
11 RULES PROMULGATED UNDER THAT SECTION SHALL BE REQUIRED TO PAY  
12 A FINE OF NOT LESS THAN TWO THOUSAND DOLLARS BUT NOT MORE THAN  
13 FOUR THOUSAND DOLLARS;

14 (b) EXCEPT AS DESCRIBED IN SUBSECTIONS (1)(d) AND (5) OF THIS  
15 SECTION, A PERSON WHO COMMITS A VIOLATION OF ANY PROVISION OF  
16 THIS ARTICLE 12 OTHER THAN SECTION 8-12-110 SHALL BE REQUIRED TO  
17 PAY A FINE OF NOT LESS THAN TWO HUNDRED FIFTY DOLLARS BUT NOT  
18 MORE THAN ONE THOUSAND DOLLARS;

19 (c) A PERSON WHO COMMITS A WILLFUL VIOLATION OF SECTION  
20 8-12-110 OR RULES PROMULGATED UNDER THAT SECTION OR A SECOND OR  
21 SUBSEQUENT VIOLATION OF SECTION 8-12-110 OR RULES PROMULGATED  
22 UNDER THAT SECTION WITHIN FIVE YEARS AFTER THE PERSON'S MOST  
23 RECENT VIOLATION OF THIS ARTICLE 12 SHALL BE REQUIRED TO PAY A FINE  
24 OF NOT LESS THAN FIVE THOUSAND DOLLARS BUT NOT MORE THAN TEN  
25 THOUSAND DOLLARS; AND

26 (d) A PERSON WHO COMMITS A WILLFUL VIOLATION OF ANY  
27 PROVISION OF THIS ARTICLE 12 OTHER THAN SECTION 8-12-110 OR A

1 SECOND OR SUBSEQUENT VIOLATION OF ANY PROVISION OF THIS ARTICLE  
2 12 OTHER THAN SECTION 8-12-110 WITHIN FIVE YEARS AFTER THE  
3 PERSON'S MOST RECENT VIOLATION OF THIS ARTICLE 12 SHALL BE  
4 REQUIRED TO PAY A FINE OF NOT LESS THAN FIVE HUNDRED DOLLARS BUT  
5 NOT MORE THAN FOUR THOUSAND DOLLARS.

6 (2) THE DIVISION SHALL COLLECT ALL PENALTIES IMPOSED BY  
7 SUBSECTION (1) OF THIS SECTION AS PROVIDED IN SECTION 8-1-142 AND  
8 TRANSMIT THE COLLECTED PENALTIES TO THE STATE TREASURER. THE  
9 STATE TREASURER SHALL DEPOSIT THE MONEY INTO THE WAGE THEFT  
10 ENFORCEMENT FUND CREATED IN SECTION 8-4-113 (3).

11 (3) IN ADDITION TO ANY PENALTIES TO WHICH A PERSON MAY BE  
12 SUBJECT PURSUANT TO SUBSECTION (1) OF THIS SECTION, ANY PERSON,  
13 INCLUDING ANY FIRM OR CORPORATION, OR ANY AGENT, MANAGER,  
14 SUPERINTENDENT, OR FOREPERSON OF ANY FIRM OR CORPORATION, THAT,  
15 INDIVIDUALLY OR THROUGH AN AGENT, SUBAGENT, FOREPERSON,  
16 SUPERINTENDENT, OR MANAGER, VIOLATES OR FAILS TO COMPLY WITH  
17 THIS ARTICLE 12 IS LIABLE FOR DAMAGES IN THE FOLLOWING AMOUNTS  
18 PAYABLE TO ANY INDIVIDUAL AGGRIEVED:

19 (a) EXCEPT AS DESCRIBED IN SUBSECTIONS (3)(c) AND (5) OF THIS  
20 SECTION, NOT LESS THAN SEVEN THOUSAND DOLLARS BUT NOT MORE THAN  
21 TWENTY-SEVEN THOUSAND DOLLARS FOR THE FIRST VIOLATION OF  
22 SECTION 8-12-110 OR RULES PROMULGATED UNDER THAT SECTION;

