

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0419.01 Clare Haffner x6137

**HOUSE BILL 25-1202**

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**HOUSE SPONSORSHIP**

**Paschal and Mabrey,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Energy & Environment  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING MEASURES TO ADDRESS MOLD IN INDOOR**  
102                    **ENVIRONMENTS, AND, IN CONNECTION THEREWITH, ENACTING**  
103                    **THE "MOLD AWARENESS AND EDUCATION ACT".**

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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>.)*

**Section 1** of the bill enacts the "Mold Awareness and Registration Act", which requires the department of public health and environment (department) to establish a public awareness campaign (campaign) to assist the public in understanding the health dangers of mold and the importance of removing mold from indoor environments.

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.

The department is directed to establish the campaign, and the state board of health is directed to adopt rules governing the campaign. As part of the campaign, the department is required to:

- Inform the public on the health dangers of mold;
- Provide the public with contact information for organizations or government agencies that can provide further information relating to the health effects of mold, mold testing methods, or accredited industry standards for mold remediation; and
- Every 5 years, perform a review of the technology or treatment techniques for mold identification and remediation that protect public health and safety.

**Section 1** also requires the executive director of the department to issue a registration to a person that provides mold remediation or assessment services in the state if the person applies for registration and provides evidence of an active third-party remediation or assessment certification, as well as evidence of financial responsibility. The executive director is required to maintain on the department's website a public database of all persons that have been issued a registration.

**Sections 2 and 3** require a contract to sell residential real property to contain, and a landlord of residential real property to provide to prospective tenants, in writing:

- A warning statement about the health dangers of mold;
- Any knowledge the seller or landlord has of the residential real property's mold concentrations and history, including assessments performed, reports written, and mitigation or remediation conducted; and
- The most recent brochure published by the department that provides information about the health dangers of mold in indoor environments.

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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** part 26 to article  
3 4 of title 25 as follows:

4 **PART 26**

5 **MOLD AWARENESS AND EDUCATION ACT**

6 **25-4-2601. Short title.** THE SHORT TITLE OF THIS PART 26 IS THE  
7 "MOLD AWARENESS AND EDUCATION ACT".

8 **25-4-2602. Legislative declaration.** (1) THE GENERAL ASSEMBLY

1 FINDS AND DECLARES THAT:

2 (a) THE WORLD HEALTH ORGANIZATION STATES THAT THOSE  
3 LIVING IN DAMP AND MOLDY BUILDINGS FACE AN INCREASED RISK OF  
4 RESPIRATORY HEALTH ISSUES, INCLUDING SEVERE HEALTH CONDITIONS  
5 SUCH AS ASTHMA;

6 (b) EXCESSIVE INDOOR DAMPNESS AND MOLD IN BUILDINGS IS A  
7 WIDESPREAD PROBLEM THAT WARRANTS ACTION AT THE LOCAL, STATE,  
8 AND NATIONAL LEVELS;

9 (c) BECAUSE OF THE POSSIBLE HEALTH EFFECTS OF EXPOSURE TO  
10 MOLD IN BUILDINGS AND THE PREVALENCE OF COLORADO HOMES WITH  
11 MOLD, IT IS IMPERATIVE THAT COLORADO RESIDENTS BE AWARE OF THE  
12 DANGERS OF MOLD AND THE NEED FOR PROPER ASSESSMENT AND  
13 REMEDIATION OF INDOOR ENVIRONMENTS AFFECTED BY MOLD; AND

14 (d) THERE IS A NEED TO EDUCATE THE PUBLIC ON THE HEALTH  
15 DANGERS OF MOLD, HOW TO REMEDIATE MOLD, AND HOW TO FIND  
16 QUALIFIED PROFESSIONALS TO ASSESS AND REMEDIATE MOLD.

