

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0545.03 Jery Payne x2157

HOUSE BILL 23-1257

HOUSE SPONSORSHIP

Velasco and Boesenecker,

SENATE SPONSORSHIP

Cutter,

House Committees

Transportation, Housing & Local Government
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING WATER QUALITY IN MOBILE HOME PARKS.**

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 creates a water testing program for mobile home parks (parks). The testing program is developed and administered by the water quality control division (division) in the department of public health and environment (department). The bill also sets testing prioritization criteria and testing standards. If the testing reveals a water quality issue, the division will notify the following and include information about the test results, recommended actions, remediation, and the grant program established in the bill:

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

- The park owner;
- The county department of health or municipality where the park is located;
- The water supplier; and
- The environmental justice ombudsperson (ombudsperson).

Upon receiving the notice, the park owner must:

- Notify the park residents;
- Comply with orders of the division;
- Not impose the cost of compliance on park residents;
- Within 90 days after receiving the notice, prepare and submit to the division a remediation plan;
- Complete the remediation plan based on a schedule approved by the division; and
- Consult with the division and provide an alternative water supply or department-approved filters.

The division will coordinate with the division of housing in the department of local affairs to identify potential money, including grant money from the grant program created in the bill, to support park water quality remediation.

The division will develop an action plan to address and improve water quality in parks. Standards are established for the action plan, including environmental justice principles, and the development of the action plan.

The bill creates a grant program to help park owners and local governments address water quality issues. The division will implement and administer the grant program. The general assembly will annually appropriate money to the department to fund the grant program.

The bill is enforced by the division, which may issue cease-and-desist orders.

A violation of the bill is a violation of the "Colorado Consumer Protection Act", and the bill further establishes that:

- If a park owner fails to develop a remediation plan or implement the remediation plan, the park will be declared a class 3 public nuisance, and the park owner must forfeit the park;
- A park owner that fails to register under the "Mobile Home Park Act Dispute Resolution and Enforcement Program" violates the "Colorado Consumer Protection Act"; and
- A person may bring a civil action under the "Mobile Home Park Act".

A park that has been forfeited because it is a class 3 public nuisance becomes the property of the county where the park is located, and the county will continue to operate the park to provide affordable housing for no fewer than 100 years. Penalties imposed under the "Colorado Consumer Protection Act" are deposited in a fund to be used

1 DISTRIBUTION AND HUMAN CONSUMPTION.

2 (b) "FINISHED WATER" INCLUDES DRINKING WATER PRESENT
3 ANYWHERE IN THE DISTRIBUTION SYSTEM.

4 (7) "FUND" MEANS THE MOBILE HOME PARK WATER QUALITY FUND
5 CREATED IN SECTION 25-8-1006.

6 (8) "GRANT PROGRAM" MEANS THE MOBILE HOME WATER QUALITY
7 GRANT PROGRAM CREATED IN SECTION 25-8-1005.

8 (9) "LOCAL GOVERNMENT" MEANS:

9 (a) A STATUTORY OR HOME RULE COUNTY, MUNICIPALITY, OR CITY
10 AND COUNTY; OR

11 (b) ANY SPECIAL DISTRICT THAT OWNS OR OPERATES FACILITIES
12 THAT SUPPLY WATER TO OR TAKE WASTEWATER FROM A MOBILE HOME
13 PARK.

14 (10) "MOBILE HOME PARK" OR "PARK" HAS THE MEANING SET
15 FORTH IN SECTION 38-12-201.5 (6).

16 (11) "PARK OWNER" MEANS EACH PERSON THAT OWNS A MOBILE
17 HOME PARK, ACTING INDIVIDUALLY OR JOINTLY, AND THE AGENT OF THE
18 PARK OWNER WITH RESPECT TO MATTERS CONCERNING THE PARK.

19 (12) "OMBUDSPERSON" MEANS THE ENVIRONMENTAL JUSTICE
20 OMBUDSPERSON APPOINTED UNDER SECTION 25-1-134 OR THE
21 OMBUDSPERSON'S DESIGNEE.

22 (13) "REMEDIATION" MEANS THE RESOLUTION OF ALL WATER
23 QUALITY ISSUES OF A FINISHED WATER SOURCE, SO THAT THE FINISHED
24 WATER IS SAFE AND HEALTHY TO DRINK. "REMEDIATE" HAS A
25 CORRESPONDING MEANING.

26 (14) "TESTING PROGRAM" MEANS THE PROGRAM TO TEST MOBILE
27 HOME PARK WATER QUALITY CREATED IN ACCORDANCE WITH SECTION

1 25-8-1002 (1)(a).

