

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 20-0519.01 Duane Gall x4335

HOUSE BILL 20-1200

HOUSE SPONSORSHIP

Titone and Weissman,

SENATE SPONSORSHIP

Story,

House Committees

Business Affairs & Labor
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE HOA INFORMATION AND**
102 **RESOURCE CENTER, AND, IN CONNECTION THEREWITH,**
103 **IMPLEMENTING ■ RECOMMENDATIONS CONTAINED IN THE 2019**
104 **SUNSET REPORT BY THE DEPARTMENT OF REGULATORY**
105 **AGENCIES.**

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/>.)

Sunset Process - House Business Affairs and Labor Committee. The bill continues the HOA information and resource center

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended 2nd Reading
June 8, 2020

for 5 years, until 2025. It also creates a dispute resolution and enforcement program (program) under which the division of real estate shall:

- ! Collect and annually report upon additional data specifically related to disputes and violations of the "Colorado Common Interest Ownership Act" (act);
- ! Produce and distribute educational materials concerning the act and the program; and
- ! Take complaints, conduct investigations, make determinations, impose penalties, and participate in administrative dispute resolutions when there are alleged violations of the act or the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (19)(a)(II); and **add** (26)(a)(IX) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (19) (a) The following agencies, functions, or both,
7 are scheduled for repeal on September 1, 2020:

8 (II) ~~The HOA information and resource center created in section~~
9 ~~12-10-801;~~

10 (26) (a) The following agencies, functions, or both, are scheduled
11 for repeal on September 1, 2025:

12 (IX) ~~THE HOA INFORMATION AND RESOURCE CENTER CREATED IN~~
13 ~~SECTION 12-10-801.~~

14 **SECTION 2.** In Colorado Revised Statutes, 12-10-801, **amend**
15 (6) as follows:

16 **12-10-801. HOA information and resource center - creation -**
17 **duties - rules - subject to review - repeal.** (6) This section is repealed,
18 effective September 1, ~~2020~~ 2025. Before the repeal, the HOA
19 information and resource center and the HOA information officer's

1 powers and duties under this section are scheduled for review in
2 accordance with section 24-34-104.

3 **SECTION 3.** In Colorado Revised Statutes, 38-33.3-106.5, add
4 (1)(c.5) as follows:

5 **38-33.3-106.5. Prohibitions contrary to public policy -**
6 **patriotic, political, or religious expression - emergency vehicles - fire**
7 **prevention - renewable energy generation devices - affordable**
8 **housing - drought prevention measures - definitions.**

9 (1) Notwithstanding any provision in the declaration, bylaws, or rules
10 and regulations of the association to the contrary, an association shall not
11 prohibit any of the following:

12 (c.5) (I) THE DISPLAY OF A RELIGIOUS ITEM OR SYMBOL ON THE
13 ENTRY DOOR OR ENTRY DOOR FRAME OF A UNIT; EXCEPT THAT AN
14 ASSOCIATION MAY PROHIBIT THE DISPLAY OR AFFIXING OF AN ITEM OR
15 SYMBOL TO THE EXTENT THAT IT:

- 16 (A) THREATENS PUBLIC HEALTH OR SAFETY;
- 17 (B) HINDERS THE OPENING OR CLOSING OF AN ENTRY DOOR;
- 18 (C) VIOLATES FEDERAL OR STATE LAW OR A MUNICIPAL
19 ORDINANCE;
- 20 (D) CONTAINS GRAPHICS, LANGUAGE, OR ANY DISPLAY THAT IS
21 OBSCENE OR OTHERWISE ILLEGAL; OR
- 22 (E) INDIVIDUALLY OR IN COMBINATION WITH OTHER RELIGIOUS
23 ITEMS OR SYMBOLS, COVERS AN AREA GREATER THAN THIRTY-SIX SQUARE
24 INCHES.

25 (II) IF AN ASSOCIATION IS PERFORMING MAINTENANCE, REPAIR, OR
26 REPLACEMENT OF AN ENTRY DOOR OR DOOR FRAME THAT SERVES A UNIT
27 OWNER'S SEPARATE INTEREST, THE UNIT OWNER MAY BE REQUIRED TO

1 REMOVE A RELIGIOUS ITEM OR SYMBOL DURING THE TIME THE WORK IS
2 BEING PERFORMED. AFTER COMPLETION OF THE ASSOCIATION'S WORK, THE
3 UNIT OWNER MAY AGAIN DISPLAY OR AFFIX THE RELIGIOUS ITEM OR
4 SYMBOL. THE ASSOCIATION SHALL PROVIDE INDIVIDUAL NOTICE TO THE
5 UNIT OWNER REGARDING THE TEMPORARY REMOVAL OF THE RELIGIOUS
6 ITEM OR SYMBOL.

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

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