17 **25-4-2603. Definitions.** AS USED IN THIS PART 26, UNLESS THE  
18 CONTEXT OTHERWISE REQUIRES:

19 (1) "ANSI/IICRC S520 STANDARD" MEANS THE AMERICAN  
20 NATIONAL STANDARDS INSTITUTE/INSTITUTE OF INSPECTION, CLEANING  
21 AND RESTORATION CERTIFICATION S520 STANDARD FOR PROFESSIONAL  
22 MOLD REMEDIATION.

23 [REDACTED]  
24 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH  
25 AND ENVIRONMENT CREATED IN SECTION 25-1-102.

26 [REDACTED]  
27 (3) (a) "MOLD" MEANS MICROSCOPIC ORGANISMS OR FUNGI THAT

1 CAN GROW IN DAMP CONDITIONS IN THE INTERIOR OF A BUILDING.

2 (b) "MOLD" INCLUDES CLADOSPORIUM, PENICILLIUM, ALTERNARIA,  
3 ASPERGILLUS, FUSARIUM, TRICHODERMA, MEMNONIELLA, MUCOR,  
4 CHAETOMIUM, AND STACHYBOTRYS CHARTARUM.

5 (4) (a) "MOLD ASSESSMENT" MEANS:

6 (I) THE INSPECTION, INVESTIGATION, OR SURVEY OF A DWELLING  
7 OR OTHER STRUCTURE TO PROVIDE INFORMATION TO THE OWNER OR  
8 OCCUPANT OF THE DWELLING OR OTHER STRUCTURE REGARDING THE  
9 PRESENCE, IDENTIFICATION, OR EVALUATION OF MOLD AND WATER  
10 DAMAGE;

11 (II) THE DEVELOPMENT OF A MOLD REMEDIATION PROTOCOL;

12 (III) AIR QUALITY TESTING TO DETECT THE PRESENCE OF MOLD; OR

13 (IV) THE COLLECTION OF A MOLD SAMPLE FOR ANALYSIS.

14 (b) "MOLD ASSESSMENT" DOES NOT INCLUDE AN INSPECTION, AN  
15 INVESTIGATION, OR A SURVEY OF A DWELLING OR OTHER STRUCTURE  
16 CONDUCTED BY A MOLD REMEDIATOR PERFORMING A PRELIMINARY  
17 DETERMINATION.

18 (5) "MOLD REMEDIATION" MEANS THE TIMELY AND GOOD FAITH  
19 EFFORT TO REMOVE MOLD OR MOLD-CONTAINMENT MATTER FROM A  
20 RESIDENTIAL PREMISES OR DWELLING UNIT AND TO MITIGATE ANY  
21 NEGATIVE EFFECT OF THE PRESENCE OF MOLD.

22 (6) "PRELIMINARY DETERMINATION" MEANS AN INITIAL  
23 INSPECTION OF A DWELLING OR OTHER STRUCTURE, WHICH INSPECTION  
24 IDENTIFIES AREAS OF MOISTURE INTRUSION AND ACTUAL OR POTENTIAL  
25 MOLD GROWTH AND THE NEED FOR ASSISTANCE FROM OTHER SPECIALIZED  
26 EXPERTS.

27

1           **25-4-2604. Powers and duties of department - public**

2           **awareness.** (1) THE DEPARTMENT SHALL, IN CONSULTATION WITH  
3           APPROPRIATE AGENCIES AND ORGANIZATIONS, ESTABLISH A PAGE ON THE  
4           DEPARTMENT'S PUBLIC WEBSITE TO ASSIST THE PUBLIC IN UNDERSTANDING  
5           THE HEALTH DANGERS OF MOLD AND THE IMPORTANCE OF REMOVING  
6           MOLD FROM INDOOR ENVIRONMENTS. THE DEPARTMENT SHALL:

7                   (a) PROVIDE, ON THE PAGE OF THE DEPARTMENT'S PUBLIC WEBSITE  
8                   ESTABLISHED PURSUANT TO THIS SUBSECTION (1), THE FOLLOWING  
9                   INFORMATION:

