

CHAPTER 26

CONSUMER AND COMMERCIAL TRANSACTIONS

HOUSE BILL 26-1025

BY REPRESENTATIVE(S) Caldwell and Martinez, Barron, Duran, Goldstein, Gonzalez R., Keltie, Lindsay, Lukens, Marshall, Mauro, Nguyen, Richardson, Rutinel, Smith, Stewart K., Story, Suckla, Weinberg, Winter T., McCluskie;
also SENATOR(S) Roberts and Pelton R., Amabile, Bright, Carson, Catlin, Frizzell, Kirkmeyer, Liston, Pelton B., Rich, Snyder, Zamora Wilson, Coleman.

AN ACT

**CONCERNING AN EXEMPTION FOR AUCTIONEERS FROM CERTAIN REQUIREMENTS OF THE
"COLORADO CHARITABLE SOLICITATIONS ACT".**

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

SECTION 1. In Colorado Revised Statutes, 6-16-103, **amend** the introductory portion, (7) introductory portion, (7)(g), and (7)(h); and **add** (7)(i) as follows:

6-16-103. Definitions.

As used in this ~~article~~ ARTICLE 16, unless the context otherwise requires:

(7) "Paid solicitor" means a person ~~who~~ THAT, for monetary compensation, performs ~~any~~ A service in which contributions will be solicited in this state by such compensated person or ~~by~~ any PERSON THAT THE compensated person ~~he or she~~ employs, procures, or engages to solicit for contributions. The following persons are not "paid solicitors":

(g) A person ~~who~~ THAT prepares a grant application for a charitable organization or purpose, unless the person's compensation is computed on the basis of ~~funds~~ FUNDING to be raised or actually raised as a result of the grant application; ~~or~~

(h) A person ~~who~~ THAT provides ~~any~~ A service or product to a charitable organization who does not directly solicit for a charitable contribution; OR

(i) AN INDIVIDUAL WHO PROVIDES SERVICES AS AN AUCTIONEER TO A CHARITABLE ORGANIZATION IF THE INDIVIDUAL:

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.

(I) (A) IS CONTRACTED OR PAID TO PROVIDE THEIR SERVICES AS AN AUCTIONEER TO A CHARITABLE ORGANIZATION; OR

(B) IS VOLUNTEERING THEIR SERVICES AS AN AUCTIONEER TO A CHARITABLE ORGANIZATION WITHOUT COMPENSATION; AND

(II) DOES NOT DIRECTLY RECEIVE OR HANDLE CONTRIBUTIONS OR CHARITABLE FUNDING ON BEHALF OF THE CHARITABLE ORGANIZATION FOR WHICH THE INDIVIDUAL PROVIDES AUCTIONEER SERVICES.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); 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 such period, 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 on the date of the official declaration of the vote thereon by the governor.

Approved: March 27, 2026