



February 2026

To: House Finance Committee

Re: HB26-1046—Regulate Earned-Wage Access Services

Dear Committee Members,

The American Association of University Women (AAUW) is one of the oldest women's organizations in the country, empowering women since 1881. The mission of AAUW is to advance equity for women and girls through research, education and advocacy. More than 700 community leaders are members of AAUW branches around Colorado.

Over the years, Colorado has made progress by strengthening laws against predatory lending practices that harm working women the most. Today, new forms of lending have emerged that require the same kind of oversight. Earned-Wage Access Services can be a valuable tool for working women, if necessary regulation is in place to prevent abuses.

AAUW of Colorado strongly supports House Bill 1046 and requests your YES vote in committee and throughout the process of becoming a law.

Thank you for your consideration,

A handwritten signature in blue ink that reads "Su Ryden".

Su Ryden
AAUW of Colorado Advocacy Director

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American Association of University Women--AAUW is a top-rated 501(c)3 charitable organization whose mission is to advance gender equity for women and girls through research, education, and advocacy.

April 24, 2025

The Honorable Members
Colorado General Assembly
200 East Colfax Avenue
Denver, Colorado 80203

RE: Support for HB26-1046 – Regulate Earned-Wage Access Services

Dear Members of the General Assembly,

I write in strong support of HB26-1046, legislation that establishes a clear and responsible regulatory framework for Earned-Wage Access (EWA) services in Colorado.

Earned-Wage Access enables workers to access a portion of their already-earned wages before their scheduled payday. While the concept is simple, its impact is significant, particularly for working families navigating financial gaps between paychecks. For many households, unexpected expenses, such as car repairs, medical bills, or utility costs, often force reliance on high-cost options like payday loans or overdraft fees.

EWA is not a cure-all, but it is an important financial tool that can help workers manage cash flow, reduce financial stress, and avoid debt traps. As these services continue to grow, thoughtful regulation is essential to ensure transparency, fairness, and strong consumer protections.

HB26-1046 strikes the right balance between innovation and protection. By setting clear rules of the road for providers, the legislation promotes responsible industry practices while safeguarding workers. Establishing this framework will provide clarity for consumers, employers, and service providers alike.

For Latino workers and other financially vulnerable communities, policies that improve financial stability are particularly meaningful. Financial shocks disproportionately affect households with limited savings, underscoring the critical importance of access to safe, well-regulated financial tools.

www.latinoprosperty.org
info@latinoprosperty.org

On behalf of LatinoProsperity, I respectfully urge your support for HB26-1046.

Thank you for your leadership and your commitment to policies that strengthen financial stability for Colorado's workers and families.

Sincerely,



Orson Aguilar

President and CEO, LatinoProsperity

Colorado HB26-1046, An Act concerning earned wage access

TESTIMONY

February 19, 2026

Dear Chair Woodrow, Vice Chair Titone and Members of the House Finance Committee:

On behalf of NetChoice, a trade association working to make the internet safe for free enterprise and free expression, we appreciate the opportunity to submit testimony which would impose new licensing and operational requirements on earned wage access (EWA) providers in Colorado.

Earned wage access platforms provide essential financial flexibility to workers, allowing them to access wages they have already earned but have not yet been paid. Colorado workers benefit from these innovative services that help them manage financial emergencies, avoid bank overdraft fees, and reduce reliance on high-interest credit products. Additionally, these services help workers avoid predatory alternatives like payday loans, which often trap consumers in cycles of debt with APRs that can exceed 400%.

NetChoice supports the underlying intent of HB26-1046 to create clarity and consumer protections around earned wage access offerings. We appreciate the Committee's effort to strike a workable compromise that:

- Establishes a licensing regime for EWA providers, bringing transparency and oversight to services that are currently unregulated in Colorado.
- Embeds strong consumer safeguards, including clear disclosures, cancellation rights, and prohibitions on harmful practices such as punitive collection tactics or credit reporting.
- Ensures that at least one no-cost option is available, which promotes access for lower-income workers.
- Caps service fees in a way that provides predictability without stifling competition or innovation.

However we are concerned about a forthcoming amendment that would ban voluntary gratuities (“tips”) in the context of EWA products. The voluntary tipping model isn't just a financial mechanism—it's a form of expressive association. When users choose to tip, they're communicating support for a service that helps millions avoid predatory lending. By constraining this solicitation, Colorado would effectively silence a critical form of community-supported financial innovation.

A blanket prohibition on tip solicitation would go far beyond anything consumer protection requires and would cause direct, measurable harm to providers and the consumers who depend on their services. Tips are a meaningful revenue source for EWA providers, particularly smaller and newer entrants that operate on thin margins. Eliminating this revenue stream entirely would make it financially unviable for many providers to continue offering services — especially free-tier options — to Colorado consumers. The consumers most likely to lose access are precisely those with the fewest financial alternatives: lower-income workers living paycheck to paycheck who rely on EWA services to cover unexpected expenses without resorting to overdraft fees or payday loans.

Beyond its economic impact, a blanket tip ban raises serious constitutional concerns. The Supreme Court has been clear, including in *Riley v. National Federation of the Blind*, that solicitation of voluntary support carries robust First Amendment protection that the government cannot burden without compelling justification. Prohibiting tip solicitation entirely — not just during a narrow transactional window, but categorically — would impose a far broader prior restraint on provider speech than the current bill contemplates, and one that Colorado cannot constitutionally justify given the consumer protection goals already addressed through the bill's existing framework.

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Earned wage access products provide valuable financial flexibility to Colorado workers. We respectfully urge the Committee to preserve the integrity of that compromise by rejecting any amendment that would expand the bill's narrow tip solicitation restriction into a categorical ban. Such an amendment would reduce consumer access to essential financial services, threaten the viability of providers who serve Colorado's most financially vulnerable workers, and introduce constitutional infirmities into an otherwise sound piece of legislation.

As always, we offer ourselves as a resource to discuss any of these issues with you in further detail, and we appreciate the opportunity to provide the Committee with our thoughts on this important matter.

Sincerely,

Amy Bos
Vice President of Government Affairs
NetChoice

NetChoice is a trade association that works to make the internet safe for free enterprise and free expression.