23 (b) EXCEPT AS DESCRIBED IN SUBSECTIONS (3)(d) AND (5) OF THIS  
24 SECTION, NOT LESS THAN FIVE HUNDRED DOLLARS BUT NOT MORE THAN  
25 TWO THOUSAND DOLLARS FOR THE FIRST VIOLATION OF ANY PROVISION OF  
26 THIS ARTICLE 12 OTHER THAN SECTION 8-12-110;

27 (c) NOT LESS THAN FIFTEEN THOUSAND DOLLARS BUT NOT MORE



1 THAN SIXTY-FIVE THOUSAND DOLLARS FOR A WILLFUL VIOLATION OF  
2 SECTION 8-12-110 OR RULES PROMULGATED UNDER THAT SECTION OR A  
3 SECOND OR SUBSEQUENT VIOLATION OF SECTION 8-12-110 OR RULES  
4 PROMULGATED UNDER THAT SECTION WITHIN FIVE YEARS AFTER THE  
5 PERSON'S MOST RECENT VIOLATION OF THIS ARTICLE 12; OR

6 (d) NOT LESS THAN TWO THOUSAND DOLLARS BUT NOT MORE THAN  
7 SIX THOUSAND DOLLARS FOR A WILLFUL VIOLATION OF ANY PROVISION OF  
8 THIS ARTICLE 12 OTHER THAN SECTION 8-12-110 OR A SECOND OR  
9 SUBSEQUENT VIOLATION OF ANY PROVISION OF THIS ARTICLE 12 OTHER  
10 THAN SECTION 8-12-110 WITHIN FIVE YEARS AFTER THE PERSON'S MOST  
11 RECENT VIOLATION OF THIS ARTICLE 12.

12 (4) ALL DAMAGES THAT A PERSON IS ORDERED TO PAY PURSUANT  
13 TO SUBSECTION (3) OF THIS SECTION MUST BE PAID TO THE PERSON  
14 AGGRIEVED UNLESS THAT PERSON, AFTER REASONABLE AND DILIGENT  
15 EFFORT BY THE DIRECTOR, CANNOT BE FOUND, IN WHICH CASE THE  
16 DAMAGES MUST BE PAID TO THE STATE TREASURER, WHO SHALL DEPOSIT  
17 THE MONEY INTO THE WAGE THEFT ENFORCEMENT FUND CREATED IN  
18 SECTION 8-4-113 (3).

19 (5) (a) THE DIVISION MAY REDUCE OR DECLINE TO IMPOSE  
20 PENALTIES OR DAMAGES PURSUANT TO SUBSECTION (1) OR (3) OF THIS  
21 SECTION IF:

22 (I) THE MINOR WORKER INTENTIONALLY MISLED THE EMPLOYER  
23 WITH REGARD TO THE MINOR'S AGE; AND

24 (II) THE EMPLOYER ENGAGED IN OUTREACH TO A RELIABLE THIRD  
25 PARTY TO VERIFY THE MINOR WORKER'S AGE IF ANY REASONABLE  
26 EMPLOYER COULD HAVE BELIEVED THAT THE MINOR WORKER MIGHT BE  
27 UNDER EIGHTEEN YEARS OF AGE AT THE TIME OF HIRING. THE RECEIPT OF

1 AN AGE CERTIFICATE, AS DESCRIBED IN SECTION 8-12-111, CONSTITUTES  
2 OUTREACH TO A RELIABLE THIRD PARTY.

3 (b) IN DETERMINING WHETHER TO REDUCE OR DECLINE TO IMPOSE  
4 DAMAGES AS DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE  
5 DIVISION SHALL CONSIDER THE FOLLOWING FACTORS:

6 (I) THE REASONABLENESS OF EFFORTS TAKEN BY THE EMPLOYER  
7 TO VERIFY THE AGE OF THE MINOR WORKER;

8 (II) THE EMPLOYER'S HISTORY OF COMPLIANCE OR  
9 NONCOMPLIANCE WITH THIS ARTICLE 12;

10 (III) CORRECTIVE ACTION TAKEN BY THE EMPLOYER; AND

11 (IV) HARM TO THE MINOR WORKER.