10                   (I) INFORMATION ON THE HEALTH DANGERS OF MOLD, INCLUDING  
11                   THE POTENTIAL TOXIC COMPOUNDS THAT MOLD CAN EMIT AND PRODUCE;

12                   (II) DESCRIPTIONS OF MOLD TESTING AND REMEDIATION METHODS  
13                   AND TERMINOLOGY, INCLUDING ACCREDITED INDUSTRY STANDARDS FOR  
14                   MOLD REMEDIATION;

15                   (III) HOW TO FIND MOLD TESTING AND REMEDIATION  
16                   PROFESSIONALS; AND

17                   (IV) WEBSITE ADDRESSES OR CONTACT INFORMATION FOR  
18                   ORGANIZATIONS OR GOVERNMENT AGENCIES THAT CAN PROVIDE THE  
19                   PUBLIC WITH INFORMATION PERTAINING TO THE HEALTH EFFECTS OF MOLD,  
20                   MOLD TESTING METHODS, OR ACCREDITED INDUSTRY STANDARDS FOR THE  
21                   REMEDICATION OF MOLD; AND

22                   (b) EVERY FIVE YEARS, UPDATE THE INFORMATION PROVIDED ON  
23                   THE DEPARTMENT'S WEBSITE PURSUANT TO SUBSECTION (1)(a) OF THIS  
24                   SECTION WITH THE MOST RECENT INFORMATION ON THE HEALTH DANGERS  
25                   OF MOLD AND THE MOST RECENT BEST PRACTICES FOR MOLD ASSESSMENT  
26                   AND REMEDIATION.

27                   (2) THE DEPARTMENT SHALL ESTABLISH THE WEBSITE PAGE

1 PURSUANT TO SUBSECTION (1) OF THIS SECTION ON OR BEFORE JULY 1,  
2 2026.

3 **25-4-2605. Standard of care for mold remediation.** MOLD  
4 REMEDIATION SHALL BE CONDUCTED IN ACCORDANCE WITH THE FOURTH  
5 EDITION OF THE ANSI/IICRC S520 STANDARD, OR A SUCCESSOR  
6 PUBLICATION. A VIOLATION OF THIS SECTION IS ENFORCEABLE ONLY  
7 THROUGH A PRIVATE RIGHT OF ACTION; EXCEPT THAT THE ATTORNEY  
8 GENERAL MAY, PURSUANT TO SECTION 38-12-512, INITIATE AN  
9 ENFORCEMENT ACTION IF THE ATTORNEY GENERAL HAS CAUSE TO BELIEVE  
10 THAT A PERSON, BY VIOLATING THIS SECTION, ENGAGED IN OR IS  
11 ENGAGING IN A VIOLATION OF THE WARRANTY OF HABITABILITY AS  
12 DESCRIBED IN SECTION 38-12-503.

13 **SECTION 2.** In Colorado Revised Statutes, **add** 38-35.7-113 as  
14 follows:

15 **38-35.7-113. Disclosure - mold - definitions.** (1) A BUYER OF  
16 RESIDENTIAL REAL PROPERTY HAS THE RIGHT TO BE INFORMED OF  
17 WHETHER THE PROPERTY HAS MOLD, HAS BEEN ASSESSED FOR MOLD, OR  
18 HAS HAD MOLD THAT WAS REMEDIATED. THIS INFORMATION MUST BE  
19 PROVIDED ON THE COLORADO REAL ESTATE COMMISSION APPROVED  
20 SELLER'S PROPERTY DISCLOSURE. THE SELLER'S PROPERTY DISCLOSURE  
21 MUST BE ACCOMPANIED BY ANY REPORTS PRODUCED BY ANY MOLD  
22 ASSESSMENT OR REMEDIATION THAT WAS CONDUCTED AT THE  
23 RESIDENTIAL REAL PROPERTY.

