

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

**INTRODUCED**

LLS NO. 25-0594.02 Jery Payne x2157

**HOUSE BILL 25-1134**

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**HOUSE SPONSORSHIP**

**Bottoms,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Agriculture, Water & Natural Resources

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE REGULATION OF INSECTS FOR HUMAN**  
102      **CONSUMPTION.**

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**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:

- Engaging in commercial insect production for human consumption;
- Selling or offering to sell insect products derived from commercial insect production; and
- Transporting insect products with the intention of selling or

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.*

offering to sell the insect products for human consumption.

An existing business may continue to produce the same quantity and type of insect products made on the effective date of the bill but may not expand production.

District attorneys may enforce the bill, and the commissioner of agriculture may refer suspected violations to the local district attorney. A person may bring a civil action against a person that violates the bill. In the civil action, the court may award to a prevailing plaintiff actual damages, costs of litigation, reasonable attorney fees, and any other relief the court deems appropriate.

A person that violates these provisions commits a civil infraction, punishable by a fine of not less than \$1,000 nor more than \$5,000 per day of violation.

The bill amends the misbranding law to require food that contains insects or insect parts to be labeled with the words "contains insects".

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 82 to title  
3 35 as follows:

4 **ARTICLE 82**

5 **Insect Farming**

6 **35-82-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 82 IS  
7 THE "COLORADO AGRICULTURAL HERITAGE PROTECTION ACT".

8 **35-82-102. Legislative declaration.** THE GENERAL ASSEMBLY  
9 FINDS AND DECLARES THAT COMMERCIAL INSECT PRODUCTION POSES  
10 RISKS TO TRADITIONAL AGRICULTURE, FOOD SECURITY, FOOD SAFETY,  
11 PUBLIC HEALTH, AND THE NATURAL ENVIRONMENT. THIS ARTICLE 82 IS  
12 ENACTED TO PROTECT FARMING AS WELL AS THE PUBLIC WITHIN  
13 COLORADO.

14 **35-82-103. Definitions.** AS USED IN THIS ARTICLE 82, UNLESS THE  
15 CONTEXT OTHERWISE REQUIRES:

16 (1) "COMMERCIAL INSECT PRODUCTION" MEANS RAISING,  
17 BREEDING, KEEPING, OR PROCESSING INSECTS WITH THE INTENTION OF

1 SELLING OR OFFERING TO SELL INSECTS OR INSECT PRODUCTS FOR HUMAN  
2 CONSUMPTION AS FOOD.

3 (2) "COMMISSIONER" MEANS THE COMMISSIONER OF  
4 AGRICULTURE.

5 (3) "EXISTING BUSINESS" MEANS A BUSINESS THAT WAS ACTIVELY  
6 ENGAGED IN COMMERCIAL INSECT PRODUCTION WITHIN COLORADO PRIOR  
7 TO THE EFFECTIVE DATE OF THIS ARTICLE 82.

8 (4) (a) "INSECT" MEANS ANY ANIMAL BELONGING TO THE  
9 TAXONOMIC CLASS OF INSECTA.

10 (b) "INSECT" EXCLUDES CRUSTACEANS AND MOLLUSKS.

11 (5) "INSECT PRODUCT" MEANS AN INSECT OR A PRODUCT THAT  
12 CONTAINS A PART OF AN INSECT THAT IS SOLD OR OFFERED TO BE SOLD FOR  
13 HUMAN OR ANIMAL CONSUMPTION AS FOOD.

14 **35-82-104. Prohibition of commercial insect production -**  
15 **exception.** (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION,  
16 A PERSON SHALL NOT:

17 (a) ENGAGE IN COMMERCIAL INSECT PRODUCTION;

18 (b) SELL OR OFFER TO SELL INSECT PRODUCTS DERIVED FROM  
19 COMMERCIAL INSECT PRODUCTION; OR

20 (c) TRANSPORT INSECT PRODUCTS DERIVED FROM COMMERCIAL  
21 INSECT PRODUCTION WITH THE INTENTION OF SELLING OR OFFERING TO  
22 SELL THE INSECT PRODUCTS.

