

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 4, 2023
Date

Committee on Local Government & Housing.

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

HB23-1095 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 4, strike lines 25 through 27.

2 Page 5, strike lines 1 through 3 and substitute:

3 "(4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
4 CONTRARY, SUBSECTIONS (3)(a)(III)(A), (3)(a)(III)(C), (3)(a)(III)(D),
5 (3)(a)(IV), (3)(a)(V), (3)(a)(VI), AND (3)(a)(VII) OF THIS SECTION DO NOT
6 APPLY TO A RENTAL AGREEMENT CONCERNING THE OCCUPANCY OF A
7 MOBILE HOME, AS DEFINED IN SECTION 38-12-201.5 (5), IN A MOBILE HOME
8 PARK, AS DEFINED IN SECTION 38-12-201.5 (6).

9 (5) NOTHING IN THIS SECTION LIMITS OR RESTRICTS ANY RIGHTS OR
10 REMEDIES THAT ARE AVAILABLE ELSEWHERE IN LAW, INCLUDING UNDER
11 THE "MOBILE HOME PARK ACT", PART 2 OF ARTICLE 12 OF THIS TITLE 38,
12 OR PURSUANT TO ANY JUDICIAL INTERPRETATIONS OF THE "MOBILE HOME
13 PARK ACT".

14 Renumber succeeding subsections accordingly.

15 Page 5, after line 9 insert:

16 "(a) "ACCESSORY DWELLING UNIT" MEANS AN INTERNAL,
17 ATTACHED, OR DETACHED RESIDENTIAL DWELLING UNIT THAT:

18 (I) PROVIDES COMPLETE INDEPENDENT LIVING FACILITIES FOR ONE
19 OR MORE PERSONS;

20 (II) IS LOCATED ON THE SAME LOT AS A PROPOSED OR EXISTING
21 PRIMARY RESIDENCE; AND

22 (III) INCLUDES PROVISIONS FOR LIVING, SLEEPING, EATING,
23 COOKING, AND SANITATION."

24 Reletter succeeding paragraphs accordingly.

1 Page 5, strike lines 22 through 25 and substitute "OR TO AN ACCESSORY
2 DWELLING UNIT OF A RESIDENTIAL PREMISES IF:

3 (a) THE OWNER OF THE DUPLEX, TRIPLEX, OR RESIDENTIAL
4 PREMISES USES THE RESIDENTIAL PREMISES OR AT LEAST ONE OF THE UNITS
5 OF THE DUPLEX OR TRIPLEX, AS APPLICABLE, AS THE OWNER'S PRIMARY
6 RESIDENCE; OR

7 (b) THE OWNER'S PRIMARY RESIDENCE IS ON THE SAME LOT AS THE
8 DUPLEX, TRIPLEX, OR RESIDENTIAL PREMISES."

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