

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0569.01 Jessica Herrera x4218

HOUSE BILL 22-1102

HOUSE SPONSORSHIP

Ortiz and Sullivan,

SENATE SPONSORSHIP

Gardner,

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING PROTECTED CLASSES IN FAIR HOUSING PRACTICES, AND,
102 IN CONNECTION THEREWITH, INCLUDING A VETERAN OR
103 MILITARY STATUS AS A PROTECTED CLASS.

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 forbids anyone selling or renting a dwelling from discriminating against an individual based on their veteran or military status. The bill forbids anyone from refusing to negotiate for housing with an individual on the basis of their veteran or military status or otherwise denying or withholding housing on the basis of an individual's veteran or

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.

military status. For purposes of the bill, an individual who was dishonorably discharged from military service does not have veteran or military status.

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 (3); and **add** (7) as follows:

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

6 (3) "Person" has the meaning ascribed to such term in section
7 24-34-301 (5) and includes any owner, lessee, proprietor, manager,
8 employee, or any agent of a person; but, for purposes of this part 5,
9 "person" does not include any private club not open to the public that, as
10 an incident to its primary purpose or purposes, provides lodgings that it
11 owns or operates for other than a commercial purpose, unless the club has
12 the purpose of promoting discrimination in the matter of housing against
13 any person because of disability, race, creed, color, religion, sex, sexual
14 orientation, gender identity, gender expression, marital status, familial
15 status, VETERAN OR MILITARY STATUS, national origin, or ancestry.

16 (7) "VETERAN OR MILITARY STATUS" MEANS A MEMBER OR
17 VETERAN OF THE UNITED STATES ARMED FORCES, UNITED STATES
18 ARMED FORCES RESERVE, OR UNITED STATES NATIONAL GUARD.
19 "VETERAN OR MILITARY STATUS" DOES NOT INCLUDE AN INDIVIDUAL WHO
20 WAS DISHONORABLY DISCHARGED FROM MILITARY SERVICE.

21 **SECTION 2.** In Colorado Revised Statutes, 24-34-502, **amend**
22 (1)(a), (1)(b), (1)(d), (1)(g), (1)(h), (1)(i), (1)(j), and (6) as follows:

23 **24-34-502. Unfair housing practices prohibited - definitions.**

24 (1) It is an unfair housing practice, unlawful, and prohibited:

1 (a) For any person to refuse to show, sell, transfer, rent, or lease
2 any housing; refuse to receive and transmit any bona fide offer to buy,
3 sell, rent, or lease any housing; or otherwise make unavailable or deny or
4 withhold from an individual any housing because of disability, race,
5 creed, color, sex, sexual orientation, gender identity, gender expression,
6 marital status, familial status, VETERAN OR MILITARY STATUS, religion,
7 national origin, or ancestry; to discriminate against an individual because
8 of disability, race, creed, color, sex, sexual orientation, gender identity,
9 gender expression, marital status, familial status, VETERAN OR MILITARY
10 STATUS, religion, national origin, or ancestry in the terms, conditions, or
11 privileges pertaining to any housing or the transfer, sale, rental, or lease
12 of housing or in furnishing facilities or services in connection with
13 housing; or to cause to be made any written or oral inquiry or record
14 concerning the disability, race, creed, color, sex, sexual orientation,
15 gender identity, gender expression, marital status, familial status,
16 VETERAN OR MILITARY STATUS, religion, national origin, or ancestry of an
17 individual seeking to purchase, rent, or lease any housing; however,
18 nothing in this subsection (1)(a) requires a dwelling to be made available
19 to an individual whose tenancy would constitute a direct threat to the
20 health or safety of other individuals or whose tenancy would result in
21 substantial physical damage to the property of others;

22 (b) For any person to whom application is made for financial
23 assistance for the acquisition, construction, rehabilitation, repair, or
24 maintenance of any housing to make or cause to be made any written or
25 oral inquiry concerning the disability, race, creed, color, sex, sexual
26 orientation, gender identity, gender expression, marital status, familial
27 status, VETERAN OR MILITARY STATUS, religion, national origin, or

1 ancestry of an individual seeking financial assistance or concerning the
2 disability, race, creed, color, sex, sexual orientation, gender identity,
3 gender expression, marital status, familial status, VETERAN OR MILITARY
4 STATUS, religion, national origin, or ancestry of prospective occupants or
5 tenants of the housing, or to discriminate against any individual because
6 of the disability, race, creed, color, sex, sexual orientation, gender
7 identity, gender expression, marital status, familial status, VETERAN OR
8 MILITARY STATUS, religion, national origin, or ancestry of the individual
9 or prospective occupants or tenants in the terms, conditions, or privileges
10 relating to obtaining or using any such financial assistance;

11 (d) For any person to make, print, or publish or cause to be made,
12 printed, or published any notice or advertisement relating to the sale,
13 transfer, rental, or lease of any housing that indicates any preference,
14 limitation, specification, or discrimination based on disability, race, creed,
15 color, religion, sex, sexual orientation, gender identity, gender expression,
16 marital status, familial status, VETERAN OR MILITARY STATUS, national
17 origin, or ancestry;

18 (g) For any person whose business includes residential real
19 estate-related transactions, which transactions involve making or
20 purchasing loans secured by residential real estate or providing other
21 financial assistance for purchasing, constructing, improving, repairing, or
22 maintaining a dwelling or selling, brokering, or appraising residential real
23 property, to discriminate against an individual in making available such
24 a transaction or in fixing the terms or conditions of such a transaction
25 because of race, creed, color, religion, sex, sexual orientation, gender
26 identity, gender expression, marital status, disability, familial status,
27 VETERAN OR MILITARY STATUS, national origin, or ancestry;

1 (h) For any person to deny an individual access to or membership
2 or participation in any multiple-listing service, real estate brokers'
3 organization, or other service, organization, or facility related to the
4 business of selling or renting dwellings or to discriminate against the
5 individual in the terms or conditions of such access, membership, or
6 participation on account of race, creed, color, religion, sex, sexual
7 orientation, gender identity, gender expression, disability, marital status,
8 familial status, VETERAN OR MILITARY STATUS, national origin or ancestry,
9 or source of income;

10 (i) For any person, for profit, to induce or attempt to induce any
11 person to sell or rent any dwelling by representations regarding the entry
12 or prospective entry into the neighborhood of any individual of a
13 particular race, color, religion, sex, sexual orientation, gender identity,
14 gender expression, disability, familial status, VETERAN OR MILITARY
15 STATUS, creed, national origin, or ancestry;

16 (j) For any person to represent to any other person that a dwelling
17 is not available for inspection, sale, or rental, when the dwelling is in fact
18 available, for the purpose of discriminating against any individual on the
19 basis of race, color, religion, sex, sexual orientation, gender identity,
20 gender expression, disability, familial status, VETERAN OR MILITARY
21 STATUS, creed, national origin, or ancestry;

22 (6) Nothing in this part 5 prohibits a person engaged in the
23 business of furnishing appraisals of real property from taking into
24 consideration factors other than race, creed, color, religion, sex, sexual
25 orientation, gender identity, gender expression, marital status, familial
26 status, VETERAN OR MILITARY STATUS, disability, religion, national origin,
27 or ancestry.

1 **SECTION 3. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly; except
4 that, if a referendum petition is filed pursuant to section 1 (3) of article V
5 of the state constitution against this act or an item, section, or part of this
6 act within such period, then the act, item, section, or part will not take
7 effect unless approved by the people at the general election to be held in
8 November 2022 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.