

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 22, 2019

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB19-1328 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, after line 14 insert:

2 "(7) "ELECTRONIC NOTICE" MEANS NOTICE BY E-MAIL OR AN
3 ELECTRONIC PORTAL OR MANAGEMENT COMMUNICATIONS SYSTEM THAT
4 IS AVAILABLE TO BOTH A LANDLORD AND A TENANT."

5 Renumber succeeding subsections accordingly.

6 Page 4, line 4, strike "ELECTRONICALLY OR IN WRITING" and substitute
7 "VIA WRITTEN OR ELECTRONIC NOTICE".

8 Page 4, line 6, after "BED BUGS." add "A TENANT WHO GIVES A LANDLORD
9 ELECTRONIC NOTICE OF A CONDITION SHALL SEND SUCH NOTICE ONLY TO
10 THE E-MAIL ADDRESS, TELEPHONE NUMBER, OR ELECTRONIC PORTAL
11 SPECIFIED BY THE LANDLORD IN THE RENTAL AGREEMENT FOR
12 COMMUNICATIONS. IN THE ABSENCE OF SUCH A PROVISION IN THE RENTAL
13 AGREEMENT, THE TENANT SHALL COMMUNICATE WITH THE LANDLORD IN
14 A MANNER THAT THE LANDLORD HAS PREVIOUSLY USED TO COMMUNICATE
15 WITH THE TENANT. THE TENANT SHALL RETAIN SUFFICIENT PROOF OF THE
16 DELIVERY OF THE ELECTRONIC NOTICE."

17 Page 4, lines 11 and 12, strike "AND ANY CONTIGUOUS DWELLING UNIT".

18 Page 4, after line 15 insert:

1 "(3) IF THE INSPECTION OF A DWELLING UNIT CONFIRMS THE
2 PRESENCE OF BED BUGS, THE LANDLORD SHALL ALSO CAUSE TO BE
3 PERFORMED AN INSPECTION OF ALL CONTIGUOUS DWELLING UNITS AS
4 PROMPTLY AS IS REASONABLY PRACTICAL."

5 Page 6, strike lines 26 and 27 and substitute "QUALIFIED INSPECTOR SHALL
6 ADVISE THE TENANT THAT THE FURNITURE, CLOTHING, EQUIPMENT, OR
7 PERSONAL PROPERTY SHOULD NOT BE REMOVED FROM THE DWELLING UNIT
8 UNTIL A PEST CONTROL AGENT DETERMINES THAT A BED BUG TREATMENT
9 HAS BEEN COMPLETED. THE TENANT SHALL NOT DISPOSE OF PERSONAL
10 PROPERTY THAT WAS DETERMINED TO CONTAIN BED BUGS IN ANY
11 COMMON AREA WHERE SUCH DISPOSAL MAY RISK THE INFESTATION OF
12 OTHER DWELLING UNITS."

13 Page 7, strike line 1.

14 Page 7, strike lines 23 and 24 and substitute "JURISDICTION TO OBTAIN
15 INJUNCTIVE RELIEF AGAINST A TENANT WHO:".

16 Page 8, after line 20 insert:

17 **"38-12-907. Relationship to warranty of habitability.**
18 NOTWITHSTANDING ANY PROVISION OF PART 5 OF THIS ARTICLE 12 TO THE
19 CONTRARY, A LANDLORD WHO COMPLIES WITH THIS PART 9 IS DEEMED TO
20 HAVE SATISFIED THE REQUIREMENTS OF SAID PART 5 WITH RESPECT TO
21 MATTERS CONCERNING BED BUGS."

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