24 (2) AS USED IN THIS SECTION:

25 (a) "MOLD ASSESSMENT" MEANS AIR QUALITY TESTING THAT IS  
26 CONDUCTED AS PART OF AN INSPECTION, INVESTIGATION, OR SURVEY OF  
27 A DWELLING OR OTHER STRUCTURE TO PROVIDE INFORMATION TO THE

1 OWNER OR OCCUPANT OF THE DWELLING OR OTHER STRUCTURE  
2 REGARDING THE PRESENCE, IDENTIFICATION, OR EVALUATION OF MOLD  
3 AND WATER DAMAGE.

4 (b) "MOLD REMEDIATION" MEANS THE TIMELY AND GOOD FAITH  
5 EFFORT TO REMOVE MOLD OR MOLD-CONTAINMENT MATTER FROM A  
6 RESIDENTIAL PREMISES OR DWELLING UNIT AND TO MITIGATE ANY  
7 NEGATIVE EFFECT OF THE PRESENCE OF MOLD.

8 (c) "RESIDENTIAL REAL PROPERTY" MEANS:

9 (I) A SINGLE-FAMILY HOME, MANUFACTURED HOME, MOBILE  
10 HOME, CONDOMINIUM, APARTMENT, TOWNHOME, OR DUPLEX; OR

11 (II) A HOME SOLD BY THE OWNER, A FINANCIAL INSTITUTION, OR  
12 THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN  
13 DEVELOPMENT.

14 **SECTION 3.** In Colorado Revised Statutes, **add** 38-12-804 as  
15 follows:

16 **38-12-804. Disclosure - mold - definitions.** (1) A TENANT THAT  
17 RENTS RESIDENTIAL REAL PROPERTY HAS THE RIGHT TO BE INFORMED OF  
18 WHETHER THE PROPERTY HAS BEEN ASSESSED FOR MOLD.

19 (2) (a) BEFORE OBTAINING A TENANT'S SIGNATURE ON A LEASE  
20 AGREEMENT FOR RESIDENTIAL REAL PROPERTY, THE LANDLORD SHALL  
21 DISCLOSE AND PROVIDE IN WRITING TO THE TENANT THE FOLLOWING  
22 INFORMATION:

23 (I) A WARNING STATEMENT IN BOLD-FACED TYPE IN  
24 SUBSTANTIALLY THE SAME FORM AS IS SPECIFIED AS FOLLOWS:

25 **ACCORDING TO THE COLORADO DEPARTMENT OF PUBLIC**  
26 **HEALTH AND ENVIRONMENT, EXPOSURE TO A LARGE**  
27 **NUMBER OF MOLD SPORES MAY CAUSE SYMPTOMS SUCH**

1 AS WATERY EYES, RUNNY NOSE, SNEEZING, ITCHING,  
2 COUGHING, WHEEZING, DIFFICULTY BREATHING,  
3 HEADACHE, AND FATIGUE. REPEATED EXPOSURE TO  
4 MOLD CAN INCREASE A PERSON'S SENSITIVITY, CAUSING  
5 MORE SEVERE REACTIONS. SOURCES OF MOISTURE MAY  
6 INCLUDE: FLOODING, DAMP BASEMENT OR CRAWL SPACE,  
7 LEAKY ROOF, LEAKY PLUMBING, HUMIDIFIERS, POORLY  
8 VENTILATED AREAS, OR A CLOTHES DRYER THAT IS  
9 VENTED INDOORS. FOR MORE INFORMATION, PLEASE  
10 VISIT THE WEBSITE OF THE COLORADO DEPARTMENT OF  
11 PUBLIC HEALTH AND ENVIRONMENT.

