

SENATE COMMITTEE OF REFERENCE REPORT

	March 10, 2025
Chair of Committee	Date

Committee on Judiciary.

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

SB25-020 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, after line 1 insert:

2 "SECTION 1. In Colorado Revised Statutes, 13-40-110.5, add
3 (6) as follows:

4 **13-40-110.5. Automatic suppression of court records -**
5 **definition.** (6) IN ADDITION TO THE PERSONS DESCRIBED IN SUBSECTIONS
6 (1) AND (5) OF THIS SECTION, A COURT SHALL ALLOW A PERSON TO ACCESS
7 A SUPPRESSED COURT RECORD IF THE PERSON AFFIRMS TO THE COURT, IN
8 WRITING OR ELECTRONICALLY, THAT THE PERSON IS ACCESSING THE
9 SUPPRESSED COURT RECORD ON BEHALF OF THE ATTORNEY GENERAL FOR
10 THE PURPOSE OF INVESTIGATING ANY VIOLATION OF STATE LAW THAT THE
11 ATTORNEY GENERAL IS AUTHORIZED TO ENFORCE PURSUANT TO SECTION
12 24-31-101 (1)(i).".

13 Renumber succeeding sections accordingly.

14 Page 2, line 3, strike "and (1)(i)(XXVI)" and substitute "(1)(i)(XXVI),
15 and (5)".

16 Page 2, after line 15 insert:

17 "(5) THE ATTORNEY GENERAL SHALL CONDUCT ENFORCEMENT
18 ACTIONS AUTHORIZED BY SENATE BILL 25-020, IF ANY, WITHIN EXISTING
19 APPROPRIATIONS.".

20 Page 5, line 26, after "(1)(m)" insert "and (3)".

21 Page 6, lines 3 and 4, strike "AND CRIMINAL".

1 Page 6, after line 8 insert:

2 "(3) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A
3 CONTRACT BETWEEN A COUNTY AND A PRIVATE ATTORNEY WHO THE
4 COUNTY RETAINS IN RELATION TO A CIVIL ACTION DESCRIBED IN
5 SUBSECTION (1)(m) OF THIS SECTION SHALL SPECIFY AN HOURLY RATE,
6 NOT TO EXCEED FIVE HUNDRED DOLLARS PER HOUR, AT WHICH THE
7 COUNTY COMPENSATES THE PRIVATE ATTORNEY.

8 (b) A COUNTY MAY USE AN AMOUNT EQUAL TO OR LESS THAN TEN
9 PERCENT OF ANY MONETARY AWARD RECEIVED AS A RESULT OF A CIVIL OR
10 CRIMINAL ACTION COMMENCED PURSUANT TO SUBSECTION (1)(m) OF THIS
11 SECTION TO COVER THE COSTS OF THAT CIVIL ACTION, INCLUDING
12 ATTORNEY FEES.

13 (c) IN COMMENCING A CIVIL ACTION PURSUANT TO SUBSECTION
14 (1)(m) OF THIS SECTION, A COUNTY MAY CONFER WITH ANY HOUSING
15 AUTHORITY CREATED PURSUANT TO TITLE 29 THAT SERVES THE COUNTY
16 IN WHOLE OR IN PART."

17 Page 6, strike lines 9 through 17 and substitute:

18 "SECTION 5. In Colorado Revised Statutes, 31-15-401, add
19 (1)(r) and (2) as follows:

20 **31-15-401. General police powers.** (1) In relation to the general
21 police power, the governing bodies of municipalities have the following
22 powers:".

23 Page 6, line 18, strike "(g)" and substitute "(r)".

24 Page 6, lines 18 and 19, strike "AND CRIMINAL".

25 Page 6, after line 23 insert:

26 "(2) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A
27 CONTRACT BETWEEN A MUNICIPALITY AND A PRIVATE ATTORNEY WHO THE
28 COUNTY RETAINS IN RELATION TO A CIVIL ACTION DESCRIBED IN
29 SUBSECTION (1)(r) OF THIS SECTION SHALL SPECIFY AN HOURLY RATE, NOT
30 TO EXCEED FIVE HUNDRED DOLLARS PER HOUR, AT WHICH THE
31 MUNICIPALITY COMPENSATES THE PRIVATE ATTORNEY.

