

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 24-0633.01 Caroline Martin x5902

HOUSE BILL 24-1007

HOUSE SPONSORSHIP

Rutinel and Mabrey, Bacon, Boesenecker, deGruy Kennedy, English, Epps, Froelich, Garcia, Hernandez, Jodeh, Kipp, Lindsay, Lindstedt, Marvin, Mauro, McCluskie, McCormick, Ortiz, Parenti, Ricks, Sirota, Velasco, Vigil, Weissman, Willford

SENATE SPONSORSHIP

Exum and Gonzales,

House Committees

Transportation, Housing & Local Government

Senate Committees

Local Government & Housing

A BILL FOR AN ACT

101 **CONCERNING RESIDENTIAL OCCUPANCY LIMITS.**

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>.)

The bill prohibits local governments from enacting or enforcing residential occupancy limits unless those limits are tied to a minimum square footage per person requirement that is necessary to regulate safety, health, and welfare.

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

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

SENATE
Amended 2nd Reading
March 18, 2024

HOUSE
3rd Reading Unamended
February 9, 2024

HOUSE
Amended 2nd Reading
February 2, 2024

1 **SECTION 1.** In Colorado Revised Statutes, **add** 29-20-111 as
2 follows:

3 **29-20-111. Local government residential occupancy limits -**
4 **short title - legislative declaration - definition.** (1) THE SHORT TITLE OF
5 THIS SECTION IS THE "HOME (HARMONIZING OCCUPANCY MEASURES
6 EQUITABLY) ACT."

7 (2) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT
8 OCCUPANCY LIMITS AND THE INCREASED AVAILABILITY OF HOUSING ARE
9 MATTERS OF MIXED STATEWIDE AND LOCAL CONCERN.

10 == ==
11 (3) A LOCAL GOVERNMENT SHALL NOT LIMIT THE NUMBER OF
12 PEOPLE WHO MAY LIVE TOGETHER IN A SINGLE DWELLING BASED ON
13 FAMILIAL RELATIONSHIP. LOCAL GOVERNMENTS RETAIN THE AUTHORITY
14 TO IMPLEMENT RESIDENTIAL OCCUPANCY LIMITS BASED ONLY ON:

15 (a) DEMONSTRATED HEALTH AND SAFETY STANDARDS, SUCH AS
16 INTERNATIONAL BUILDING CODE STANDARDS, FIRE CODE REGULATIONS, OR
17 COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
18 WASTEWATER AND WATER QUALITY STANDARDS; OR

19 (b) LOCAL, STATE, FEDERAL, OR POLITICAL SUBDIVISION
20 AFFORDABLE HOUSING PROGRAM GUIDELINES.

21 (4) AS USED IN THIS SECTION, "LOCAL GOVERNMENT" MEANS A
22 HOME RULE OR STATUTORY CITY, HOME RULE OR STATUTORY COUNTY,
23 TOWN, TERRITORIAL CHARTER CITY, OR CITY AND COUNTY.

24 **SECTION 2. Effective date.** This act takes effect July 1, 2024.

25 **SECTION 3. Safety clause.** The general assembly finds,
26 determines, and declares that this act is necessary for the immediate

1 preservation of the public peace, health, or safety or for appropriations for
2 the support and maintenance of the departments of the state and state
3 institutions.