12 ~~(2)~~ (6) IN ADDITION TO ANY PENALTIES OR DAMAGES TO WHICH A  
13 PERSON MAY BE SUBJECT PURSUANT TO SUBSECTION (1) OR (3) OF THIS  
14 SECTION, any person, firm, or corporation, or any agent, manager,  
15 superintendent, or foreman of any firm or corporation, who, by ~~himself~~  
16 ~~or herself~~ ONESELF or through an agent, subagent, foreman,  
17 superintendent, or manager, knowingly violates or knowingly fails to  
18 comply with any of the provisions of this article 12 ~~is guilty of~~ COMMITS  
19 a misdemeanor and, upon conviction thereof, shall be punished by a fine  
20 of not less than ~~twenty~~ TWO HUNDRED dollars nor more than ~~one~~ FIVE  
21 hundred dollars for each offense. Upon conviction of a second or  
22 subsequent offense, such person shall be punished by a fine of not less  
23 than ~~one~~ FIVE hundred dollars nor more than ~~five hundred~~ TWO  
24 THOUSAND dollars.

25 (7) ON JANUARY 1, 2026, AND ON JANUARY 1 OF EACH YEAR  
26 THEREAFTER, THE DIVISION SHALL INCREASE THE PENALTY AND DAMAGE  
27 AMOUNTS DESCRIBED IN THIS SECTION FOR INFLATION, IF ANY. THE

1 DIVISION MAY ROUND THE ADJUSTED AMOUNT UPWARD TO THE NEAREST  
2 DOLLAR. INFLATION IS MEASURED BY THE ANNUAL PERCENTAGE CHANGE  
3 IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF LABOR  
4 STATISTICS CONSUMER PRICE INDEX, OR A SUCCESSOR INDEX, FOR  
5 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY URBAN  
6 CONSUMERS. THE DIRECTOR SHALL PUBLISH UPDATED PENALTY AND  
7 DAMAGE AMOUNTS ANNUALLY.

8 **SECTION 3.** In Colorado Revised Statutes, **add** 8-12-118 as  
9 follows:

10 **8-12-118. Protection from retaliation - rebuttable presumption**  
11 **of retaliation.** (1) THE RETALIATION PROTECTIONS DESCRIBED IN SECTION  
12 8-4-120 PROTECT AN INDIVIDUAL ATTEMPTING TO EXERCISE ANY RIGHT  
13 PROTECTED UNDER THIS ARTICLE 12.

14 (2) IF A PERSON, INCLUDING ANY FIRM OR CORPORATION, OR ANY  
15 AGENT, MANAGER, SUPERINTENDENT, OR FOREPERSON OF ANY FIRM OR  
16 CORPORATION, INDIVIDUALLY OR THROUGH AN AGENT, SUBAGENT,  
17 MANAGER, SUPERINTENDENT, OR FOREPERSON, TAKES A DISCIPLINARY OR  
18 ADVERSE ACTION AGAINST AN INDIVIDUAL AGGRIEVED BY A VIOLATION OF  
19 THIS ARTICLE 12 WITHIN NINETY CALENDAR DAYS AFTER THE INDIVIDUAL  
20 AGGRIEVED EXERCISES A RIGHT PROTECTED UNDER THIS ARTICLE 12,  
21 THERE IS A REBUTTABLE PRESUMPTION THAT THE ACTION WAS  
22 RETALIATORY.

23 **SECTION 4.** In Colorado Revised Statutes, 8-4-113, **amend**  
24 (3)(a), (4)(a) introductory portion, and (5)(a) as follows:

25 **8-4-113. Fines pursuant to enforcement - wage theft**  
26 **enforcement fund - created - administrative lien and levy of employer**  
27 **assets - wage claim payments from the fund - definition - rules.**

1 (3) (a) The division shall transmit all fines collected for the state pursuant  
2 to this section or section 8-1-114 (2), 8-1-116 (2), 8-1-117 (2), ~~or~~ 8-1-140  
3 (2), ~~8-12-115 (4)(c)~~, OR ~~8-12-116 (2)~~ OR (4) to the state treasurer, who  
4 shall credit the money to the wage theft enforcement fund, which fund is  
5 created and referred to in this section as the "fund". The money in the  
6 fund may be used by the division to make payments to employees for  
7 unpaid liabilities for wage law violations pursuant to subsection (5) of  
8 this section and for the division's direct and indirect costs associated with  
9 implementing this article 4.