32 (b) A MUNICIPALITY MAY USE AN AMOUNT EQUAL TO OR LESS
33 THAN TEN PERCENT OF ANY MONETARY AWARD RECEIVED AS A RESULT OF
34 A CIVIL ACTION COMMENCED PURSUANT TO SUBSECTION (1)(r) OF THIS
35 SECTION TO COVER THE COSTS OF THAT CIVIL ACTION, INCLUDING

- 1 ATTORNEY FEES.
- 2 (c) IN COMMENCING A CIVIL ACTION PURSUANT TO SUBSECTION
3 (1)(r) OF THIS SECTION, A MUNICIPALITY MAY CONFER WITH ANY HOUSING
4 AUTHORITY CREATED PURSUANT TO TITLE 29 THAT SERVES THE
5 MUNICIPALITY IN WHOLE OR IN PART."
- 6 Page 7, line 3, after "PROPERTY." insert "THE DUTIES OF A RECEIVER ARE
7 TO ACHIEVE THE PURPOSES OF THIS PART 5 PURSUANT TO SECTION
8 38-12-501, TO ENSURE THAT MULTIFAMILY RESIDENTIAL PROPERTY IS FIT
9 FOR HUMAN HABITATION AS REQUIRED BY SECTION 38-12-503 (1), AND TO
10 ENSURE THAT THE MULTIFAMILY RESIDENTIAL PROPERTY COMPLIES WITH
11 ALL COUNTY OR MUNICIPAL PUBLIC HEALTH CODES OR MUNICIPAL
12 ORDINANCES REGULATING PUBLIC HEALTH AND SAFETY THAT APPLY TO
13 MULTIFAMILY RESIDENTIAL PROPERTY."
- 14 Page 7, line 11, after "PROPERTY;" add "AND".
- 15 Page 7, strike lines 12 through 27.
- 16 Page 8, strike lines 1 through 3 and substitute:
- 17 "(b) A COUNTY, CITY AND COUNTY, OR MUNICIPALITY, WHEN THE
18 COUNTY, CITY AND COUNTY, OR MUNICIPALITY HAS REASONABLE CAUSE
19 TO BELIEVE THAT ANY PERSON, WHETHER IN THIS STATE OR ELSEWHERE,
20 HAS ENGAGED IN OR IS ENGAGING IN A PATTERN OR PRACTICE OF
21 VIOLATIONS OF THIS PART 5, OTHER THAN A VIOLATION OF SECTION
22 38-12-503 (5), IN CONNECTION WITH THE MULTIFAMILY RESIDENTIAL
23 PROPERTY."
- 24 Page 8, line 10, strike "SEVENTY-TWO HOURS" and substitute "THREE
25 BUSINESS DAYS".
- 26 Page 8, line 13, strike "OWNER OF RECORD" and substitute "LANDLORD".
- 27 Page 8, line 16, strike "PROPERTY;" and substitute "PROPERTY, EXCEPT
28 THAT THE FAILURE TO SERVE ANY SUCH PARTY WHOSE NAME AND
29 ADDRESS ARE NOT AVAILABLE TO THE PETITIONER DOES NOT PRECLUDE
30 THE COURT FROM HOLDING THE HEARING OR INVALIDATING THE
31 PROCEEDING SO LONG AS THE NOTICE IS POSTED AT THE PROPERTY;"
- 32 Page 8, line 17, after "CITY" insert "OR TOWN".
- 33 Page 8, after line 24 insert:

1 "(III) A PETITIONER SEEKING THE APPOINTMENT OF A RECEIVER
2 PURSUANT TO THIS SECTION MUST CONSPICUOUSLY POST NOTICE OF THE
3 PETITION ON AND AROUND THE RELEVANT MULTIFAMILY RESIDENTIAL
4 PROPERTY. THIS NOTICE SHALL INCLUDE THE PHONE NUMBER AND EMAIL
5 ADDRESS OF THE PETITIONER. THE PETITIONER IS STRONGLY ENCOURAGED
6 TO POST THE NOTICE IN LANGUAGES OTHER THAN ENGLISH, IF THE
7 PETITIONER IS AWARE THAT THOSE LANGUAGES ARE SPOKEN BY THE
8 PROPERTY'S TENANTS."

