

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

INTRODUCED

LLS NO. 24-0416.01 Yelana Love x2295

HOUSE BILL 24-1151

HOUSE SPONSORSHIP

Ricks,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROHIBITING CERTAIN CONSUMER TRANSACTIONS THAT**
102 **DO NOT INCLUDE ALL MANDATORY CHARGES.**

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 a person from advertising a price for a product, good, or service that does not include all mandatory or nondiscretionary fees or charges. A violation of this prohibition is a deceptive trade practice enforceable by the attorney general or a district attorney.

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.** In Colorado Revised Statutes, 6-1-105, **amend**
3 (1)(cccc) and (1)(dddd); and **add** (1)(eeee) as follows:

4 **6-1-105. Unfair or deceptive trade practices.** (1) A person
5 engages in a deceptive trade practice when, in the course of the person's
6 business, vocation, or occupation, the person:

7 (cccc) Sells or offers for sale a product that is age-restricted to a
8 person who does not meet the age restriction; ~~or~~

9 (dddd) Fails to register a mobile home park in violation of section
10 38-12-1106; OR

11 (eeee) VIOLATES SECTION 6-1-735.

12 **SECTION 2.** In Colorado Revised Statutes, **add** 6-1-735 as
13 follows:

14 **6-1-735. Sales of products, goods, and services - fees and**
15 **charges - requirement to include - definition.** (1) A PERSON SHALL NOT
16 ADVERTISE A PRICE FOR A PRODUCT, GOOD, OR SERVICE UNLESS THE PRICE
17 INCLUDES ALL MANDATORY OR NONDISCRETIONARY FEES OR CHARGES
18 OTHER THAN:

19 (a) TAXES OR FEES IMPOSED BY A GOVERNMENT ON THE
20 TRANSACTION; AND

21 (b) POSTAGE OR CARRIAGE CHARGES THAT WILL BE REASONABLY
22 AND ACTUALLY INCURRED TO SHIP THE PHYSICAL GOOD TO THE
23 CONSUMER.

24 (2) (a) A PERSON THAT PROVIDES BROADBAND INTERNET ACCESS
25 SERVICE ON ITS OWN OR AS PART OF A BUNDLE AND COMPLIES WITH THE
26 BROADBAND CONSUMER LABEL REQUIREMENTS IN 47 CFR 8.1 (a) IS
27 COMPLIANT WITH SUBSECTION (1) OF THIS SECTION.

1 (b) A RETAIL FOOD ESTABLISHMENT, AS DEFINED IN SECTION
2 25-4-1602 (14), MAY COMPLY WITH SUBSECTION (1) OF THIS SECTION BY
3 PROVIDING NOTICE OF ALL MANDATORY OR NONDISCRETIONARY FEES OR
4 CHARGES:

5 (I) AT THE RETAIL FOOD ESTABLISHMENT'S PREMISES ON A MENU,
6 ON A TABLETOP OR COUNTERTOP DISPLAY, OR THROUGH SIGNAGE ON THE
7 PREMISES; OR

8 (II) ON THE RETAIL FOOD ESTABLISHMENT'S WEBSITE WHERE
9 PRICES ARE ADVERTISED.

10 (3) SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO:

11 (a) A BANK, AS DEFINED IN SECTION 11-101-401 (5);

12 (b) A CREDIT UNION ORGANIZED PURSUANT TO SECTION 11-30-101
13 (2);

14 (c) AN AIR CARRIER, AS DEFINED IN AND REGULATED UNDER 49
15 U.S.C. SEC. 40101 ET SEQ., AS AMENDED, AND 49 U.S.C. SEC. 41713, AS
16 AMENDED; OR

17 (d) A POWERSPORTS VEHICLE DEALER, AS DEFINED IN SECTION
18 44-20-402 (12), OR A MOTOR VEHICLE DEALER, AS DEFINED IN SECTION
19 44-20-102 (18) IF SUCH DEALER IS REQUIRED BY THE MOTOR VEHICLE
20 DEALER BOARD, CREATED IN SECTION 44-20-103 (1), TO DISCLOSE ALL
21 MANDATORY OR NONDISCRETIONARY FEES OR CHARGES.

22 (4) AS USED IN THIS SECTION, "MANDATORY OR
23 NONDISCRETIONARY FEES OR CHARGES" MEANS AN AMOUNT THAT:

24 (a) A CONSUMER IS REQUIRED TO PAY FOR A PRODUCT, GOOD, OR
25 SERVICE; AND

26 (b) IS NOT BASED ON THE CONSUMER'S CHOICE TO ACCEPT
27 ADDITIONAL PRODUCTS, GOODS, OR SERVICES.

1 **SECTION 3. Act subject to petition - effective date -**
2 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
3 the expiration of the ninety-day period after final adjournment of the
4 general assembly; except that, if a referendum petition is filed pursuant
5 to section 1 (3) of article V of the state constitution against this act or an
6 item, section, or part of this act within such period, then the act, item,
7 section, or part will not take effect unless approved by the people at the
8 general election to be held in November 2024 and, in such case, will take
9 effect on the date of the official declaration of the vote thereon by the
10 governor.
11 (2) This act applies to conduct occurring on or after the applicable
12 effective date of this act.