



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated January 27, 2023)

Drafting Number:	LLS 23-0607	Date:	March 10, 2023
Prime Sponsors:	Rep. Vigil; Weissman Sen. Fields; Exum	Bill Status:	Senate Local Government
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Bill Topic: PORTABLE SCREENING REPORT FOR RESIDENTIAL LEASES

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill prohibits a landlord from charging a rental application fee if a prospective tenant supplies a portable tenant screening report. The bill minimally increases state and local revenue and workload on an ongoing basis

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This revised fiscal note reflects the reengrossed bill.

Summary of Legislation

The bill requires landlords to accept portable screening reports when considering rental applications of prospective tenants. A screening report, prepared by a consumer reporting agency at the request of a prospective tenant, provides verification of identity, employment and income history, a rental and credit history report, and a criminal history record check. The report must have been prepared within the last 30 days.

Landlords may not charge an application fee if provided with a tenant screening report, and must inform applicants of their rights to provide a screening report. If a rental applicant pays a fee for the landlord to obtain a consumer report, the landlord must supply a copy to the applicant. If no fee was paid for the report, the landlord may provide the report, or the name and address of the reporting agency. The bill gives the Department of Law (DOL) expanded authority to bring criminal and civil action to enforce the entirety of the Rental Application Fairness Act. The bill exempts a landlord from these requirements if they do not accept more than one application fee at a time from a prospective tenant or tenants for a dwelling unit, or if they refund application fees within 20 days when a lease is declined.

Finally, the bill increases the liability of a landlord to a tenant for a violation of the Rental Application Fairness Act from triple the amount of the application fee to \$2,500. If a landlord cures a violation within seven calendar days, the landlord shall pay a tenant a penalty of \$50.

State Revenue and Expenditures

Beginning FY 2023-24, the bill increases state revenue and expenditures in the Judicial Department and workload in the Department of Law as described below.

Judicial Department. The bill may minimally increase state revenue from filing fees or fines, as well as workload for the trial courts in the Judicial Department beginning in FY 2023-24. This revised fiscal note assumes a high compliance with the bill and no change in appropriations is required.

Department of Law. The bill expands the department's authority to enforce the entire Rental Application Fairness Act, which may minimally increase the number of complaints and enforcement actions taken by the department. This expanded authority does not require additional appropriations.

Local Government

Similar to the state, Denver County Court may have an increase in revenue and workload to the extent that additional cases are filed in that jurisdiction.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Counties

Local Affairs

Judicial

Municipalities

Law

Regulatory Agencies