

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 27, 2020

Committee on Business Affairs & Labor.

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

HB20-1200 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 12 through 17 and substitute:
 - 2 "(IX) THE HOA INFORMATION AND RESOURCE CENTER CREATED
 - 3 IN SECTION 12-10-801."
 - 4 Page 2, line 19, strike "(5) and".
 - 5 Page 3, strikes lines 2 through 27 and substitute "**duties - rules - subject**
 - 6 **to review - repeal.** (6) This section is repealed, effective September 1,
 - 7 ~~2020~~ 2025. Before the repeal, the HOA information and resource center
 - 8 and the HOA information officer's powers and duties under this section
 - 9 are scheduled for review in accordance with section 24-34-104."
- 10 Strike pages 4 through 19 and substitute:
 - 11 "**SECTION 3.** In Colorado Revised Statutes, 38-33.3-106.5, **add**
 - 12 (1)(c.5) as follows:
 - 13 **38-33.3-106.5. Prohibitions contrary to public policy -**
 - 14 **patriotic, political, or religious expression - emergency vehicles - fire**
 - 15 **prevention - renewable energy generation devices - affordable**
 - 16 **housing - drought prevention measures - definitions.**
 - 17 (1) Notwithstanding any provision in the declaration, bylaws, or rules
 - 18 and regulations of the association to the contrary, an association shall not
 - 19 prohibit any of the following:
 - 20 (c.5) (I) THE DISPLAY OF A RELIGIOUS ITEM OR SYMBOL ON THE

1 ENTRY DOOR OR ENTRY DOOR FRAME OF A UNIT; EXCEPT THAT AN
2 ASSOCIATION MAY PROHIBIT THE DISPLAY OR AFFIXING OF AN ITEM OR
3 SYMBOL TO THE EXTENT THAT IT:

4 (A) THREATENS PUBLIC HEALTH OR SAFETY;
5 (B) HINDERS THE OPENING OR CLOSING OF AN ENTRY DOOR;
6 (C) VIOLATES FEDERAL OR STATE LAW OR A MUNICIPAL
7 ORDINANCE;

8 (D) CONTAINS GRAPHICS, LANGUAGE, OR ANY DISPLAY THAT IS
9 OBSCENE OR OTHERWISE ILLEGAL; OR

10 (E) INDIVIDUALLY OR IN COMBINATION WITH OTHER RELIGIOUS
11 ITEMS OR SYMBOLS, COVERS AN AREA GREATER THAN THIRTY-SIX SQUARE
12 INCHES.

13 (II) IF AN ASSOCIATION IS PERFORMING MAINTENANCE, REPAIR, OR
14 REPLACEMENT OF AN ENTRY DOOR OR DOOR FRAME THAT SERVES A UNIT
15 OWNER'S SEPARATE INTEREST, THE UNIT OWNER MAY BE REQUIRED TO
16 REMOVE A RELIGIOUS ITEM OR SYMBOL DURING THE TIME THE WORK IS
17 BEING PERFORMED. AFTER COMPLETION OF THE ASSOCIATION'S WORK, THE
18 UNIT OWNER MAY AGAIN DISPLAY OR AFFIX THE RELIGIOUS ITEM OR
19 SYMBOL. THE ASSOCIATION SHALL PROVIDE INDIVIDUAL NOTICE TO THE
20 UNIT OWNER REGARDING THE TEMPORARY REMOVAL OF THE RELIGIOUS
21 ITEM OR SYMBOL.

22 (III) AS USED IN THIS SUBSECTION (1)(c.5), "RELIGIOUS ITEM OR
23 SYMBOL" MEANS AN ITEM OR SYMBOL DISPLAYED BECAUSE OF A
24 SINCERELY HELD RELIGIOUS BELIEF.

25 **SECTION 4. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, or safety."

28 Page 1, line 103, strike the first "THE".

** *** ** *** **