HB1329_L.004

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans & Military Affairs.

HB21-1329 be amended as follows:

1 Amend reengrossed bill, page 5, after line 20 insert:

2 "(g) PURSUANT TO 31 C.F.R. 35.6 (b)(6), THE TRANSFER TO THE
3 EVICTION LEGAL DEFENSE FUND REQUIRED BY SUBSECTION (3.5) OF THIS
4 SECTION FOR THE PURPOSE OF PROVIDING LEGAL REPRESENTATION TO
5 INDIGENT TENANTS TO RESOLVE CIVIL LEGAL MATTERS ARISING ON AND
6 AFTER MARCH 1, 2020, FOR AN EVICTION OR IMPENDING EVICTION
7 RELATED TO THE PUBLIC HEALTH EMERGENCY CAUSED BY THE COVID-19
8 PUBLIC HEALTH EMERGENCY, IS INTENDED TO ADDRESS HOUSING
9 INSECURITY, LACK OF AFFORDABLE HOUSING, OR HOMELESSNESS TO
10 ASSIST PERSONS DISPROPORTIONATELY AFFECTED BY THE PUBLIC HEALTH
11 EMERGENCY IN OBTAINING AFFORDABLE HOUSING. ACCORDINGLY, THE
12 GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT
13 THE TRANSFER REQUIRED BY SUBSECTION (3.5) OF THS SECTION IS AN
14 ELIGIBLE USE OF MONEY RECEIVED BY THE STATE UNDER THE "AMERICAN
15 RESCUE PLAN ACT OF 2021", PUB. L. 117-2.".

16 Page 7, after line 23 insert:

17 "(4) THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
18 (4), THE STATE TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED
19 THOUSAND DOLLARS FROM THE FUND TO THE EVICTION LEGAL DEFENSE
20 FUND CREATED IN SECTION 13-40-127 (2).".

21 Renumber succeeding subsection accordingly.

22 Page 9, after line 16 insert:

23 "**SECTION 3.** In Colorado Revised Statutes, 13-40-127, **add** (9)
24 as follows:
25 **13-40-127. Eviction legal assistance - fund - rules - report -**
26 **definitions - repeal.** (9) (a) IN ACCORDANCE WITH SECTION 24-75-229
27 (4), THREE DAYS AFTER THE EFFECTIVE DATE OF SECTION 24-75-229 (4),
28 THE STATE TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED
29 THOUSAND DOLLARS FROM THE AFFORDABLE HOUSING AND HOME
30 OWNERSHIP CASH FUND CREATED IN SECTION 24-75-229 (3)(a) TO THE
31 FUND FOR THE PURPOSE OF PROVIDING LEGAL REPRESENTATION TO
32 INDIGENT TENANTS TO RESOLVE CIVIL LEGAL MATTERS ARISING ON AND
33 AFTER MARCH 1, 2020, FOR AN EVICTION OR IMPENDING EVICTION
34 RELATED TO THE PUBLIC HEALTH EMERGENCY CAUSED BY THE COVID-19
35 PUBLIC HEALTH EMERGENCY. THE MONEY TRANSFERRED TO THE FUND

PURSUANT TO THIS SUBSECTION (9)(a) MUST BE MAINTAINED IN A SEPARATE ACCOUNT AND MUST BE USED ONLY FOR THE PURPOSES SPECIFIED IN THIS SUBSECTION (9)(a). THE GENERAL ASSEMBLY SHALL APPROPRIATE THE MONEY TRANSFERRED TO THE FUND PURSUANT TO THIS SUBSECTION (9)(a) TO THE ADMINISTRATOR FOR USE IN ACCORDANCE WITH THIS SUBSECTION (9)(a). THE ADMINISTRATOR SHALL USE THE MONEY BY DECEMBER 31, 2024, FOR THE PURPOSES SPECIFIED IN THIS SUBSECTION (9)(a).

(b) NOT LATER THAN SEPTEMBER 1, 2021, THE ADMINISTRATOR SHALL USE THE MONEY TRANSFERRED TO THE FUND UNDER SUBSECTION (9)(a) OF THIS SECTION TO MAKE GRANT AWARDS FOR THE USES SPECIFIED IN (9)(a) OF THIS SECTION TO:

(I) QUALIFYING ORGANIZATIONS THAT HAVE PREVIOUSLY BEEN AWARDED A GRANT FROM THE FUND IN THE 2020-21 STATE FISCAL YEAR; AND

(II) NEWLY QUALIFYING ORGANIZATIONS.

(c) ANY MONEY TRANSFERRED TO THE FUND IN ACCORDANCE WITH SUBSECTION (9)(a) OF THIS SECTION THAT HAS NOT BEEN EXPENDED OR ENCUMBERED AS OF JUNE 30, 2021, MUST REVERT TO THE AFFORDABLE HOUSING AND HOME OWNERSHIP CASH FUND CREATED IN SECTION 24-75-229 (3)(a).

(d) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2025.".

Page 9, line 18, strike "$100,000,000" and substitute "$98,500,000".

Page 10, after line 8 insert:

"(3) For the 2021-22 state fiscal year, $1,500,000 is appropriated to the judicial department for use by the eviction legal defense fund grant program. This appropriation is from the affordable housing and home ownership cash fund created in section 24-75-229 (3)(a) and of money the state received from the federal coronavirus state fiscal recovery fund. To implement this act, the department may use this appropriation for the purpose of providing legal representation to indigent tenants as specified in section 13-40-127 (3) and (9), C.R.S. Any money appropriated in this section not expended as of June 30, 2021, must revert to the affordable housing and home ownership cash fund created in section 24-75-229 (3)(a).".

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