2024-Summer 2026: Agricultural and Rural Law Roundup

Credits to the Agricultural Law 2024-25 Executive Council:

Kole Kelley , Chair

Amy Wegner Kho, Immediate Past Chair

Danielle Skinner, Vice Chair

Danielle Bettencourt, Secretary

Cynthia Daughtrey, Legislative Liaison

Kathie Troudt Riley, Board of Governors Representative

John M. Evans, Member at Large

The Honorable O. John Kuenhold, Member at Large

Judge Pete Michaelson, Member at Large

Elizabeth Lamb Kearney, Member at Large

Anthony Roeber, Member at Large

*Photograph taken by Luke Munchrath

2024-Summer 2026 Colorado Case Summary

Byers Peak Props., LLC v. Byers Peak Land & Cattle, LLC, 583 P.3d 97 (Colo. 2026)

The underlying facts of this Case involve a classic dispute over water between neighbors at a historically significant ranch called Byers Peak, which was known as the "Summer White House" for President Dwight D. Eisenhower. When in 1974 a prior owner of the ranch divided it into two separate parcels and sold them off separately, the idea was that both ranches could continue historical irrigation practices cooperatively as both parcels received irrigation water from the same two shared ditches. What could go wrong, right?

Ultimately, Plaintiffs alleged that Defendant (through Defendant's predecessor-in-interest) diverted more water than was necessary for irrigating Defendant's "West Ranch," resulting in the flow of excess water downhill and flooding of Plaintiffs' "East Ranch." Plaintiffs brought claims under Section 37-84-108, C.R.S., which generally prohibits a person from running "any greater quantity of water that is absolutely necessary. . . to prevent the wasting and useless discharge and running away of water." Under the Defendant's challenge to the Plaintiffs' standing, the Court was tasked with determining if Section 37-84-108 established the requisite legally protected interest necessary for Plaintiffs to assert injury. In reversing the water court's decision, our state's highest Court found that <u>Section 37-84-108 does not create a private right of action for a waste claim</u>. From a practical perspective, this raises the question then of what exactly is the purpose of Section 37-84-108? To clarify the existing authority of the State's water engineer to administer water rights to prevent waste, the Court explained.

At issue next concerned whether Sections 37-84-124 and -125, C.R.S., which impose certain duties upon irrigators, apply to damages suffered by a landowner from irrigation runoff and flooding caused by another landowner. Here, the specific language of these statutes is worth reading because the Court took a very precise interpretation that one could easily gloss over if not reading carefully. Section 37-84-124 provides:

> It is the duty of every person who is entitled to take water for irrigation purposes from any ditch, canal, or reservoir to see that he receives no more water from such ditch, canal, or reservoir through his headgate, or by any ways or means whatsoever, than the amount to which he is

> entitled. At all times, such person shall take every precaution to prevent more water than the amount to which he is entitled from such ditch, canal, or reservoir from coming *upon his land*. (Emphasis added.)

A strict reading of this plain language, the Court explained, establishes that an irrigator must take precautions to prevent more water than he is entitled to from coming upon *his* land. It does not concern flooding or excess runoff onto someone else's land.

As to Section 37-84-125, which provides that an irrigator who knowingly "permits such extra water to come upon *his* land" must "immediately notify the owners . . . or take steps to prevent its further flowing upon *his* land" (emphasis added), the Court similarly found that the plain language addresses the duties of a person who has received more water onto their own land than that to which they were entitled and not to flooding or the effects of the receipt of excess water on another's land. Based on these analyses, the Court found that Sections 37-84-124 and -125 do not apply to waste and flooding claims. So, once again, what is the practical effect of these statues? To protect water rights, the Court answered.

In re Maxwell, 2026 COA 10 (2026)

In 1945, Fred L. Maxwell left his 9,733-acre ranch in Larimer County, Colorado and Albany County, Wyoming to a CSU-affiliated foundation — now known as CSU STRATA — to be used for experimental research purposes, with an absolute prohibition on ever selling the property. In 2024, CSU STRATA asked a Larimer County Court to lift those restrictions, arguing the ranch is no longer a practical place to conduct research. This case clarifies when Colorado courts can modify a charitable gift that has outlived its practicality — and what remedies are and are not available.

