

CHAPTER 61

PROPERTY

SENATE BILL 18-010

BY SENATOR(S) Martinez Humenik and Williams A., Aguilar, Donovan, Kefalas, Merrifield, Priola, Tate, Court, Fenberg, Fields, Guzman, Kagan, Kerr, Todd, Zenzinger, Jones, Moreno;
 also REPRESENTATIVE(S) Exum, Benavidez, Coleman, Herod, Kennedy, Roberts, Rosenthal, Becker K., Buckner, Singer, Weissman, Lee, Bridges, Danielson, Esgar, Gray, Hamner, Hansen, Hooton, Lontine, McLachlan, Melton, Michaelson Jenet, Pabon, Pettersen, Salazar, Valdez, Winter, Young, Duran.

AN ACT

CONCERNING THE REQUIREMENT THAT A RESIDENTIAL LANDLORD PROVIDE A TENANT WITH SPECIFIED DOCUMENTS RELEVANT TO THE LANDLORD-TENANT RELATIONSHIP, AND, IN CONNECTION THEREWITH, SPECIFYING RENT RECEIPTS AND COPIES OF ANY WRITTEN LEASE AGREEMENT AS DOCUMENTS THAT MUST BE PROVIDED.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 38-12-502, **amend** the introductory portion as follows:

38-12-502. Definitions. As used in this part 5 AND PART 8 OF THIS ARTICLE 12, unless the context otherwise requires:

SECTION 2. In Colorado Revised Statutes, **add** part 8 to article 12 of title 38 as follows:

**PART 8
 REQUIRED DOCUMENTATION**

38-12-801. Written rental agreement - copy - tenant. **IF** THERE IS A WRITTEN RENTAL AGREEMENT, THEN THE LANDLORD SHALL PROVIDE THE TENANT WITH A COPY OF THE AGREEMENT THAT IS SIGNED BY THE LANDLORD AND THE TENANT, NO LATER THAN THE SEVENTH DAY AFTER THE TENANT HAS SIGNED THE AGREEMENT. **A** LANDLORD MAY PROVIDE THE TENANT WITH AN ELECTRONIC COPY OF THE AGREEMENT, UNLESS THE TENANT REQUESTS A PAPER COPY, IN WHICH CASE THE LANDLORD SHALL PROVIDE THE TENANT WITH A PAPER COPY.

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

38-12-802. Tenant payment - receipts. UPON RECEIVING ANY PAYMENT MADE IN PERSON BY A TENANT WITH CASH OR A MONEY ORDER, A LANDLORD SHALL CONTEMPORANEOUSLY PROVIDE THE TENANT WITH A RECEIPT INDICATING THE AMOUNT THE TENANT PAID AND THE DATE OF PAYMENT. IF THE LANDLORD RECEIVES A PAYMENT THAT IS NOT DELIVERED IN PERSON BY THE TENANT WITH CASH OR A MONEY ORDER, IF REQUESTED BY THE TENANT, THE LANDLORD SHALL, WITHIN SEVEN DAYS AFTER THE REQUEST, PROVIDE THE TENANT WITH A RECEIPT INDICATING THE AMOUNT THE TENANT PAID, THE RECIPIENT, AND THE DATE OF PAYMENT, UNLESS THERE IS ALREADY AN EXISTING PROCEDURE THAT PROVIDES A TENANT WITH A RECORD OF THE PAYMENT RECEIVED THAT INDICATES THE AMOUNT THE TENANT PAID, THE RECIPIENT, AND THE DATE OF PAYMENT. A LANDLORD MAY PROVIDE THE TENANT WITH AN ELECTRONIC RECEIPT, UNLESS THE TENANT REQUESTS A PAPER RECEIPT, IN WHICH CASE THE LANDLORD SHALL PROVIDE THE TENANT WITH A PAPER RECEIPT. FOR PURPOSES OF THIS SECTION, A RECEIPT MAY BE INCLUDED AS PART OF A BILLING STATEMENT.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 22, 2018