

CHAPTER 300

GOVERNMENT - LOCAL

HOUSE BILL 26-1202

BY REPRESENTATIVE(S) Rutinel and Sirota, Camacho, Clifford, Ricks, Boesenecker, Brown, Froelich, Gilchrist, Goldstein, Hamrick, Jackson, Lindsay, Mabrey, Nguyen, Phillips, Rydin, Stewart R.;
also SENATOR(S) Amabile and Marchman, Wallace, Benavidez, Cutter, Gonzales J., Kipp, Coleman.

AN ACT

CONCERNING STRATEGIES TO MITIGATE HOMELESSNESS, AND, IN CONNECTION THEREWITH, REQUIRING THE DEPARTMENT OF LOCAL AFFAIRS TO PRESENT A PROPOSAL FOR A STATEWIDE STRATEGY ON HOMELESSNESS PREVENTION AND RESOLUTION, ALLOWING LOCAL GOVERNMENTS TO CREATE MULTIJURISDICTIONAL HOMELESSNESS AUTHORITIES, AND ALLOWING REAL ESTATE DOCUMENTARY FEES TO BE USED FOR AFFORDABLE HOUSING.

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

SECTION 1. In Colorado Revised Statutes, **add** part 39 to article 32 of title 24 as follows:

**PART 39
STATEWIDE STRATEGY FOR HOMELESSNESS
PREVENTION AND RESOLUTION**

24-32-3901. Legislative declaration.

(1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) HOMELESSNESS IS ON THE RISE IN COLORADO. THERE WERE MORE THAN THIRTEEN THOUSAND INDIVIDUALS EXPERIENCING HOMELESSNESS ON A SINGLE NIGHT IN JANUARY 2024. IN 2024, MORE THAN FIFTY-TWO THOUSAND EIGHT HUNDRED INDIVIDUALS SOUGHT HOUSING AND SERVICES RELATED TO HOMELESSNESS THROUGH THE COLORADO HOMELESS MANAGEMENT INFORMATION SYSTEM'S PARTNER AGENCIES.

(b) INDIVIDUALS EXPERIENCING HOMELESSNESS IN THE SEVEN-COUNTY DENVER-METRO AREA CITED RELATIONSHIP PROBLEMS OR BREAKUPS, INABILITY TO

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

FIND OR MAINTAIN A JOB, FAMILY ISSUES, INABILITY TO PAY RENTS OR MORTGAGES, AND COST OF HOUSING AS THE TOP REASONS CONTRIBUTING TO HOMELESSNESS.

(c) AS OF 2024, COLORADO WAS THE EIGHTH LEAST AFFORDABLE STATE IN THE NATION ACCORDING TO THE NATIONAL LOW INCOME HOUSING COALITION. THE COALITION FOUND THAT, TO PAY FOR A ONE-BEDROOM HOME, A COLORADO RENTER MUST EITHER MAKE SIXTY-FIVE THOUSAND DOLLARS A YEAR OR WORK EIGHTY-FIVE HOURS A WEEK MAKING MINIMUM WAGE. FORTY PERCENT OF INDIVIDUALS EXPERIENCING HOMELESSNESS HAVE PAYING JOBS, AND ONLY ONE IN FOUR INDIVIDUALS WHO QUALIFY FOR RENTAL SUBSIDIES RECEIVE THEM.

(d) ACCORDING TO THE COLORADO FUTURES CENTER, NEARLY HALF OF COLORADO HOUSEHOLDS HAVE ANNUAL INCOMES BELOW SEVENTY-FIVE THOUSAND DOLLARS. THESE HOUSEHOLDS MUST SPEND AN OUTSIZED PORTION OF THEIR EARNINGS ON HOUSING, REPRESENTING OVER FIVE BILLION DOLLARS IN FOREGONE SPENDING IN OTHER SECTORS OF COLORADO'S ECONOMY.

(e) HOUSING INSTABILITY IS AT AN ALL-TIME HIGH, AND THERE IS A DEFICIT OF AFFORDABLE HOMES IN COLORADO. FOR INDIVIDUALS IN COLORADO EARNING THIRTY PERCENT OR LESS OF THE AREA MEDIAN INCOME, THERE ARE ONLY TWENTY-SEVEN AVAILABLE HOMES THAT ARE CONSIDERED AFFORDABLE FOR EVERY ONE HUNDRED HOMES NEEDED.

