

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 19-0710.01 Pierce Lively x2059

HOUSE BILL 19-1238

HOUSE SPONSORSHIP

Gray and Van Winkle, Arndt, Bird, Catlin, Duran, Exum, Geitner, Mullica, Snyder, Tipper, Titone

SENATE SPONSORSHIP

Winter and Priola,

House Committees
Business Affairs & Labor

Senate Committees
Business, Labor, & Technology

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF THE DIVISION OF HOUSING TO**
102 **REGULATE FACTORY-BUILT STRUCTURES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill amends the state director of housing's authority to obtain injunctive relief to be consistent with the removal of the requirement that factory-built structures that are only substantially altered or repaired bear an insignia of approval issued by the division of housing.

The bill also removes the requirement that factory-built structures that are manufactured or sold for transportation to and installation in

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
April 5, 2019

HOUSE
3rd Reading Unamended
March 25, 2019

HOUSE
2nd Reading Unamended
March 22, 2019

another state bear an insignia of approval issued by the division of housing. The bill also removes the requirement that factory-built structures that are only substantially altered or repaired in Colorado bear an insignia of approval issued by the division of housing.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-32-3307, **amend**
3 (1) as follows:

4 **24-32-3307. Noncompliance with standards.** (1) The state
5 director of housing may obtain injunctive relief from the appropriate court
6 to enjoin the manufacture, ~~substantial repair or alteration~~, sale, delivery,
7 or installation of factory-built housing by filing an affidavit specifying the
8 manner in which the housing does not conform to the requirements of this
9 part 33 or to rules promulgated pursuant to section 24-32-3305. The
10 director or the director's designee may suspend the issuance of insignias
11 of approval while injunctive relief is being sought.

12 **SECTION 2.** In Colorado Revised Statutes, 24-32-3311, **amend**
13 (1)(a); and **add** (1)(a.5) as follows:

14 **24-32-3311. Certification of factory-built residential and**
15 **nonresidential structures.** (1)(a) Factory-built structures manufactured,
16 ~~substantially altered or repaired~~, sold, or offered for sale within this state
17 after the effective date of the rules promulgated pursuant to this part 33
18 shall bear an insignia of approval issued by the division and affixed by the
19 division or an authorized quality assurance representative.

20 (a.5) FACTORY-BUILT STRUCTURES MANUFACTURED OR SOLD FOR
21 TRANSPORTATION TO AND INSTALLATION IN ANOTHER STATE NEED NOT
22 BEAR AN INSIGNIA OF APPROVAL ISSUED BY THE DIVISION.

23 **SECTION 3. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2020 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.