CSU STRATA took title to the ranch in 1975 and spent decades trying to honor Maxwell's vision. Research uses over the years included a commercial cattle operation, livestock breeding and nutrition studies, locoweed research, seismic studies, joint projects with Colorado Parks and Wildlife, and wind energy research leases. By 2024, however, CSU STRATA's President and CEO, Dr. Ajay Menon, declared in an uncontested sworn affidavit that:

- The ranch's terrain and ecosystems make sustained research impractical.
- CSU cannot afford the infrastructure the ranch would require.
- Other locations better suit CSU's current research needs and grant priorities.
- CSU had few remaining activities at the ranch and no future activities planned.

No one opposed the petition. The district court nonetheless denied all relief, expressing hope that CSU could "be creative" and find a way to make the ranch work again.

The Colorado Court of Appeals held the restrictions are valid, but can be modified. Colorado law generally disfavors restrictions on the right to sell property. But when property is donated for a charitable purpose, donors may impose conditions — including a no-sale restriction — that would otherwise be impermissible. Because Maxwell's gift was charitable, his sale and use restrictions could not simply be declared void.

Further, the Court ruled the Will should be reformed under *cy pres*. The *cy pres* doctrine (meaning "as near as possible") allows a court to modify a charitable gift when following its terms has become impractical, impossible, or wasteful — even if not physically impossible. Based on the uncontested record, the Court of Appeals ordered the Will reformed to allow CSU STRATA to (1) sell the ranch free of the restrictions, with proceeds directed to CSU's experimental research at other locations, or (2) encumber the ranch in a manner consistent with Maxwell's intent.
The Court ruled that wind energy leasing is permitted and consistent with the Will's use restriction — provided any lease expressly requires that the facilities be used for experimental research. However, the Court of Appeals denied the conservation easement request because it lacked sufficient information to determine whether a conservation easement would constitute use of the ranch for "experimental purposes."

WHY THIS CASE MATTERS:

- Charitable gift restrictions on agricultural or ranch property are valid and cannot simply be declared void — even when compliance has proven unworkable for decades.
- *Cy pres* is available not only for express trusts and institutional funds but also for outright charitable gifts subject to conditions. Courts have authority to modify those gifts when following them would defeat the donor's broader purpose.
- "Impracticable" does not require physical impossibility. Financial infeasibility, unsuitable terrain, and availability of better alternatives are sufficient.
- Reformation — not a declaration of voidness — is the proper remedy. Sale or encumbrance proceeds must still serve the donor's original charitable purpose.
- Wind energy leasing can be consistent with an agricultural research use restriction, so long as the lease ties development to experimental research.

For those who own, manage, or advise on agricultural land held under charitable gift arrangements, this case signals that decades-old deed and will restrictions may be more durable than expected — but that courts have meaningful tools to adapt those restrictions when the land can no longer serve the purpose for which it was given.

2024-Summer 2026 Federal Case Summary

Loper Bright Enterprises v. Raimondo, 603 U.S. 369 (2024)

Remember administrative law and the "doctrine of judicial deference" given by our courts to administrative action also referred to as the "Chevron doctrine" in *Chevron U.S.A. v. Natural Resources Defense Council, Inc.,* 467 U.S. 837? It is no more - *Chevron* was overruled. In *Loper Bright Enterprises v. Raimondo,* 603 U.S. 369, decided June 28, 2024, the Supreme Court in a 6-2 decision ruled that the Administrative Procedure Act requires courts to decide all relevant questions of law when reviewing agency actions. Courts are required to use their own judgment to interpret laws and are not to defer to agencies' interpretations. *Chevron* was overruled as a flawed assumption that Congress intends to delegate interpretative authority to agencies whenever a law is ambiguous, that it proved to be unworkable in practice, and had been applied inconsistently. *Loper Bright* involved the agency's decision to require owners of fishing boats to pay $700 per day to have the federal observers aboard to collect data with the goal of preventing overfishing. The Court found no support in the agency's legislative authority for the agency to impose the charge. As a result of *Loper Bright*, review of federal agency action will look drastically different. Some states have already taken action to eliminate the due deference doctrine in the review of state agency action.