12 (II) ANY KNOWLEDGE THE LANDLORD HAS OF THE PRESENCE OF  
13 MOLD IN THE RESIDENTIAL REAL PROPERTY, INCLUDING THE FOLLOWING  
14 INFORMATION:

15 (A) WHETHER A MOLD ASSESSMENT HAS BEEN CONDUCTED ON THE  
16 RESIDENTIAL REAL PROPERTY;

17 (B) A SUMMARY OF THE MOST RECENT RECORDS AND REPORTS  
18 PERTAINING TO MOLD CONCENTRATIONS WITHIN THE RESIDENTIAL REAL  
19 PROPERTY, IF ANY; AND

20 (C) A DESCRIPTION OF ANY MOLD CONCENTRATIONS DETECTED OR  
21 MITIGATION OR REMEDIATION PERFORMED, IF THE MOLD WAS NOT FULLY  
22 REMOVED OR IS LIKELY TO RETURN; AND

23 (III) THE WEBSITE ADDRESS FOR THE DEPARTMENT OF PUBLIC  
24 HEALTH AND ENVIRONMENT'S WEBSITE THAT PROVIDES INFORMATION  
25 ABOUT THE HEALTH EFFECTS OF MOLD IN INDOOR ENVIRONMENTS IN  
26 ACCORDANCE WITH SECTION 25-4-2604 (1)(a).

27 (b) THE TENANT SHALL ACKNOWLEDGE RECEIPT OF THE



1 INFORMATION DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION BY  
2 SIGNING THE DISCLOSURE.

3 (3) NOTHING IN THIS SECTION:

4 (a) ABSOLVES A LANDLORD FROM HAVING TO COMPLY WITH THE  
5 LANDLORD'S OBLIGATIONS SET FORTH IN SECTION 38-12-503 REGARDING  
6 THE WARRANTY OF HABITABILITY; OR

7 (b) PRECLUDES A TENANT FROM EXERCISING ONE OR MORE OF THE  
8 REMEDIES AVAILABLE TO THE TENANT PURSUANT TO SECTION 38-12-507  
9 IN RESPONSE TO A BREACH OF THE WARRANTY OF HABITABILITY AS SET  
10 FORTH IN SECTION 38-12-503.

11 (4) AS USED IN THIS SECTION:

12 (a) "MOLD ASSESSMENT" MEANS AIR QUALITY TESTING THAT IS  
13 CONDUCTED AS PART OF AN INSPECTION, INVESTIGATION, OR SURVEY OF  
14 A DWELLING OR OTHER STRUCTURE TO PROVIDE INFORMATION TO THE  
15 OWNER OR OCCUPANT OF THE DWELLING OR OTHER STRUCTURE  
16 REGARDING THE PRESENCE, IDENTIFICATION, OR EVALUATION OF MOLD  
17 AND WATER DAMAGE.

18 (b) "RESIDENTIAL REAL PROPERTY" MEANS:

19 (I) A SINGLE-FAMILY HOME, MANUFACTURED HOME, MOBILE  
20 HOME, CONDOMINIUM, APARTMENT, TOWNHOME, OR DUPLEX; OR

21 (II) A HOME SOLD BY THE OWNER, A FINANCIAL INSTITUTION, OR  
22 THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN  
23 DEVELOPMENT.

24 **SECTION 4. Act subject to petition - effective date.** Sections  
25 38-35.7-113 and 38-12-804, Colorado Revised Statutes, as enacted in  
26 sections 2 and 3 of this act, respectively, take effect January 1, 2026, and  
27 the remainder of this act takes effect at 12:01 a.m. on the day following

1 the expiration of the ninety-day period after final adjournment of the  
2 general assembly; except that, if a referendum petition is filed pursuant to  
3 section 1 (3) of article V of the state constitution against this act or an  
4 item, section, or part of this act within the ninety-day period after final  
5 adjournment of the general assembly, then the act, item, section, or part  
6 will not take effect unless approved by the people at the general election  
7 to be held in November 2026 and, in such case, will take effect on the  
8 date of the official declaration of the vote thereon by the governor; except  
9 that sections 38-35.7-113 and 38-12-804, Colorado Revised Statutes, as  
10 enacted in sections 2 and 3 of this act, respectively, take effect January 1,  
11 2026.