

CHAPTER 393

GOVERNMENT - STATE

HOUSE BILL 25-1130

BY REPRESENTATIVE(S) Carter and Duran, Bacon, Bird, Boesenecker, Brown, Camacho, Clifford, English, Espenoza, Froelich, Lieder, Lindsay, Lindstedt, Mabrey, Marshall, Mauro, Paschal, Phillips, Rutinel, Sirota, Story, Willford, Woodrow; also SENATOR(S) Danielson and Kolker, Amabile, Ball, Cutter, Exum, Gonzales J., Jodeh, Kipp, Marchman, Michaelson Jenet, Snyder, Sullivan, Wallace, Weissman, Winter F., Coleman.

AN ACT

CONCERNING LABOR REQUIREMENTS FOR CERTAIN CONSTRUCTION PROJECTS.

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

SECTION 1. In Colorado Revised Statutes, **add** 24-92-115.5 as follows:

24-92-115.5. Public projects - use of project labor agreements - definitions.

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AGENCY OF GOVERNMENT" HAS THE MEANING SET FORTH IN SECTION 24-92-201 (1).

(b) "CRAFT LABOR" MEANS EMPLOYEES WHO ARE ENGAGED IN THE CONSTRUCTION OF A PUBLIC PROJECT, INCLUDING ALL TRADES, CRAFTS, AND OCCUPATIONS THAT ARE PAID HOURLY.

(c) "LEAD CONTRACTOR" MEANS A GENERAL CONTRACTOR, CONSTRUCTION MANAGER, DEVELOPER, DESIGN BUILDER, OR OTHER PARTY THAT IS PRIMARILY RESPONSIBLE TO AN AGENCY OF GOVERNMENT FOR PERFORMING CONSTRUCTION UNDER A CONTRACT FOR A PUBLIC PROJECT.

(d) "PROJECT LABOR AGREEMENT" MEANS A PREHIRE COLLECTIVE BARGAINING AGREEMENT BETWEEN A LEAD CONTRACTOR FOR A PUBLIC PROJECT OF AN AGENCY OF GOVERNMENT AND CONSTRUCTION LABOR ORGANIZATIONS, INCLUDING BUT NOT LIMITED TO THE COLORADO BUILDING AND CONSTRUCTION TRADES COUNCIL AND ITS AFFILIATES OR A GROUP OF LABOR UNIONS COVERING THE AFFECTED TRADES NECESSARY TO PERFORM WORK ON THE PUBLIC PROJECT, THAT ESTABLISHES THE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

TERMS AND CONDITIONS OF EMPLOYMENT OF THE CONSTRUCTION WORKFORCE ON THE PUBLIC PROJECT. A PROJECT LABOR AGREEMENT MUST INCLUDE PROVISIONS THAT:

(I) SET FORTH EFFECTIVE, IMMEDIATE, AND MUTUALLY BINDING PROCEDURES FOR RESOLVING JURISDICTIONAL LABOR DISPUTES AND GRIEVANCES ARISING BEFORE THE COMPLETION OF WORK;

(II) CONTAIN GUARANTEES AGAINST STRIKES, LOCKOUTS, OR SIMILAR ACTIONS;

(III) ENSURE A RELIABLE SOURCE OF TRAINED, SKILLED, AND EXPERIENCED CRAFT LABOR;

(IV) FURTHER PUBLIC POLICY OBJECTIVES REGARDING IMPROVED EMPLOYMENT OPPORTUNITIES FOR MINORITIES, WOMEN, OR OTHER ECONOMICALLY DISADVANTAGED POPULATIONS IN THE CONSTRUCTION INDUSTRY, INCLUDING PERSONS FROM DISPROPORTIONATELY IMPACTED COMMUNITIES, TO THE EXTENT PERMITTED BY STATE AND FEDERAL LAW;

(V) PERMIT THE SELECTION OF THE LOWEST QUALIFIED RESPONSIBLE BIDDER OR LOWEST QUALIFIED RESPONSIBLE OFFEROR WITHOUT REGARD TO UNION OR NON-UNION STATUS AT OTHER CONSTRUCTION SITES;

(VI) BIND ALL CONTRACTORS AND SUBCONTRACTORS ON THE PUBLIC PROJECT TO THE PROJECT LABOR AGREEMENT THROUGH THE INCLUSION OF APPROPRIATE BID SPECIFICATIONS IN ALL RELEVANT CONTRACT DOCUMENTS; AND

(VII) INCLUDE OTHER TERMS AS THE PARTIES DEEM APPROPRIATE.

(e) "PUBLIC PROJECT" HAS THE MEANING SET FORTH IN SECTION 24-92-201 (5).

(2) AN AGENCY OF GOVERNMENT IS AUTHORIZED TO INCORPORATE A PROJECT LABOR AGREEMENT REQUIREMENT FOR A PUBLIC PROJECT IN THE AMOUNT OF ONE MILLION DOLLARS OR MORE IF THE PROJECT LABOR AGREEMENT WILL PROMOTE SUCCESSFUL PROJECT DELIVERY BY SECURING A SKILLED LABOR FORCE FOR THE PROJECT AND IF IT WILL PROMOTE COST EFFICIENCY, SAFETY, QUALITY, AND TIMELY COMPLETION OF THE PROJECT. THE DETERMINATION TO ENTER INTO A PROJECT LABOR AGREEMENT IS AT THE DISCRETION OF THE AGENCY OF GOVERNMENT.

SECTION 2. In Colorado Revised Statutes, 24-92-115, **amend** (1)(a) introductory portion as follows:

24-92-115. Apprenticeship utilization requirements - mechanical, electrical, and plumbing contracts - public projects - definition. (1) (a) Unless prohibited by applicable federal law, and except as otherwise provided in subsection (1)(b) of this section, the contract for any public ~~works~~ project that does not receive federal money, including a public project that will have an integrated project delivery contract pursuant to article 93 of this title 24, in the amount of one million dollars or more shall require the general contractor or other firm to which the contract is awarded to submit, at the time the mechanical, electrical, or plumbing subcontractor is put under contract, documentation to the agency of government that:

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

Approved: June 3, 2025