Corner Post, Inc. v. Board of Governors of Federal Reserve System, 603 U.S. 799 (2024)

Corner Post, Inc. analyzed when the six-year statute of limitations accrued under the Administrative Procedure Act (APA). A merchant that operated a truckstop and convenience store brought a lawsuit against the Federal Reserve Board under the APA alleging that regulation adopted by the Board that set a maximum interchange fee merchants must pay to the bank that issued debit cards used by customers was unlawful because it allowed payment networks that processed the transaction to charge higher fees than the Dodd-Frank Wall Street Reform and Consumer Protection Act permitted. The lower courts dismissed the suit as time-barred because the regulations were approved in 2011 and the lawsuit was not brought until 2021. However, the U.S. Supreme Court reversed and held that an APA claim does not accrue for purposes of the six-year statute of limitations until the plaintiff is injured by a final agency action. Therefore, it is not the finality of a rule going into effect that starts the statute of limitations. Rather, a cause of action does not accrue – it does not become complete and present – until a plaintiff can file suit (injured by a final agency action) and obtain relief.

***Devillier v. Texas*, 601 U.S. 285 (2024)**

Devillier v. Texas was decided April 16, 2024. It involved a solid concrete median barrier installed on IH-10 in Texas to afford a safer route for those evacuating from a hurricane. The barrier served as a weir and flooded farmland. The petitioners, having met resistance from Texas in the Texas state courts seeking compensation under the state's inverse condemnation process, urged the Court to find that they could sue a state directly under the Takings Clause in the 5th Amendment. The Court did not reach the specific question but ruled that the premise that the owners had no cause of action to seek just compensation under Texas law was incorrect. After Texas assured the Court that it would not oppose the property owners amending their state court complaint to allow them to pursue their takings claims under the state's inverse condemnation law, the Court ruled that it did not need to reach the question as posed with respect to a private cause of action against a state under the 5th Amendment. The clear message from the Court was that Texas could not utilize legal maneuvering to try to evade a just compensation claim.

***Texas v. New Mexico and Colorado*, 602 U.S. 943 (2024)**

The dispute over the waters of the Rio Grande Basin was the topic in *Texas v. New Mexico and Colorado,* decided June 21, 2024. The states wanted to enter into a consent decree regarding the Rio Grande Compact without the consent of the U.S., who intervened in the litigation. In a 5-4 decision, the Court denied the states' request for approval of the consent decree, ruling that it was unclear as to whether the consent decree would dispose of the U.S.'s valid compact claims. The dissent argued that the United States seek to prolong the litigation and that such litigation is usually reserved for disputes between the states. The majority's opinion would seem to support a greater degree of federal intervention in what has traditionally been interstate compact agreements negotiated and applied by the states.

***Seven County Infrastructure Coalition v. Eagle County, CO*, 605 U.S. 168 (2025)**

Seven County Infrastructure Coalition dealt with the review of a federal agency's review of environmental effects pursuant to the National Environmental Policy Act (NEPA) and reemphasized the procedural nature of the Act and deference to analysis conducted pursuant to NEPA. The U.S. Surface Transportation Board approved an 88-mile railroad line connecting Utah's oil-rich Uinta Basin to the national freight rail network. Eagle County and several environmental organizations challenged the decision and alleged various NEPA violations. The lower court held that the Board impermissibly limited its analysis by not considering the environmental effects from upstream oil drilling and downstream oil refining projects. The U.S. Supreme Court reversed, holding that the lower court failed to afford the Board with substantial judicial deference required in NEPA cases and that the upstream and downstream projects were separate in time or place from the Uinta Basin Railway and did not require consideration under NEPA. More importantly, the Court emphasized that its role is only to confirm that an agency addressed environmental consequences and feasible alternatives, and that the final decision was reasonably explained. It should not micromanage an agency's choices so long as the reasonable and should defer to an agency's discretionary decisions about where to draw the line when considering indirect environmental effects. This decision will have an impact on how final agency decisions and NEPA analysis are challenged.