10 (4) (a) On or after January 1, 2023, if an employer fails to pay  
11 wages determined to be due to the employer's employees or fines or  
12 penalties determined to be due pursuant to this article 4 OR ARTICLE 6 OR  
13 12 OF THIS TITLE 8 OR OTHER ARTICLES AUTHORIZING INVESTIGATION OF  
14 ALLEGED VIOLATIONS OF EMPLOYEE PROTECTIONS, within sixty days after  
15 receiving a written employee request or upon its own initiative, the  
16 division may issue a notice of administrative lien and levy to the  
17 employer or any other person that has possession, custody, or control of  
18 the employer's assets. The division may issue the notice of administrative  
19 lien and levy when an employer is past due on paying wages determined  
20 to be due to its employees and any fines or penalties determined to be due  
21 pursuant to this article 4 OR ARTICLE 6 OR 12 OF THIS TITLE 8 without an  
22 order staying or reversing the applicable deadline for payment. The notice  
23 must include the following statements and information:

24 (5) (a) On and after April 1, 2024, if an employer fails to pay an  
25 employee an amount of wages, ~~or~~ compensation, OR OTHER MONETARY  
26 RELIEF owed the employee, as determined by the division pursuant to  
27 ~~section 8-4-111(2)(c)~~ THIS ARTICLE 4 OR ARTICLE 6 OR 12 OF THIS TITLE

1 8 or as decided by a hearing officer pursuant to section 8-4-111.5, within  
2 six months after the division's determination, the hearing officer's  
3 decision, or the expiration of any order from the division, the hearing  
4 officer, or a court staying or postponing the employer's payment  
5 obligation, whichever is later, the division may disburse the amount of  
6 wages, ~~or~~ compensation, OR OTHER MONETARY RELIEF determined to be  
7 owed the employee, subject to available resources in the fund and the  
8 division's prioritization, from the fund to the employee.

9 **SECTION 5.** In Colorado Revised Statutes, 8-4-120, **amend**  
10 (1)(a) as follows:

11 **8-4-120. Discrimination and retaliation prohibited - employee**  
12 **protections - criminal penalties - civil remedies.** (1) An employer shall  
13 not intimidate, threaten, restrain, coerce, blacklist, discharge, or in any  
14 manner discriminate or retaliate against any employee who has:

15 (a) Filed any complaint or instituted or caused to be instituted any  
16 proceeding under this article 4 or any other law or rule related to wages,  
17 ~~or~~ hours, OR EMPLOYMENT OF MINORS; or

18 **SECTION 6.** In Colorado Revised Statutes, 8-6-111, **amend** (2)  
19 as follows:

20 **8-6-111. Director to review report.** (2) After publication of  
21 notice and the meeting, the director ~~if so desired,~~ may ~~make and render~~  
22 ~~such~~ ISSUE an order ~~as may be proper or necessary~~ to adopt the  
23 recommendations and carry ~~the same~~ THEM into effect and TO require all  
24 employees in the occupation directly affected ~~thereby~~ BY THE  
25 RECOMMENDATIONS to preserve and comply with ~~such~~ THE  
26 recommendations and order. ~~Such~~ THE order is BECOMES effective thirty  
27 days after it is made. ~~and rendered and shall be in full force and effect on~~

1 ~~and after that day.~~ After the order is effective, it is unlawful for any  
2 employer to violate or disregard any of the terms of the order or to  
3 employ any worker in any occupation covered by the order at lower  
4 wages or under other conditions than authorized or permitted by the  
5 order. The director shall, as far as is practicable, mail a copy of any such  
6 order to every employer affected ~~thereby~~, BY THE ORDER, and every  
7 employer affected by the order shall keep a copy ~~thereof~~ OF THE ORDER  
8 posted in a conspicuous place in ~~such~~ THE employer's establishment. ~~Such~~  
9 THE order ~~shall~~ MUST include a notice of the contents of sections  
10 8-12-105 (3), 8-12-115 (4)(b)(II), and 8-12-116 (2) **8-12-116**, AND  
11 **8-12-118**.

12 **SECTION 7. Effective date - applicability.** This act takes effect  
13 January 1, 2025, and applies to conduct occurring on or after said date.

14 **SECTION 8. Safety clause.** The general assembly finds,  
15 determines, and declares that this act is necessary for the immediate  
16 preservation of the public peace, health, or safety or for appropriations for  
17 the support and maintenance of the departments of the state and state  
18 institutions.