

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 26, 2020

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

HB20-1201 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 4, line 17, after the period add "IF, NO
2 EARLIER THAN THIRTY DAYS AFTER A MOBILE HOME PARK OWNER
3 PROVIDES THE NOTICE REQUIRED BY THIS SUBSECTION (1) OR SUBSECTION
4 (2) OF THIS SECTION, AT LEAST FIFTY PERCENT OF THE HOME OWNERS WHO
5 RESIDE IN THE PARK PROVIDE SIGNED WRITINGS TO THE MOBILE HOME
6 PARK OWNER EXPRESSING NO INTEREST IN PURCHASING THE PARK, THEN
7 THE OPPORTUNITY TO PURCHASE PROVIDED BY SUBSECTION (4) OF THIS
8 SECTION SHALL TERMINATE EVEN IF THE NINETY-DAY PERIOD PROVIDED
9 FOR IN SUBSECTION (4)(a) OF THIS SECTION HAS NOT YET ELAPSED."

10 Page 10, after line 23 insert:

11 "(13) TO QUALIFY FOR AN EXEMPTION UNDER SUBSECTION (12) OF
12 THIS SECTION, A TRANSACTION MUST NOT BE MADE IN BAD FAITH, MUST BE
13 MADE FOR A LEGITIMATE BUSINESS PURPOSE OR A LEGITIMATE FAMILIAL
14 PURPOSE CONSISTENT WITH THE EXEMPTIONS LISTED IN SUBSECTION (12)
15 OF THIS SECTION, AND MUST NOT BE MADE FOR THE PRIMARY PURPOSE OF
16 AVOIDING THE OPPORTUNITY-TO-PURCHASE PROVISIONS SET FORTH IN THIS
17 SECTION."

18 Renumber succeeding subsection accordingly.

19 Page 11, line 2, strike "(13)(a)" and substitute "(14)(a)".

1 Page 11, after line 2 insert:

2 "(15) THE DEPARTMENT OF LOCAL AFFAIRS AND THE OFFICE OF
3 ADMINISTRATIVE COURTS DO NOT HAVE THE AUTHORITY TO ISSUE
4 INJUNCTIVE RELIEF IN RESPONSE TO A COMPLAINT ALLEGING A VIOLATION
5 OF THIS SECTION OR TO DELAY A TRANSFER OR TRANSACTION INVOLVING
6 THE PROPERTY AND FILING AN ADMINISTRATIVE COMPLAINT REFERENCING
7 THIS SECTION SHALL NOT HAVE THE EFFECT OF DOING SO."

8 Page 11, line 7, strike "May 1, 2020," and substitute "~~May 1, 2020~~, ON
9 THE EFFECTIVE DATE OF THIS SUBSECTION (1), AS AMENDED,".

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