***Monsanto Company v. Durnell*, No. 24-1068 (2026)**

Durnell brought claims against Monsanto Company for defective design, failure to warn, and negligence in relation to its product Roundup. Durnell developed non-Hodgkin's lymphoma that he alleged was caused by his exposure to Roundup and one of its ingredients, glyphosate. A jury trial in the Circuit Court of the City of St. Louis found in favor of the individual on his strict liability failure to warn claim but ruled in favor of Monsanto on the other claims. Monsanto argued that the failure to warn claim was preempted by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), which prevents states from adding language to a federally registered pesticide label that is different from or in addition to what was approved at the federal level. The EPA has concluded that Roundup and its active ingredient do not cause cancer and has approved its label without a cancer warning. However, the lower courts held that FIFRA does not preempt a strict liability failure to warn claim under state law. The question of whether FIFRA preempts a label-based failure to warn claim when the EPA has not required the warning was argued in front of the U.S. Supreme Court on April 27, 2026.

The Supreme Court reversed and remanded. The Supreme Court held in its June 25, 2026, decision that FIFRA expressly preempts Durnell's state-law failure-to-warn claim. FIFRA states that a "Sate shall not impose or continue in effect any requirements for labeling or packaging in addition to or different from those required under this subchapter." 7 U.S.C. § 136v(b). FIFRA therefore preempts a state-law labeling requirement that differs from the federal labeling requirements imposed under the Act.

***Learning Resources, Inc. et al. v. Trump, et al.*, No. 24-1287 (2026)**

The question presented was whether the International Emergency Economic Powers Act (IEEPA) authorizes the President to impose tariffs. Shortly after taking office, President Trump imposed a duty on most Canadian, Mexican, and Chinese imports to address the influx of illegal drugs and what he identified as large and persistent trade deficits. Argument was November 5, 2025, and the case was decided February 20, 2026 with a 6-3 fractured rationale. Chief Justice Roberts delivered the opinion with respect to Parts I, II-A-1, and II-B in which Justices Sotomayor, Kagan, Gorsuch, Barrett, and Jackson joined, and an opinion with respect to Parts II-A-2 and III in which Justices Gorsuch and Barrett joined. Justices Gorsuch and Barrett filed concurring opinions. Justice Kagan filed an opinion concurring in part and concurring in the judgment, to which Justices Sotomayor and Jackson joined, with Justice Jackson filing an opinion concurring in part and concurring in the judgment. Justice Thomas filed a dissenting opinion as did Justice Kavanaugh, in which Justices Thomas and Alito joined. The holding is that IEEPA does not contain an unambiguous delegation of Congressional power to impose tariffs (which the Court equates to the power to tax) and thus does not authorize the President to impose tariffs during peacetime.

The opinion effectively invalidates billions of dollars in tariffs already collected. Will there be claimed refunds for some $175 billion? Time will tell.

Strickland v. U.S. Department of Agriculture, 736 F. Supp. 3d 469 (N.D. Tex. 2024)

USDA admitted that its administration of the financial benefit programs benefit "women and minority farmers" to the detriment of "white male farmers." (USDA's terminology). Those practices are the subject matter of an interesting district court level injunction. The US District Court for the Northern District of Texas, in *Strickland v. USDA,* on June 7, 2024, entered an injunction applicable nation-wide, enjoining the USDA from making or increasing payments, or providing any additional disaster relief under Emergency Relief Program 2022 based on the "socially disadvantaged farmer or rancher". The injunction permitted the USDA to continue to apply standards so long as the standards are independent of any race-based or sex-based consideration.

Jones Eagle LLC v. Ward, 2024 WL 5112477 (E.D. Ark. 2024)

The Arkansas statute that prohibits a "foreign-party-controlled business" from acquiring any interest in public or private land and prohibits foreign ownership of agricultural land in Arkansas is the subject of *Jones Eagle LLC v. Wes Ward (Secretary of Arkansas Department of Agriculture),* before the U.S. District Court of the Eastern District of Arkansas. An investigation involved Jones Eagle with allegations of ties to China. Jimmy Chen, the manager of Jones Eagle, is a U.S. citizen who was born in China. Jones Eagle holds a lease of land in Arkansas. Among Jones Eagle's arguments was field preemption under the foreign affairs doctrine. The court found that Jones Eagle was likely to prevail on that claim. The court granted a preliminary injunction, limited to Jones Eagle, enjoining Arkansas from enforcing its statute.

