

CHAPTER 49

PROFESSIONS AND OCCUPATIONS

SENATE BILL 17-127

BY SENATOR(S) Tate, Holbert, Moreno, Grantham;
also REPRESENTATIVE(S) Pabon, Arndt, Becker K., Gray, Neville P., Nordberg, Ransom, Rosenthal, Saine, Van Winkle, Wist.

AN ACT

CONCERNING AN EXPANSION OF THE EXEMPTION FROM THE REQUIREMENTS THAT APPLY TO A MORTGAGE LOAN ORIGINATOR TO INCLUDE UP TO THREE LOANS PER YEAR WITHOUT COMPENSATION BETWEEN FAMILY MEMBERS.

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

SECTION 1. In Colorado Revised Statutes, 12-61-904, **amend** (1)(b)(II) as follows:

12-61-904. Exemptions - rules. (1) Except as otherwise provided in section 12-61-905.5, this part 9 does not apply to the following, unless otherwise determined by the federal bureau of consumer financial protection or the United States department of housing and urban development:

(b) With respect to a residential mortgage loan:

(II) ~~A parent~~ AN INDIVIDUAL who acts as a MORTGAGE loan originator, WITHOUT COMPENSATION OR GAIN TO THE MORTGAGE LOAN ORIGINATOR, **in providing loan financing** FOR NOT MORE THAN THREE RESIDENTIAL MORTGAGE LOANS IN ANY TWELVE-MONTH PERIOD ~~to his or her child~~ A FAMILY MEMBER OF THE INDIVIDUAL. THE BOARD SHALL DEFINE "FAMILY MEMBER" BY RULE. FOR PURPOSES OF THIS EXEMPTION ONLY, "COMPENSATION OR GAIN" EXCLUDES ANY INTEREST PAID UNDER THE LOAN FINANCING PROVIDED.

SECTION 2. Act subject to petition - effective date - applicability. (1) 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 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of 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.

(2) This act applies to conduct occurring on or after the applicable effective date of this act.

Approved: March 16, 2017