(f) COLORADO LACKS ADEQUATE STATEWIDE STRATEGIES DESIGNED TO RESOLVE AND PREVENT HOMELESSNESS. COLORADO COULD BENEFIT FROM IMPROVED INFRASTRUCTURE TO CONVENE STATE AGENCIES, LOCAL GOVERNMENTS, CONTINUUMS OF CARE, NONPROFITS, AND OTHER HOUSING ORGANIZATIONS TO IMPLEMENT HOMELESSNESS SOLUTIONS.

(g) BY DIRECTING THE DEPARTMENT OF LOCAL AFFAIRS TO PRESENT A PLAN FOR A STATEWIDE STRATEGY ON HOMELESSNESS PREVENTION AND RESOLUTION, THE GENERAL ASSEMBLY INTENDS TO BRING TOGETHER DIVERSE ENTITIES THAT WILL WORK TO REDUCE AND PREVENT HOMELESSNESS IN COLORADO.

24-32-3902. Proposal for a statewide strategy on homelessness prevention and resolution - definitions.

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CONTINUUM OF CARE ORGANIZATION" MEANS ONE OF THE CONTINUUM OF CARE ORGANIZATIONS ESTABLISHED PURSUANT TO 24 CFR 578, INCLUDING THE METRO DENVER HOMELESS INITIATIVE, THE COLORADO BALANCE OF STATE CONTINUUM OF CARE, THE NORTHERN COLORADO CONTINUUM OF CARE, AND THE PIKES PEAK CONTINUUM OF CARE.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL AFFAIRS CREATED IN SECTION 24-1-125.

(c) "OPERATIONAL SERVICE" HAS THE SAME MEANING AS SET FORTH IN SECTION 39-22-548 (2)(h).

(2) IN JANUARY 2027, AS PART OF THE DEPARTMENT'S "SMART ACT" HEARING REQUIRED BY SECTION 2-7-203, THE DEPARTMENT SHALL SUBMIT AND PRESENT A PROPOSAL FOR THE DEVELOPMENT OF A STATEWIDE STRATEGY ON HOMELESSNESS PREVENTION AND RESOLUTION. THE PROPOSAL MUST INCLUDE A PLAN THAT SETS FORTH A TIMELINE, AN ESTIMATED BUDGET, AND A PROCESS FOR DEVELOPING AND IMPLEMENTING A STATEWIDE STRATEGY ON HOMELESSNESS PREVENTION AND RESOLUTION. THE PROPOSAL MUST SET FORTH THE FOLLOWING COMPONENTS THAT MUST BE INCLUDED IN THE STATEWIDE STRATEGY ON HOMELESSNESS PREVENTION AND RESOLUTION:

(a) IDENTIFICATION OF GAPS AND BARRIERS THAT IMPEDE ACCESS TO OPERATIONAL SERVICES FOR INDIVIDUALS EXPERIENCING HOMELESSNESS;

(b) IDENTIFICATION OF STATE AGENCY-PROVIDED HOUSING RESOURCES, INCLUDING UTILIZATION RATES;

(c) RECOMMENDATIONS FOR COLLABORATION BETWEEN STATE AND LOCAL PARTNERS TO FACILITATE HOMELESSNESS RESPONSE;

(d) RECOMMENDATIONS FOR FUNDING AND POLICIES THAT COULD BE IMPLEMENTED AT THE STATE LEVEL TO SUPPORT HOMELESSNESS PREVENTION AND RESOLUTION;

(e) RECOMMENDATIONS THAT HAVE BEEN PROPOSED IN COORDINATION WITH CONTINUUM OF CARE ORGANIZATIONS TO IMPROVE THE IMPLEMENTATION OF THE HOMELESS MANAGEMENT INFORMATION SYSTEM, DATA REPORTING, AND COORDINATED ENTRY SYSTEMS; AND

(f) UPDATES ON REGIONAL NAVIGATION CAMPUSES CREATED PURSUANT TO SECTION 24-32-727.

(3) WHEN DEVELOPING THE PROPOSAL REQUIRED BY SUBSECTION (2) OF THIS SECTION, THE DEPARTMENT SHALL SEEK AND INCORPORATE FEEDBACK FROM A DIVERSE ARRAY OF STAKEHOLDERS.

