

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

REREVISED

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

LLS NO. 20-0519.01 Duane Gall x4335

HOUSE BILL 20-1200

HOUSE SPONSORSHIP

Titone and Weissman, Michaelson Jenet, Roberts

SENATE SPONSORSHIP

Story, Bridges, Fields, Garcia, Ginal, Moreno, Todd

House Committees

Business Affairs & Labor
Finance
Appropriations

Senate Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE HOA INFORMATION AND**
102 **RESOURCE CENTER, AND, IN CONNECTION THEREWITH,**
103 **IMPLEMENTING RECOMMENDATIONS CONTAINED IN THE 2019**
104 **SUNSET REPORT BY THE DEPARTMENT OF REGULATORY**
105 **AGENCIES.**

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/>.)

Sunset Process - House Business Affairs and Labor Committee. The bill continues the HOA information and resource center

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
3rd Reading Unamended
June 11, 2020

SENATE
2nd Reading Unamended
June 10, 2020

HOUSE
3rd Reading Unamended
June 9, 2020

HOUSE
Amended 2nd Reading
June 8, 2020

for 5 years, until 2025. It also creates a dispute resolution and enforcement program (program) under which the division of real estate shall:

- ! Collect and annually report upon additional data specifically related to disputes and violations of the "Colorado Common Interest Ownership Act" (act);
- ! Produce and distribute educational materials concerning the act and the program; and
- ! Take complaints, conduct investigations, make determinations, impose penalties, and participate in administrative dispute resolutions when there are alleged violations of the act or the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (19)(a)(II); and **add** (26)(a)(IX) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (19) (a) The following agencies, functions, or both,
7 are scheduled for repeal on September 1, 2020:

8 (II) ~~The HOA information and resource center created in section~~
9 ~~12-10-801;~~

10 (26) (a) The following agencies, functions, or both, are scheduled
11 for repeal on September 1, 2025:

12 (IX) ~~THE HOA INFORMATION AND RESOURCE CENTER CREATED IN~~
13 ~~SECTION 12-10-801.~~

14 **SECTION 2.** In Colorado Revised Statutes, 12-10-801, **amend**
15 **(6)** as follows:

16 **12-10-801. HOA information and resource center - creation -**
17 **duties - rules - subject to review - repeal.** (6) This section is repealed,
18 effective September 1, ~~2020~~ 2025. Before the repeal, the HOA
19 information and resource center and the HOA information officer's

1 powers and duties under this section are scheduled for review in
2 accordance with section 24-34-104.

3 **SECTION 3.** In Colorado Revised Statutes, 38-33.3-106.5, add
4 (1)(c.5) as follows:

5 **38-33.3-106.5. Prohibitions contrary to public policy -**
6 **patriotic, political, or religious expression - emergency vehicles - fire**
7 **prevention - renewable energy generation devices - affordable**
8 **housing - drought prevention measures - definitions.**

9 (1) Notwithstanding any provision in the declaration, bylaws, or rules
10 and regulations of the association to the contrary, an association shall not
11 prohibit any of the following:

12 (c.5) (I) THE DISPLAY OF A RELIGIOUS ITEM OR SYMBOL ON THE
13 ENTRY DOOR OR ENTRY DOOR FRAME OF A UNIT; EXCEPT THAT AN
14 ASSOCIATION MAY PROHIBIT THE DISPLAY OR AFFIXING OF AN ITEM OR
15 SYMBOL TO THE EXTENT THAT IT:

- 16 (A) THREATENS PUBLIC HEALTH OR SAFETY;
- 17 (B) HINDERS THE OPENING OR CLOSING OF AN ENTRY DOOR;
- 18 (C) VIOLATES FEDERAL OR STATE LAW OR A MUNICIPAL
19 ORDINANCE;
- 20 (D) CONTAINS GRAPHICS, LANGUAGE, OR ANY DISPLAY THAT IS
21 OBSCENE OR OTHERWISE ILLEGAL; OR
- 22 (E) INDIVIDUALLY OR IN COMBINATION WITH OTHER RELIGIOUS
23 ITEMS OR SYMBOLS, COVERS AN AREA GREATER THAN THIRTY-SIX SQUARE
24 INCHES.

25 (II) IF AN ASSOCIATION IS PERFORMING MAINTENANCE, REPAIR, OR
26 REPLACEMENT OF AN ENTRY DOOR OR DOOR FRAME THAT SERVES A UNIT
27 OWNER'S SEPARATE INTEREST, THE UNIT OWNER MAY BE REQUIRED TO

1 REMOVE A RELIGIOUS ITEM OR SYMBOL DURING THE TIME THE WORK IS
2 BEING PERFORMED. AFTER COMPLETION OF THE ASSOCIATION'S WORK, THE
3 UNIT OWNER MAY AGAIN DISPLAY OR AFFIX THE RELIGIOUS ITEM OR
4 SYMBOL. THE ASSOCIATION SHALL PROVIDE INDIVIDUAL NOTICE TO THE
5 UNIT OWNER REGARDING THE TEMPORARY REMOVAL OF THE RELIGIOUS
6 ITEM OR SYMBOL.

7 (III) AS USED IN THIS SUBSECTION (1)(c.5), "RELIGIOUS ITEM OR
8 SYMBOL" MEANS AN ITEM OR SYMBOL DISPLAYED BECAUSE OF A
9 SINCERELY HELD RELIGIOUS BELIEF.

10 **SECTION 4. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety.