

COLORADO WILL REQUIRE STATE-LEVEL EEO-1 DATA REPORTING: ANSWERS TO TOP QUESTIONS FROM EMPLOYERS

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Colorado will soon require private employers with at least 100 employees to file demographic workforce data related to race, ethnicity, gender, and job categories, even if the Trump administration eliminates the federal EEO-1 reporting requirement, as it has recently proposed to do. If your business operates in Colorado, you must be aware of these new reporting obligations, which kick in mid next year – and employers across the country should take note as more states may follow suit. This Insight answers your top questions about what’s changing in the Centennial State.

What happened?

Just weeks after the US Equal Employment Opportunity Commission (EEOC) [issued a proposal to end EEO-1 reporting](#), Governor Jared Polis signed a bill ([HB26-1207](#)) into law on June 4 that will impose state-level EEO-1 data reporting requirements even if the federal requirement is discontinued.

The new requirements were added to the state’s existing [periodic reporting requirements](#) under the Colorado Corporations and Associations Act (CCAA).

Who must comply with Colorado’s new EEO-1 data reporting requirements?

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The new requirements apply to any reporting entity under the CCAA that:

- is a private sector entity;
- conducts business in Colorado;
- employs **100 or more employees**; and
- is required, as of March 1, 2026, to submit EEO-1 data to the EEOC.

The requirements do not apply to state, local, or federal governments, or any school district, state institution of higher education, quasi-governmental entity, or political subdivision of the state.

What are the new reporting requirements?

Beginning **July 1, 2027**, covered employers will be required to include certain EEO-1 data on their periodic reports filed with Colorado's secretary of state. Specifically, this will include demographic workforce data collected through the EEOC's Form EEO-1 (as it existed on March 1, 2026) that categorizes employees by race, ethnicity, gender, and job category.

It's not yet clear whether Colorado will require EEO-1 data to be reported for all employees or just employees that work in Colorado.

What will be the due date for filing EEO-1 data with Colorado's secretary of state?

EEO-1 data will be added to the periodic reports filed with Colorado's secretary of state, and the timing for filing such reports has not changed. They can be filed two months prior to the "periodic report month" or two months after without any penalty, according to these [Business FAQs](#) issued by the Colorado secretary of state. The periodic report month varies for each entity and can be found in a summary generated through a search on [this public business data base](#).

What steps should employers take now?

Employers that operate in Colorado should consider taking the following steps now:



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- determine if you will be required to file EEO-1 data on your periodic report;
- prepare to gather that information ahead of your periodic report month;
- beware of potential disclosure risks, as Colorado's new law does not address any safeguards for keeping EEO-1 data confidential;
- work with counsel to ensure that your job titles are categorized correctly and consistently – and for assistance with any questions related to collecting demographic data; and
- stay tuned for updates – many open questions remain, and we expect Colorado to issue more guidance throughout the coming year.

Conclusion

We will continue to monitor developments, so make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. If you have questions about Colorado's new EEO-1 data reporting requirements, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in our [Denver office](#).