

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

INTRODUCED

LLS NO. 25-0773.01 Clare Haffner x6137

HOUSE BILL 25-1190

HOUSE SPONSORSHIP

Gonzalez R., Barron, Richardson

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Water & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING EXPANDING THE "COLORADO COTTAGE FOODS ACT" TO**
102 **ALLOW FOR THE SALE OF FOODS THAT REQUIRE**
103 **REFRIGERATION.**

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 "Colorado Cottage Foods Act" (act) allows for the sale and consumption of a limited range of homemade foods that do not require refrigeration. The bill expands the act by allowing for the sale and consumption of homemade foods that require refrigeration.

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.

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

2 **SECTION 1. Short title.** The short title of this act is the "Tamale
3 Act".

4 **SECTION 2.** In Colorado Revised Statutes, 25-4-1614, **amend**
5 (2)(b)(I) and (9)(c) introductory portion; and **repeal** (9)(b) as follows:

6 **25-4-1614. Home kitchens - exemption - food inspection - short**
7 **title - definitions - rules.** (2) (b) (I) A producer is permitted under this
8 section to sell only a limited range of foods that have been produced,
9 processed, or packaged. ~~that are nonpotentially hazardous and do not~~
10 ~~require refrigeration.~~ These foods include pickled fruits and vegetables,
11 spices, teas, dehydrated produce, nuts, seeds, honey, jams, jellies,
12 preserves, fruit butter, flour, and baked goods, including candies, fruit
13 empanadas, and tortillas ~~and other nonpotentially hazardous foods~~ AND
14 INCLUDING FOODS THAT REQUIRE REFRIGERATION.

15 (9) As used in this section:

16 (b) ~~"Nonpotentially hazardous" has the meaning set forth in~~
17 ~~section 25-4-1602 (12).~~

18 (c) "Producer" means a person who prepares ~~nonpotentially~~
19 ~~hazardous~~ foods in a home kitchen or similar venue for sale directly to
20 consumers pursuant to this section and includes that person's designated
21 representative. A producer may only be:

22 **SECTION 3. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this

1 act within such period, then the act, item, section, or part will not take
2 effect unless approved by the people at the general election to be held in
3 November 2026 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.