SECTION 2. In Colorado Revised Statutes, **add** 29-1-204.7 as follows:

29-1-204.7. Establishment of multijurisdictional homelessness response authorities - definitions.

(1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AUTHORITY" MEANS A MULTIJURISDICTIONAL HOMELESSNESS RESPONSE AUTHORITY CREATED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(b) "BOARD" MEANS THE BOARD OF DIRECTORS THAT GOVERNS AN AUTHORITY IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION AND IN WHICH ALL LEGISLATIVE POWER OF THE AUTHORITY IS VESTED.

(c) "CONTINUUM OF CARE ORGANIZATION" MEANS ONE OF THE CONTINUUM OF CARE ORGANIZATIONS ESTABLISHED PURSUANT TO 24 CFR 578, INCLUDING THE

METRO DENVER HOMELESS INITIATIVE, THE COLORADO BALANCE OF STATE CONTINUUM OF CARE, THE NORTHERN COLORADO CONTINUUM OF CARE, AND THE PIKES PEAK CONTINUUM OF CARE.

(d) "CONTRACTING LOCAL GOVERNMENT" MEANS A LOCAL GOVERNMENT THAT HAS ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT WITH OTHER LOCAL GOVERNMENTS TO FORM AN AUTHORITY PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(e) "INTERGOVERNMENTAL AGREEMENT" MEANS THE AGREEMENT ENTERED INTO BY LOCAL GOVERNMENTS PURSUANT TO SUBSECTION (2) OF THIS SECTION TO CREATE AN AUTHORITY.

(f) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME RULE CITY, TOWN, CITY AND COUNTY, OR COUNTY.

(2) **Creation.** ANY COMBINATION OF LOCAL GOVERNMENTS MAY, BY ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH EACH OTHER, ESTABLISH A SEPARATE GOVERNMENTAL ENTITY TO BE KNOWN AS A MULTIJURISDICTIONAL HOMELESSNESS RESPONSE AUTHORITY. AN AUTHORITY MUST:

(a) BE USED BY THE CONTRACTING LOCAL GOVERNMENTS TO REDUCE AND PREVENT HOMELESSNESS; AND

(b) HAVE BOUNDARIES THAT CONTAIN THE ENTIRETY OF ALL THE CONTRACTING LOCAL GOVERNMENTS, BUT NOTHING MORE.

(3) **Requirements for the intergovernmental agreement.** THE INTERGOVERNMENTAL AGREEMENT ESTABLISHING AN AUTHORITY MUST SPECIFY:

(a) THE NAME OF THE AUTHORITY AND THE FUNCTIONS OR SERVICES RELATED TO THE AUTHORITY'S PURPOSE OF REDUCING AND PREVENTING HOMELESSNESS;

(b) DETAILS REGARDING THE ESTABLISHMENT AND ORGANIZATION OF A BOARD OF DIRECTORS, INCLUDING:

(I) THE NUMBER OF DIRECTORS, THEIR MANNER OF APPOINTMENT, THEIR TERMS OF OFFICE, THEIR COMPENSATION, IF ANY, AND THE PROCEDURE FOR FILLING VACANCIES ON THE BOARD;

(II) THE OFFICERS OF THE AUTHORITY, THE MANNER OF THEIR SELECTION, AND THEIR DUTIES;

(III) THE VOTING REQUIREMENTS FOR ACTION BY THE BOARD; EXCEPT THAT, UNLESS SPECIFICALLY OTHERWISE PROVIDED, A MAJORITY OF DIRECTORS CONSTITUTES A QUORUM, AND A MAJORITY OF A QUORUM IS NECESSARY FOR ANY ACTION TAKEN BY THE BOARD; AND

(IV) THE DUTIES OF THE BOARD, WHICH MUST INCLUDE THE OBLIGATION TO COMPLY WITH PARTS 1, 5, AND 6 OF THIS ARTICLE 1;

(c) PROVISIONS FOR THE DISPOSITION, DIVISION, OR DISTRIBUTION OF ANY PROPERTY OR ASSETS OF THE AUTHORITY;

