



Hb 23-1032, Persons with Disabilities

NFIB Colorado respectfully submits the following testimony to the Senate Judiciary Committee in opposition to House bill 23-1032, Persons with Disabilities.

The National Federation of Independent Business is an 80-year-old, Not for Profit membership organization with approximately 300,000 dues paying members nationally and dedicated to making it possible for every individual to own, operate and grow their business free from over regulation by government. Our membership is comprised of small and independent businesses engaged in every industry imaginable and who have an average of 5-9 employees.

No one argues that workers with disabilities have the same rights as any other employee and should not be subjected to any form of discrimination in the workplace. However, it is also true that small businesses can be particularly vulnerable to lawsuits related to disabilities.

Hb 23-1032 proposes many severe changes to Colorado's current laws concerning those with disabilities. At times small businesses may not have the expertise or resources to navigate complex legal requirements related to disability accommodations, which unknowingly increases their legal exposure.

A charge of discrimination against a small business, whether proven or not, can cost a business anywhere from \$250,000 to \$500,000. Most often the business owner will be faced with closing the business long before the charge is adjudicated in a court. Many of these cases are known as "drive by lawsuits." Plaintiff attorneys will file cases knowing they will be able to force a settlement before the case ever gets to trial.

While there are resources available to small businesses to help them comply with the ADA and avoid discrimination lawsuits related to disabilities, small business owners may lack the knowledge or experience in accessing these programs.

NFIB CO request that House bill 23-1032 not pass.

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