***Animal Legal Defense Fund v. Reynolds*, 89 F.4th 1065 (8th Cir. 2024) &**
***Animal Legal Defense Fund v. Reynolds*, 89 F.4th 1071 (8th Cir. 2024)**

Ag fraud and trespass statutes were the subject of two cases, *Animal Legal Defense Fund v. Reynolds,* 89 F.4th 1065 (8th Cir 2024) and *Animal Legal Defense Fund v. Reynolds,* 89 F. 4th 1071 (8th Cir 2024). These cases demonstrate the ongoing dispute related to special interest groups accessing an agricultural production facility to report alleged animal abuse. They focus on Iowa's new agricultural trespass statute, passed as an effort to remedy the result that prior "ag gag" statutes in several states were found to be unconstitutional violations of free speech under the 1st Amendment. The district courts found the new statute unconstitutional as well, being viewpoint based. However, the Eighth Circuit found the statute to be constitutional because it limits violations to deception with the intent to cause harm or other injury and the motive requirement applies to all persons, regardless of their speech.

***Teche Vermilion Sugar Cane Growers Ass'n, Inc. v. Su*, No. 6:23-cv-00831, (W.D. La. 2025)**

Plaintiffs were agricultural employees and sugar cane grower association that relied on the federal H-2A temporary agricultural worker program. They challenged a 2023 U.S. Department of Labor ("DOL") regulation "*Adverse Effect Wage Rate Methodology for the Temporary Employment of H-2A Nonimmigrants in Non-Range Occupations in the United States"*. Final judgment which converted a preliminary injunction into a permanent injunction and vacated the 2023 AEWR (Adverse Effect Wage Rate). In that judgment, the court sided with the plaintiffs and declared that the 2023 AEWR rule was "arbitrary and capricious" in violation of 5 U.S.C. § 706(2)(c). The preliminary injunction previously entered would become a permanent injunction and the challenged rule would be vacated.

As a result of the ruling: 1) the 2023 H-2A wage methodology was invalidated; 2) the DOL could not enforce the challenged wage calculation framework; and 3) agricultural employees avoided the increased wage obligation imposed by the rule unless and until a revised regulation is lawfully promulgated.

2024-2025 Colorado Legislation

2024 Colorado Legislation

SB24-026 Agriculture & Natural Resources Public Engagement Requirement – This bill renews the public engagement requirement for the members of the parks and wildlife commission in the department of natural resources and applies the same requirement for members of the state agricultural commission and the Colorado water conservation board. It requires them to hold at least two public meetings per year in their respective geographic districts.

SB24-031 Local Authority Enforce Violation of Noxious Weed Act – The bill authorizes a board of county commissioners to assess and collect fines for violation of local laws enacted to enforce the management of noxious weeds. It creates a civil penalty for violation that is no less than $500 and no more than $1,000, allows a county attorney to petition the district court for an injunction to prevent an ongoing violation, and allows a board to appoint a district attorney to enforce violations.

SB24-056 Out-of-State Snowmobile Permit & Search Rescue Fee – The bill creates an out-of-state snowmobile permit that must be obtained and displayed to drive the snowmobile on publicly owned land. Exceptions to this requirement include snowmobiles owned by governments, operated in an organized event authorized by the government with jurisdiction over the land; and operated on publicly owned land for nonrecreational purposes. Permits are not required for snowmobiles operated on private-land. The fine for a violation is $100 and the permit is valid for one year.

SB24-058 Landowner Liability Recreational Use Warning Signs – This bill amends the Colorado Recreational Use Statute (CRUS) to clarify that an owner does not commit a willful or malicious failure to warn against dangerous conditions if:

- The owner posts a warning sign at the primary access point where an individual enters the land;
- The owner maintains photographic or other evidence of such signage; and
- The dangerous condition, use, structure, or activity that caused the injury or death is described by the sign.

The bill also requires an individual who accesses land for recreational purposes to stay on designated recreational trails, routes, areas, or roadways unless the owner expressly allows otherwise, or he/she will be in trespass. It further clarifies that "owner" under CRUS includes a possessor or holder of a conservation easement.