(d) THE TERM OF THE INTERGOVERNMENTAL AGREEMENT, WHICH MAY BE CONTINUED FOR A DEFINITE TERM OR UNTIL RESCINDED OR TERMINATED, AND THE METHOD, IF ANY, BY WHICH IT MAY BE RESCINDED OR TERMINATED; EXCEPT THAT SUCH AN INTERGOVERNMENTAL AGREEMENT MAY NOT BE RESCINDED OR TERMINATED SO LONG AS THE AUTHORITY HAS BONDS, NOTES, OR OTHER OBLIGATIONS OUTSTANDING UNLESS PROVISION FOR FULL PAYMENT OF SUCH OBLIGATIONS, BY ESCROW OR OTHERWISE, HAS BEEN MADE PURSUANT TO THE TERMS OF SUCH OBLIGATIONS;

(e) ANY EXPECTED SOURCES OF REVENUE OF THE AUTHORITY; AND

(f) THE AUTHORITY'S PLAN REGARDING THE LEVY OF TAXES BY LOCAL GOVERNMENTS FOR THE PURPOSES OF PLANNING, COORDINATING, AND IMPLEMENTING REGIONAL STRATEGIES TO REDUCE AND PREVENT HOMELESSNESS, IN ACCORDANCE WITH SUBSECTION (5) OF THIS SECTION.

(4) General discretionary powers of the authority. THE GENERAL DISCRETIONARY POWERS OF THE AUTHORITY INCLUDE:

(a) TO PLAN, COORDINATE, AND IMPLEMENT REGIONAL STRATEGIES TO REDUCE AND PREVENT HOMELESSNESS;

(b) TO COORDINATE AND PLAN WITH THE DEPARTMENT OF LOCAL AFFAIRS AND THE CONTINUUM OF CARE ORGANIZATION THAT OPERATES WITHIN THE BOUNDARIES OF THE AUTHORITY TO REDUCE AND PREVENT HOMELESSNESS;

(c) TO, IF FEASIBLE AND AGREED UPON BY THE CONTRACTING LOCAL GOVERNMENTS AND THE CONTINUUM OF CARE ORGANIZATION, CONTRACT WITH THE CONTINUUM OF CARE ORGANIZATION THAT OPERATES WITHIN THE BOUNDARIES OF THE AUTHORITY TO DESIGNATE THE CONTINUUM OF CARE ORGANIZATION AS THE ADMINISTRATOR OF THE AUTHORITY;

(d) TO MAKE AND ENTER INTO CONTRACTS WITH ANY PERSON, INCLUDING, WITHOUT LIMITATION, CONTRACTS WITH STATE OR FEDERAL AGENCIES, CONTINUUM OF CARE ORGANIZATIONS, PRIVATE ENTERPRISES, AND NONPROFIT ORGANIZATIONS THAT ARE ALSO INVOLVED IN REDUCING AND PREVENTING HOMELESSNESS, IRRESPECTIVE OF WHETHER SUCH AGENCIES ARE PARTIES TO THE INTERGOVERNMENTAL AGREEMENT;

(e) TO EMPLOY AGENTS AND EMPLOYEES;

(f) TO ACQUIRE, HOLD, LEASE AS LESSOR OR LESSEE, SELL, OR OTHERWISE DISPOSE OF ANY REAL OR PERSONAL PROPERTY, COMMODITY, OR SERVICE;

(g) TO INCUR DEBTS, LIABILITIES, OR OBLIGATIONS;

(h) TO SUE AND BE SUED IN ITS OWN NAME;

(i) TO ADOPT, BY RESOLUTION, REGULATIONS RESPECTING THE EXERCISE OF ITS POWERS AND THE CARRYING OUT OF ITS PURPOSES;

(j) TO PROVIDE FOR THE LEVY OF SALES OR SALES AND USE TAXES BY CONTRACTING LOCAL GOVERNMENTS FOR THE PURPOSES OF PLANNING, COORDINATING, AND IMPLEMENTING REGIONAL STRATEGIES TO REDUCE AND PREVENT HOMELESSNESS IN ACCORDANCE WITH SUBSECTION (5) OF THIS SECTION;

(k) TO EXERCISE ANY OTHER POWERS THAT ARE ESSENTIAL TO THE PROVISION OF FUNCTIONS, SERVICES, OR FACILITIES BY THE AUTHORITY AND THAT ARE SPECIFIED IN THE INTERGOVERNMENTAL AGREEMENT; AND

(l) TO PERFORM ANY ACTS AUTHORIZED BY THIS SECTION UNDER, THROUGH, OR BY MEANS OF AN AGENT OR BY CONTRACTS WITH ANY PERSON, FIRM, OR CORPORATION.

