Review of House Bill 25-1090

- This bill regulates the disclosure of so-called junk fees on businesses' websites and in other forms of advertising. The bill passed during Colorado's 2025 legislative session. Following Governor Polis's signature, the law takes effect on January 1, 2026.
- The bill's disclosure requirement states as follows, with the most important language in bold type for emphasis: "A person shall not offer, display, or advertise an amount that a person may pay for a good, service, or property unless the person offering, displaying, or advertising the good, service, or property **clearly and conspicuously discloses the total price for the good, service, or property as a single number without separating the total price into separate fees, charges, or amounts**. The total price for the good, service, or property must be disclosed more prominently than any other pricing information for the good, service, or property."
- The bill defines "total price" to include all mandatory fees, excluding any government fees such as a sales tax. Property tax pass-throughs that some storage operators include must be disclosed in the total price if they are required by the operator.
- The requirement to disclose the total price as a single number means that self storage operators must include any administrative fee, security deposit, and other mandatory fees (for example, mandatory protection plan or insurance fees), along with the first month's rent, when advertising the price of their storage units. The operator does not need to disclose optional or contingent fees – for example, lien fees, late fees, or optional protection plan or insurance fees – in its advertising but should disclose those fees in the rental agreement.
- To be clear, it is not enough for the operator to list mandatory fees on the checkout page only or include an asterisk next to the first month's rent then separately disclose the other mandatory fees. All mandatory fees must be included in the total price and must be disclosed upfront to the customer.
- Provided that the operator discloses the total price more prominently than any other pricing information, the operator may choose to disclose how it reached the total price. For example, the operator may disclose the following:

  Total price: $89
  First month's rent: $69
  Administrative fee: $20

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