

**Second 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. 20-0662.01 Megan Waples x4348

**HOUSE BILL 20-1332**

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**HOUSE SPONSORSHIP**

**Herod and Jackson**, Kennedy, Buckner, Coleman, Exum, Kipp, Lontine, Melton, Sirota, Woodrow, Benavidez, Bird, Caraveo, Duran, Gonzales-Gutierrez, Gray, Hooton, Michaelson Jenet, Singer, Snyder, Tipper, Weissman

**SENATE SPONSORSHIP**

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**House Committees**

Judiciary  
Finance  
Appropriations

**Senate Committees**

State, Veterans, & Military Affairs  
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**A BILL FOR AN ACT**

101      **CONCERNING PROHIBITIONS ON DISCRIMINATION IN HOUSING BASED**  
102                    **ON SOURCE OF INCOME, AND, IN CONNECTION THEREWITH,**  
103                    **MAKING AN APPROPRIATION.**

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**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 adds discrimination based on source of income as a type of unfair housing practice. "Source of income" is defined to include any source of money paid directly, indirectly, or on behalf of a person, including income from any lawful profession or from any government or private assistance, grant, or loan program.

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  
Amended 2nd Reading  
June 11, 2020

HOUSE  
3rd Reading Unamended  
June 10, 2020

HOUSE  
Amended 2nd Reading  
June 9, 2020

A person is prohibited from refusing to rent, lease, show for rent or lease, or transmit an offer to rent or lease housing based on a person's source of income. In addition, a person cannot discriminate in the terms or conditions of a rental agreement against another person based on source of income, or based upon the person's participation in a 3rd-party contract required as a condition of receiving public housing assistance. A person cannot include in any advertisement for the rent or lease of housing any limitation or preference based on source of income, or to use representations related to a person's source of income to induce another person to rent or lease property. The restrictions do not apply to a landlord with 3 or fewer rental units.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-501, **amend**  
3 (4); and **add** (4.5) as follows:

4 **24-34-501. Definitions.** As used in this part 5, unless the context  
5 otherwise requires:

6 (4) "Restrictive covenant" means any specification limiting the  
7 transfer, rental, or lease of any housing because of disability, race, creed,  
8 color, religion, sex, sexual orientation, marital status, familial status,  
9 national origin, or ancestry, OR LIMITING THE RENTAL OR LEASE OF ANY  
10 HOUSING BECAUSE OF SOURCE OF INCOME.

11 (4.5) "SOURCE OF INCOME" MEANS ANY LAWFUL AND VERIFIABLE  
12 SOURCE OF MONEY PAID DIRECTLY, INDIRECTLY, OR ON BEHALF OF A  
13 PERSON, INCLUDING:

14 (a) INCOME DERIVED FROM ANY LAWFUL PROFESSION OR  
15 OCCUPATION; AND

16 (b) INCOME OR RENTAL PAYMENTS DERIVED FROM ANY  
17 GOVERNMENT OR PRIVATE ASSISTANCE, GRANT, OR LOAN PROGRAM.

18 **SECTION 2.** In Colorado Revised Statutes, 24-34-502, **amend**  
19 (1)(h); and **add** (1)(l), (1)(m), (1)(n), (1)(o), (1)(p), (1.5), and (1.7) as

1 follows:

2 **24-34-502. Unfair housing practices prohibited - definition.**

3 (1) It shall be an unfair housing practice and unlawful and hereby  
4 prohibited:

5 (h) For any person to deny another person access to or  
6 membership or participation in any multiple-listing service, real estate  
7 brokers' organization or other service, organization, or facility related to  
8 the business of selling or renting dwellings or to discriminate against such  
9 person in the terms or conditions of such access, membership, or  
10 participation on account of race, creed, color, religion, sex, sexual  
11 orientation, disability, marital status, familial status, ~~or~~ national origin or  
12 ancestry, OR SOURCE OF INCOME;

13 (l) FOR ANY PERSON TO REFUSE TO RENT OR LEASE, TO REFUSE TO  
14 SHOW HOUSING FOR RENT OR LEASE, TO REFUSE TO RECEIVE AND  
15 TRANSMIT ANY BONA FIDE OFFER TO RENT OR LEASE, OR TO OTHERWISE  
16 MAKE UNAVAILABLE OR DENY OR WITHHOLD FROM ANOTHER PERSON ANY  
17 HOUSING FOR RENT OR LEASE BECAUSE OF A PERSON'S SOURCE OF INCOME;