SB24-126 Conservation Easement Income Tax Credit – The bill extends the conservation easement oversight commission and the certified holder program indefinitely. The conservation easement tax credit is not available for income tax years after December 31, 2031, unless it was created on or before that date and carried over as a credit in other tax years. The cap for total tax credits that may be claimed in one year is increased from $45 million to $50 million starting in 2025. For conservation easements donated on or after January 1, 2027, a taxpayer may claim 80% of the fair market value of the donated portion of the easement. Tax credits may be issued in increments of no more than $1.5 million per year, and the total aggregate amount of the credit refunded to owners, partners, and shareholders of an entity donating an easement may not exceed $200,000 for years on or after January 1, 2027. The bill also allows an easement granted on or after January 1, 2025, to include a provision that allows a holder to approve expanded wind or solar energy facilities that are compatible with the conservation values.

SB24-137 Planting of Uncertified Potatoes - The bill clarifies that uncertified potatoes may be planted only if they have been submitted and tested by the certifying authority of Colorado prior to planting. The testing process aims to ensure that if uncertified potatoes are planted in Colorado, those potatoes are free from disease or other issues that may be detrimental to Colorado's potato crop.

SB24-171 Restoration of Wolverines – The bill authorizes the reintroduction of the North American wolverine in the state by the division of parks and wildlife. As long as the wolverine remains on the list of the threatened and endangered species list, the division must not reintroduce the species in the state until a final rule designated the wolverine in Colorado as a nonessential experimental population. Additional requirements are outlined for the reintroduction and require rules for the compensation of owners of livestock for losses caused by the wolverine.

HB24-1024 Extend Outreach Campaigns Wildfire Risk Mitigation – The bill requires the Colorado state forest service to conduct enhanced wildfire awareness month outreach campaigns through 2027 to increase awareness of wildfire risk mitigation by residents in the wildland-urban interface.

HB24-1033 Emergency Management Plan Individuals with Animals – The bill requires a locally defined or interjurisdictional emergency management plan to address the needs of an individual with an animal during an emergency by requiring provisions for the evacuation, shelter, and transport of an individual with and animal; and requiring at least one shelter established during an emergency to accommodate an individual with an animal. It also encourages a city and/or county to make available to the public information for animal emergency preparedness.

HB24-1047 Veterinary Technician Scope of Practice – This requires the board of veterinary medicine to promulgate rules, by September 1, 2025, establishing certain tasks that a licensed veterinarian may delegate to veterinary technicians and veterinary technician specialists and the recommended level of supervision. A licensed veterinarian may delegate tasks pursuant to the board's rules after first establishing a veterinarian-client-patient relationship with an animal or group of animals and the owner.

HB24-1048 Providing Veterinary Services Through Telehealth – This bill allows a licensed veterinarian who has established a veterinarian-client-patient relationship to use telehealth to provide veterinary services to clients and patients in Colorado and to refer a patient to a veterinary specialist, who may provide veterinary services via telemedicine. It also allows the licensed veterinarian to supervise a registered veterinary technician using telesupervision if the veterinarian and the veterinary technician are employees of the same veterinary practice.

HB24-1249 Tax Credit Agricultural Stewardship Practices – This bill establishes a refundable state income tax credit for active qualified stewardship practices on a farm or ranch for income tax years between 2026 and 2031. A taxpayer may earn:

- At least $5 and no more than $75 per acre of land covered by one qualified stewardship practice, up to a maximum credit of $150,000 in one income year.
- At least $10 and no more than $100 per acre of land covered by two qualified stewardship practices, up to a maximum credit of $200,000 in one income tax year.
- At least $15 and no more than $150 per acre of land covered by at least three qualified stewardship practices, up to a maximum of $300,000 per income tax year.

The department of agriculture may issue rules to implement the tax credit and specify the requirement for implementing and demonstrating qualified stewardship practices. To claim the credit, a taxpayer must apply to the department of agriculture for a tax credit certificate.

HB24-1379 Regulate Dredge & Fill Activities in State Waters – This bill requires the water quality control commission in the department of public health and environment to promulgate rules by December 31, 2025, to implement a state dredge and fill discharge authorization program. The rules are to focus on avoidance and minimization of adverse impacts and on compensation for unavoidable adverse impacts of dredge and fill activity and must incorporate the guidelines developed pursuant to Section 404(b)(1) of the Clean Water Act. The department must issue general authorizations for the discharge of dredged or fill material into state waters from certain categories of activities that are similar in nature and have minimal individual and cumulative adverse impacts. In addition, it must issue a statewide general authorization for discharges to isolated wetlands, isolated ponds and impoundments, and isolated ordinary highwater mark reaches.