(5) Levy of taxes. IF THE INTERGOVERNMENTAL AGREEMENT THAT CREATES AN AUTHORITY PROVIDES THAT THE CONTRACTING LOCAL GOVERNMENTS SHALL LEVY SALES OR SALES AND USE TAXES TO BE USED BY THE AUTHORITY TO PLAN, COORDINATE, AND IMPLEMENT REGIONAL STRATEGIES TO REDUCE AND PREVENT HOMELESSNESS:

(a) EACH CONTRACTING LOCAL GOVERNMENT SHALL SUBMIT TO ITS REGISTERED ELECTORS A BALLOT QUESTION THAT RELATES TO THE TAX, THAT REQUIRES ANY NEW TAX REVENUE APPROVED THROUGH THE BALLOT QUESTION TO BE USED SOLELY FOR THE PLANNING, COORDINATION, AND IMPLEMENTATION OF REGIONAL STRATEGIES TO REDUCE AND PREVENT HOMELESSNESS, AND THAT COMPLIES WITH SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION;

(b) THE INTERGOVERNMENTAL AGREEMENT MUST INCLUDE PROVISIONS THAT APPLY TO A CASE IN WHICH THE ELECTORS IN SOME BUT NOT ALL OF THE CONTRACTING LOCAL GOVERNMENTS APPROVE THE BALLOT QUESTION DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION;

(c) ANY SALES TAX LEVIED IN ACCORDANCE WITH THIS SUBSECTION (5) IS IN ADDITION TO ANY OTHER SALES TAX IMPOSED PURSUANT TO LAW; AND

(d) THE INTERGOVERNMENTAL AGREEMENT MUST PROVIDE THAT ALL OR PART OF THE TAXES LEVIED IN ACCORDANCE WITH THIS SUBSECTION (5) ARE DISTRIBUTED TO THE AUTHORITY.

(6) Political subdivision of the state. AN AUTHORITY IS A POLITICAL SUBDIVISION AND A PUBLIC CORPORATION OF THE STATE, SEPARATE FROM THE CONTRACTING LOCAL GOVERNMENTS, AND IS A VALIDLY CREATED AND EXISTING POLITICAL SUBDIVISION AND PUBLIC CORPORATION OF THE STATE, IRRESPECTIVE OF WHETHER A CONTRACTING LOCAL GOVERNMENT WITHDRAWS, WHETHER VOLUNTARILY, BY OPERATION OF LAW, OR OTHERWISE, FROM THE AUTHORITY SUBSEQUENT TO ITS CREATION UNDER CIRCUMSTANCES NOT RESULTING IN THE RESCISSION OR TERMINATION OF THE CONTRACT ESTABLISHING THE AUTHORITY PURSUANT TO ITS TERMS. AN AUTHORITY HAS THE DUTIES, PRIVILEGES, IMMUNITIES, RIGHTS, LIABILITIES, AND DISABILITIES OF A PUBLIC BODY POLITIC AND CORPORATE.

(7) **Gifts, grants, and donations.** AN AUTHORITY MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF PLANNING, COORDINATING, AND IMPLEMENTING REGIONAL STRATEGIES TO REDUCE AND PREVENT HOMELESSNESS.

(8) **Bonds.** AN AUTHORITY MAY ISSUE REVENUE OR GENERAL OBLIGATION BONDS AND MAY PLEDGE ITS REVENUE AND REVENUE-RAISING POWERS FOR THE PAYMENT OF SUCH BONDS. SUCH BONDS MUST BE ISSUED ON THE TERMS AND SUBJECT TO THE CONDITIONS SET FORTH IN SECTION 43-4-609. THE BONDS, NOTES, AND OTHER OBLIGATIONS OF AN AUTHORITY ARE NOT DEBTS, LIABILITIES, OR OBLIGATIONS OF THE CONTRACTING LOCAL GOVERNMENTS.