18 (m) FOR ANY PERSON TO DISCRIMINATE IN THE TERMS,  
19 CONDITIONS, OR PRIVILEGES PERTAINING TO THE RENTAL OR LEASE OF ANY  
20 HOUSING, OR IN THE FURNISHING OF FACILITIES OR SERVICES IN  
21 CONNECTION THEREWITH, BECAUSE OF A PERSON'S SOURCE OF INCOME,  
22 INCLUDING A PERSON'S RECEIPT OF PUBLIC HOUSING ASSISTANCE OR A  
23 PERSON'S PARTICIPATION IN A THIRD-PARTY CONTRACT REQUIRED BY A  
24 PUBLIC HOUSING ASSISTANCE PROGRAM; EXCEPT THAT, IF THE INITIAL  
25 PAYMENT TO THE LANDLORD IS NOT MADE TIMELY IN ACCORDANCE WITH  
26 APPLICABLE REGULATIONS PROMULGATED BY THE UNITED STATES  
27 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT DUE TO PROCESSING

1 DELAYS OR A GOVERNMENT SHUTDOWN, THEN A LANDLORD MAY EXERCISE  
2 ANY RIGHT OR PURSUE ANY REMEDY AVAILABLE UNDER LAW;

3 (n) FOR ANY PERSON TO MAKE, PRINT, OR PUBLISH OR CAUSE TO BE  
4 MADE, PRINTED, OR PUBLISHED ANY NOTICE OR ADVERTISEMENT RELATING  
5 TO THE RENTAL OR LEASE OF ANY HOUSING THAT INDICATES ANY  
6 LIMITATION, SPECIFICATION, OR DISCRIMINATION BASED ON A PERSON'S  
7 SOURCE OF INCOME;

8 (o) FOR ANY PERSON TO REPRESENT TO ANOTHER PERSON THAT  
9 ANY HOUSING IS NOT AVAILABLE FOR RENT OR LEASE WHEN THE HOUSING  
10 IS IN FACT AVAILABLE FOR THE PURPOSE OF DISCRIMINATING AGAINST THE  
11 PERSON ON THE BASIS OF THE PERSON'S SOURCE OF INCOME; AND

12 (p) FOR ANY PERSON, FOR PROFIT, TO INDUCE OR ATTEMPT TO  
13 INDUCE ANOTHER PERSON TO RENT ANY HOUSING BY REPRESENTATIONS  
14 REGARDING THE ENTRY OR PROSPECTIVE ENTRY INTO THE NEIGHBORHOOD  
15 OF A PERSON OR PERSONS WITH PARTICULAR SOURCES OF INCOME.

16 (1.5) (a) SUBSECTIONS (1)(l) TO (1)(p) OF THIS SECTION DO NOT  
17 APPLY TO A LANDLORD WITH THREE OR FEWER UNITS OF HOUSING FOR  
18 RENT OR LEASE.

19 (b) NOTHING IN SUBSECTION (1) OF THIS SECTION PRECLUDES A  
20 LANDLORD FROM CHECKING THE CREDIT OF A PROSPECTIVE TENANT.  
21 CHECKING THE CREDIT OF A PROSPECTIVE TENANT IS NOT AN UNFAIR  
22 HOUSING PRACTICE UNDER THIS SECTION, PROVIDED THAT THE LANDLORD  
23 CHECKS THE CREDIT OF EVERY PROSPECTIVE TENANT.

24 (c) AS USED IN THIS SUBSECTION (1.5) AND IN SUBSECTION (1) OF  
25 THIS SECTION, "LANDLORD" MEANS A PERSON WHO OWNS, MANAGES,  
26 LEASES, OR SUBLEASES A UNIT OF HOUSING AND WHO MAKES THAT  
27 HOUSING AVAILABLE FOR RENT OR LEASE.

1           (1.7) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF  
2           THIS SECTION TO THE CONTRARY, IF A LANDLORD OWNS FIVE OR FEWER  
3           SINGLE FAMILY RENTAL HOMES AND NO MORE THAN FIVE TOTAL RENTAL  
4           UNITS INCLUDING ANY SINGLE FAMILY HOMES, THE LANDLORD IS NOT  
5           REQUIRED TO ACCEPT FEDERAL HOUSING CHOICE VOUCHERS FOR ANY OF  
6           THOSE FIVE SINGLE FAMILY HOMES AS AN ACCEPTABLE SOURCE OF INCOME  
7           UNDER SUBSECTION (1) OF THIS SECTION.

8           **SECTION 3. Appropriation.** For the 2020-21 state fiscal year,  
9           \$9,641 is appropriated to the department of regulatory agencies for use by  
10          the civil rights division. This appropriation is from the general fund and  
11          is based on an assumption that the division will require an additional 0.1  
12          FTE. To implement this act, the division may use this appropriation for  
13          personal services.

14          **SECTION 4. Act subject to petition - effective date.** This act  
15          takes effect January 1, 2021; except that, if a referendum petition is filed  
16          pursuant to section 1 (3) of article V of the state constitution against this  
17          act or an item, section, or part of this act within the ninety-day period  
18          after final adjournment of the general assembly, then the act, item,  
19          section, or part will not take effect unless approved by the people at the  
20          general election to be held in November 2020 and, in such case, will take  
21          effect January 1, 2021, or on the date of the official declaration of the  
22          vote thereon by the governor, whichever is later.