2025 Colorado Legislation

SB25-038 Wildlife Damage Protection of Personal Information – The bill requires that personal information of persons impacted by wildlife damage is kept confidential and not disclosed pursuant to the Colorado Open Records Act. It excludes information about nonlethal predator-livestock conflict minimization measures that do not reveal the identify of the person or business; nonidentifying information of county-level data highlighting the number of dollar amount of claims made to the division, claims settled, and claims pending, and claims denied; and personal information that becomes public because of actions of the person who filed the damage claim.

SB25-039 Agricultural Buildings Exempt from Energy Use Requirements – The bill clarifies that agricultural buildings are not "covered buildings," and are exempt from the energy use collecting and reporting requirements under current law. An agricultural building is a building or structure used to house agricultural implements, hay, unprocessed grain, poultry, livestock, or other agricultural products or inputs primarily for the purpose of maintaining or operating an agricultural process.

SB25-053 Protect Wild Bison – The bill classifies bison as big game unless they are livestock. This protects bison from illegal hunting or taking. The fee for a bison hunting license is set at $374.22 for a resident and $2,756.74 for a nonresident. The penalty for illegal possession of wild bison is a fine of not less than $1,000 and not more than $100,000, or imprisonment for not more than one year in the county jail. The penalty for illegally killing or capturing a bison is a fine of $10,000. The value of a bison is set at $1,000 for purposes of recovering the value of a bison that is illegally killed or captured.

SB25-128 Agricultural Worker Service Providers Access Private Property – The bill revises current law to exempt an employer's property from an agriculture worker's reasonable right to access key service providers at any location, unless the worker is accessing a key service provider through remote channels on the employer's property.

SB25-174 Sunset Outfitters & Guides – The bill continues the regulation of outfitters and guides for nine years, until 2034. It allows the division of professions and occupations to take disciplinary action against an owner of an outfitter entity regardless of his/her ownership share percentage. It exempts motor carriers and third-party booking agencies from regulation under the outfitters act. The bill prohibits an individual from working as a guide or from receiving/renewing a registration as an outfitter if his/her license or registration was suspended or revoked by the division of parks and wildlife or by an agency of any member state of the Wildlife Violator Compact for a violation of law concerning wildlife. It also repeals certain language concerning punishment for people engaging or offering to engage in activities as an outfitter without an active registration.

SB25-253 Remove Fee Reversion Animal Feeding Operations – The bill removes certain repeal dates and associated language concerning the payment of fees by persons in the animal agriculture sector related to animal feeding operations.

HB25-1203 Misbranding Cultivated Meat Products as Meat – The bill prohibits food processing plants from selling or offering for sale cell-cultivated meat that is misbranded as a meat product. It also requires food processing plants to clearly label cell-cultivated meat as cell-cultivated meat. The department of public health and environment may issue a stop order to prevent a plant from selling the product if an inspection reveals they are not complying with labelling requirements and may issue an embargo order requiring the plant to dispose of the cell-cultivated meat by means other than sale to purchasers in Colorado.

HB25-1283 Wild Horse Project Management & Immunocontraception – The bill repeals the wild horse project and transfers statutory duties concerning wild horse management and support to the Department of Agriculture. It authorizes the Department to provide immunocontraception and material support in their management areas to keep wild horse populations at appropriate management levels. This includes using state employees or contracting others to administer immunocontraception; providing funding to or administrative support to state agencies, federal agencies, and nonprofit entities; buying or funding the purchase of equipment or technology; coordinating events where immunocontraception is administered; and coordinating with educational institutions. It also creates the wild horse advisory committee that will address financial and material support for wild horse adopters, sanctuaries, preserves, and refuges; content and delivery of outreach, education, training, and certification; work with the BLM and wild horse preserves, sanctuaries, and refuges to coordinate herd management; coordinating or assisting with wild horse adoption compliance; and a few other matters.