9 Page 9, line 17, after "HOUSING." insert "THE RECEIVER MUST BE
10 FINANCIALLY AND LEGALLY INDEPENDENT OF THE MULTIFAMILY
11 RESIDENTIAL PROPERTY'S OWNERSHIP OR MANAGEMENT."

12 Page 11, strike lines 5 through 11 and substitute "RESIDENTIAL PROPERTY;
13 AND".

14 Page 12, line 11, after "PROPERTY." insert "IN SO DOING, THE RECEIVER:
15 (a) SHALL PERFORM THEIR DUTIES IN A WAY THAT MINIMIZES, TO
16 THE GREATEST EXTENT POSSIBLE, FURTHER DISRUPTION OF THE
17 MULTIFAMILY RESIDENTIAL PROPERTY'S TENANTS;

18 (b) SHALL COMMUNICATE, AT LEAST ONCE A WEEK, IN A MANNER
19 REASONABLY CALCULATED TO BE RECEIVED BY THE MULTIFAMILY
20 RESIDENTIAL PROPERTY'S TENANTS, SUCH AS BY CONSPICUOUSLY POSTING
21 COMMUNICATIONS ON AND AROUND THE PROPERTY OR ON THE PROPERTY'S
22 ONLINE TENANT PORTAL, CONCERNING WHAT MEASURES THE RECEIVER IS
23 TAKING TO BRING THE PROPERTY INTO COMPLIANCE WITH A COUNTY OR
24 CITY AND COUNTY PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE
25 AND OTHERWISE BRINGING THE PROPERTY INTO COMPLIANCE WITH THIS
26 PART 5;

27 (c) SHALL FIRST APPLY RENTS RECEIVED PURSUANT TO
28 SUBSECTION (5)(a)(II)(D) OF THIS SECTION TOWARD THE PAYMENT OF ANY
29 UTILITIES OR SERVICES FOR THE MULTIFAMILY RESIDENTIAL PROPERTY;

30 (d) AFTER APPLYING RENTS RECEIVED PURSUANT TO SUBSECTION
31 (5)(a)(II)(D) OF THIS SECTION AS DESCRIBED IN SUBSECTION (6)(c) OF THIS
32 SECTION, SHALL APPLY RENTS RECEIVED PURSUANT TO SUBSECTION
33 (5)(a)(II)(D) OF THIS SECTION TOWARD THE COST OF REMEDIATING ANY
34 VIOLATION BY THE MULTIFAMILY RESIDENTIAL PROPERTY OF THIS PART 5,
35 OTHER THAN A VIOLATION OF SECTION 28-12-503 (5), A COUNTY OR CITY
36 AND COUNTY PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE AND
37 OTHERWISE BRINGING THE PROPERTY INTO COMPLIANCE WITH THIS PART
38 5;