(9) **Exempt from state taxation.** AN AUTHORITY, THE PROPERTY OF AN AUTHORITY, THE INCOME OR OTHER REVENUES OF AN AUTHORITY, ANY BONDS ISSUED BY AN AUTHORITY, AND THE TRANSFER OF AND THE INCOME FROM ANY BONDS ISSUED BY THE AUTHORITY ARE EXEMPT FROM ALL TAXATION AND ASSESSMENTS IN THE STATE.

(10) **Fiscal year spending.**

(a) FOR THE PURPOSE OF DETERMINING AN AUTHORITY'S FISCAL YEAR SPENDING LIMIT UNDER SECTION 20 (7)(b) OF ARTICLE X OF THE STATE CONSTITUTION, THE INITIAL SPENDING BASE OF THE AUTHORITY IS THE AMOUNT OF REVENUES COLLECTED BY THE AUTHORITY FROM SOURCES NOT EXCLUDED FROM FISCAL YEAR SPENDING PURSUANT TO SECTION 20 (2)(e) OF ARTICLE X OF THE STATE CONSTITUTION DURING THE FIRST FULL FISCAL YEAR FOR WHICH THE AUTHORITY COLLECTED REVENUES.

(b) AS USED IN THIS SUBSECTION (11), "FISCAL YEAR" MEANS ANY YEAR-LONG PERIOD USED BY AN AUTHORITY FOR FISCAL ACCOUNTING PURPOSES.

(11) **Local governments retain powers.** NOTHING IN THIS SECTION LIMITS THE POWER OF CONTRACTING LOCAL GOVERNMENTS TO:

(a) ENTER INTO INTERGOVERNMENTAL COOPERATION OR AGREEMENTS OR ESTABLISH SEPARATE LEGAL ENTITIES PURSUANT TO SECTION 29-1-203, ARTICLE XX OF THE STATE CONSTITUTION, OR ANY OTHER APPLICABLE LAW;

(b) CARRY OUT THEIR INDIVIDUAL POWERS UNDER APPLICABLE STATUTORY OR CHARTER PROVISIONS; OR

(c) EXERCISE THE POWERS RESERVED TO CITIES AND TOWNS BY THE STATE CONSTITUTION, INCLUDING THE POWER TO ACHIEVE ANY PURPOSE OR FUNCTION DESCRIBED IN THIS SECTION.

SECTION 3. In Colorado Revised Statutes, 39-13-102, **add** (6) as follows:

39-13-102. Documentary fee imposed - amount - to whom payable - legislative declaration - definition.

(6) (a) A COUNTY MAY DESIGNATE A PORTION OF THE MONEY COLLECTED FROM THE DOCUMENTARY FEE, OTHER THAN THE PORTION THAT IS USED TO OFFSET ADMINISTRATIVE COSTS RELATED TO RECORDING AND MAINTAINING REAL PROPERTY DEEDS AND INSTRUMENTS, TO BE TRANSFERRED TO THE COUNTY GOVERNMENT OR A HOUSING AUTHORITY FOR THE PURPOSE OF DEVELOPING, PRESERVING, OR ACQUIRING AFFORDABLE HOUSING THAT:

(I) IS WITHIN THE JURISDICTION OF THE COUNTY GOVERNMENT OR HOUSING AUTHORITY;

(II) IS ALIGNED WITH DEMONSTRATED COMMUNITY NEEDS; AND

(III) WILL BE AVAILABLE TO INDIVIDUALS EXPERIENCING HOMELESSNESS.

(b) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(I) AS THE VOLUME OF REAL ESTATE TRANSACTIONS HAS INCREASED SIGNIFICANTLY, REAL ESTATE PRICES AND COSTS HAVE ALSO INCREASED, IMPACTING THE AVAILABILITY AND AFFORDABILITY OF HOUSING IN COLORADO; AND

(II) LOCAL GOVERNMENTS SHOULD BE PERMITTED TO USE THE DOCUMENTARY FEE TO OFFSET THE ADMINISTRATIVE COSTS ASSOCIATED WITH RECORDING AND MAINTAINING REAL PROPERTY DEEDS AND INSTRUMENTS AND THE COSTS OF BUILDING AND MAINTAINING AFFORDABLE HOUSING.

SECTION 4. Severability. If any provision of this act or the application of this act to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. Act subject to petition - effective date. 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 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this 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 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 2, 2026