23 (2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, AN  
24 EXISTING BUSINESS MAY CONTINUE TO PRODUCE THE SAME QUANTITY OF  
25 AND TYPES OF INSECT PRODUCTS THAT THE EXISTING BUSINESS PRODUCED  
26 ON THE EFFECTIVE DATE OF THIS ARTICLE 82, BUT AN EXISTING BUSINESS  
27 SHALL NOT EXPAND THE QUANTITY OR THE TYPES OF INSECT PRODUCTS

1 BEYOND THE QUANTITY OF OR THE TYPES OF INSECT PRODUCTS THE  
2 EXISTING BUSINESS PRODUCED ON THE EFFECTIVE DATE OF THIS ARTICLE  
3 82.

4 **35-82-105. Enforcement.** (1) (a) A DISTRICT ATTORNEY MAY  
5 ENFORCE THIS ARTICLE 82.

6 (b) THE COMMISSIONER MAY ENFORCE THIS ARTICLE 82 BY  
7 REFERRING SUSPECTED VIOLATIONS TO THE LOCAL DISTRICT ATTORNEY  
8 FOR ENFORCEMENT.

9 (2) A PERSON MAY BRING A CIVIL ACTION AGAINST A PERSON THAT  
10 VIOLATES THIS ARTICLE 82. THE COURT MAY AWARD TO A PREVAILING  
11 PLAINTIFF:

12 (a) ACTUAL DAMAGES;

13 (b) COSTS OF LITIGATION, INCLUDING REASONABLE ATTORNEY  
14 FEES; AND

15 (c) SUCH OTHER RELIEF AS THE COURT DEEMS APPROPRIATE.

16 **35-82-106. Penalties.** A PERSON THAT VIOLATES THIS ARTICLE 82  
17 COMMITS A CIVIL INFRACTION, AND, UPON CONVICTION, A COURT SHALL  
18 IMPOSE A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS NOR MORE  
19 THAN FIVE THOUSAND DOLLARS PER DAY OF VIOLATION.

20 **SECTION 2.** In Colorado Revised Statutes, 25-5-402, **add** (13.5)  
21 as follows:

22 **25-5-402. Definitions.** As used in this part 4, unless the context  
23 otherwise requires:

24 (13.5) "INSECT" HAS THE MEANING SET FORTH IN SECTION  
25 35-82-103 (4).

26 **SECTION 3.** In Colorado Revised Statutes, 25-5-411, **amend** (1)  
27 introductory portion; and **add** (1)(q) as follows:

1           **25-5-411. Definitions of "misbranding".** (1) A food ~~shall be~~  
2 ~~deemed to be~~ IS misbranded:

3           (q) IF:

4           (I) IT IS ONE OR MORE INSECTS, CONTAINS ONE OR MORE INSECTS  
5 AS AN INGREDIENT, OR CONTAINS ANY PART OF ONE OR MORE INSECTS AS  
6 AN INGREDIENT;

7           (II) IT IS INTENDED FOR HUMAN CONSUMPTION; AND

8           (III) ITS LABEL DOES NOT CONTAIN THE WORDS "CONTAINS  
9 INSECTS".

10           **SECTION 4. Act subject to petition - effective date -**  
11 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
12 the expiration of the ninety-day period after final adjournment of the  
13 general assembly; except that, if a referendum petition is filed pursuant  
14 to section 1 (3) of article V of the state constitution against this act or an  
15 item, section, or part of this act within such period, then the act, item,  
16 section, or part will not take effect unless approved by the people at the  
17 general election to be held in November 2026 and, in such case, will take  
18 effect on the date of the official declaration of the vote thereon by the  
19 governor.

20           (2) This act applies to acts committed on or after the applicable  
21 effective date of this act.