39 (e) SHALL NOT INITIATE A FORCIBLE ENTRY OR DETAINER ACTION
40 OR PROCEEDING RELATED TO THE NONPAYMENT OF BEFORE THE

- 1 BEGINNING OF THE RECEIVERSHIP;
2 (f) MAY INITIATE A FORCIBLE ENTRY OR DETAINER ACTION OR
3 PROCEEDING RELATED TO THE NONPAYMENT OF RENT THAT OCCURS
4 DURING THE RECEIVERSHIP; AND
5 (g) SHALL NOT INCREASE RENTS, FEES, OR COSTS CHARGED TO THE
6 THE MULTIFAMILY RESIDENTIAL PROPERTY'S TENANTS BEYOND THE
7 LEVELS OF THE RENTS, FEES, AND COSTS CHARGED WHEN THE COURT
8 APPOINTED THE RECEIVER.".
- 9 Page 12, line 21, strike "ONE HUNDRED EIGHTY" and substitute "NINETY".
- 10 Page 12, after line 26 insert:
- 11 "(II) ANY LESSEE OF THE ENTIRE MULTIFAMILY RESIDENTIAL
12 PROPERTY;".
- 13 Renumber succeeding subparagraphs accordingly.
- 14 Page 13, line 1, after "CITY" insert "OR TOWN".
- 15 Page 13, strike line 10 and substitute "INTEREST AND IN THE BEST
16 INTEREST OF THE MULTIFAMILY RESIDENTIAL PROPERTY'S TENANTS; AND".
- 17 Page 13, line 11, strike "OWNER" and substitute "OWNER, OPERATOR, OR
18 MANAGER".
- 19 Page 13, line 13, strike "OUT" and substitute "OUT, IN THE TIME FRAME
20 MOST RECENTLY APPROVED BY THE COURT PURSUANT TO SUBSECTION (4)
21 OR (7) OF THIS SECTION,".
- 22 Page 13, line 22, strike "DEBT," and substitute "DEBT OR LIENS,".
- 23 Page 13, lines 24 and 25, strike "ALL LIENS ON THE MULTIFAMILY
24 PROPERTY, AS WELL AS".
- 25 Page 15, line 2, strike "OWNER'S" and substitute "LANDLORD'S".
- 26 Page 15, line 4, strike "AND".
- 27 Page 15, line 7, strike "HEARD." and substitute "HEARD; AND".
- 28 Page 15, after line 7 insert:

1 "(III) SHALL REQUIRE THE RECEIVER TO COMMUNICATE IN A
2 MANNER REASONABLY CALCULATED TO BE AVAILABLE TO THE
3 MULTIFAMILY RESIDENTIAL PROPERTY'S TENANTS, SUCH AS BY
4 CONSPICUOUSLY POSTING COMMUNICATIONS ON AND AROUND THE
5 PROPERTY OR ON THE PROPERTY'S ONLINE TENANT PORTAL, THAT THE
6 RECEIVERSHIP HAS BEEN TERMINATED AND THE NAME, PHONE NUMBER,
7 AND EMAIL ADDRESS OF THE OWNER, MANAGER, OR OTHER ENTITY THAT
8 WILL ASSUME THE RESPONSIBILITY OF MAKING THE PROPERTY COMPLIANT
9 WITH THIS PART 5, A COUNTY OR CITY AND COUNTY PUBLIC HEALTH CODE,
10 OR A MUNICIPAL ORDINANCE."

11 Page 16, line 1, strike "AND".

12 Page 16, after line 1 insert:

13 "(e) NOTHING IN THIS SECTION LIMITS THE RIGHT OF TENANTS TO
14 SEEK A REMEDY FOR A VIOLATION OF THIS PART 5, OTHER THAN A
15 VIOLATION OF SECTION 28-12-503 (5), INCLUDING A BREACH OF THE
16 WARRANTY OF HABITABILITY, THAT OCCURRED BEFORE THE APPOINTMENT
17 OF A RECEIVER PURSUANT TO THIS SECTION;

18 (f) NOTHING IN THIS SECTION LIMITS THE POWERS OF ANY HOME
19 RULE MUNICIPALITY TO ENACT ORDINANCES OR OTHERWISE SAFEGUARD
20 THE HEALTH, SAFETY, AND WELFARE OF RESIDENTS OF MULTIFAMILY
21 RESIDENTIAL PROPERTIES; AND".

22 Reletter the succeeding paragraph accordingly.

23 Strike "OWNER" and substitute "LANDLORD" on: **Page 7**, line 2; **Page 12**,
24 line 26; **Page 13**, line 11; **Page 14**, line 21; and **Page 15**, lines 10, 13, 14,
25 and 20.

26 Strike "PART 5," and substitute "PART 5, OTHER THAN A VIOLATION OF
27 SECTION 28-12-503 (5),": **Page 7**, line 10; **Page 10**, lines 2, 6, and 23;
28 **Page 11**, lines 7, 9, and 10; **Page 13**, line 16; and **Page 14**, lines 5, 15,
29 and 16.

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