2 (15) "WATER QUALITY ISSUE" MEANS, WITH REGARD TO FINISHED
3 WATER OR WATER SUPPLY, THAT:

4 (a) THE FINISHED WATER FAILS TO COMPLY WITH THE PRIMARY
5 DRINKING WATER QUALITY STANDARDS ESTABLISHED BY RULE UNDER
6 SECTIONS 25-8-202 AND 25-8-204, OR WITH ANY MAXIMUM CONTAMINANT
7 LEVEL ESTABLISHED BY THE UNITED STATES ENVIRONMENTAL
8 PROTECTION AGENCY; OR

9 (b) THE DIVISION HAS MADE A WRITTEN DETERMINATION THAT THE
10 FINISHED WATER OR WATER SUPPLY IS OF SUFFICIENTLY LOW QUALITY TO
11 PRESENT A RISK TO THE WELFARE, HEALTH, OR SAFETY OF INDIVIDUALS
12 WHO CONSUME THE WATER.

13 (16) "WATER SUPPLY" MEANS THE SUPPLY OF A SOURCE OF
14 FINISHED WATER TO A PARK'S RESIDENTS. "WATER SUPPLY" INCLUDES
15 PRIMARY SOURCE WATER, WELLS, RIVERS, WATER SYSTEMS, AND WATER
16 PURCHASED FROM ANOTHER WATER SYSTEM.

17 **25-8-1002. Division duties - testing water quality at mobile**
18 **home parks - parameters of testing - notice of results. (1) Testing**
19 **program. (a) BY JULY 1, 2024, THE DIVISION SHALL DEVELOP AND BEGIN**
20 **CONDUCTING A PROGRAM TO TEST THE QUALITY OF FINISHED WATER AT**
21 **MOBILE HOME PARKS. THE TESTING PROGRAM IS IN ADDITION TO ANY**
22 **OTHER TESTING PERFORMED PURSUANT TO THIS ARTICLE 8. THE DIVISION**
23 **MAY CONTRACT WITH THIRD-PARTY ENTITIES TO PERFORM THE TESTING.**

24 (b) THE DIVISION SHALL ENSURE THAT MATERIALS, INFORMATION,
25 AND COMMUNICATIONS SHARED WITH MEMBERS OF THE PUBLIC RELATED
26 TO THE TESTING PROGRAM ARE AVAILABLE IN BOTH ENGLISH, SPANISH,
27 AND ANY OTHER LANGUAGE REQUESTED BY A RESIDENT OR THAT THE

1 DIVISION DETERMINES IS NECESSARY TO PROVIDE REASONABLE NOTICE.

2 (c) THE DIVISION SHALL TEST, IN ACCORDANCE WITH THIS SECTION,
3 FINISHED WATER AT:

4 (I) TWENTY-FIVE PERCENT OF THE TOTAL NUMBER OF PARKS BY
5 JULY 1, 2025;

6 (II) FIFTY PERCENT OF THE TOTAL NUMBER OF PARKS BY JULY 1,
7 2026;

8 (III) SEVENTY-FIVE PERCENT OF THE TOTAL NUMBER OF PARKS BY
9 JULY 1, 2027; AND

10 (IV) ONE HUNDRED PERCENT OF THE TOTAL NUMBER OF PARKS BY
11 JULY 1, 2028.

12 (d) (I) THE DIVISION SHALL BEGIN TESTING BY SAMPLING THE
13 FINISHED WATER AND THE WATER SUPPLY AT PARKS THAT REPRESENT
14 GEOGRAPHICALLY DIVERSE LOCATIONS ACROSS COLORADO, BOTH IN
15 URBAN AND RURAL LOCATIONS, BASED ON THE FOLLOWING
16 PRIORITIZATION CRITERIA, NOT LISTED IN ORDER OF IMPORTANCE:

17 (A) PARKS LOCATED IN A CENSUS BLOCK GROUP WHERE AT LEAST
18 FORTY PERCENT OF RESIDENTS IDENTIFY AS A RACIAL OR ETHNIC
19 MINORITY;

20 (B) PARKS AT A HIGHER RISK OF EXPERIENCING CUMULATIVE
21 EFFECTS ON WATER QUALITY BECAUSE THEY ARE LOCATED IN THE MOST
22 RECENT VERSION OF ITS CENSUS BLOCK GROUP WITH A COLORADO
23 ENVIROSCREEN SCORE ABOVE THE EIGHTIETH PERCENTILE;

24 (C) PARKS WHERE RESIDENTS HAVE REQUESTED TESTING;

25 (D) PARKS WHERE RESIDENTS HAVE SUBMITTED COMPLAINTS
26 ABOUT THE QUALITY OF THE FINISHED WATER TO THE DEPARTMENT, TO
27 THE DIVISION OF HOUSING, OR TO THE OMBUDSPERSON; ■■■

1 (E) PARKS THAT ARE SUPPLIED WITH FINISHED WATER FROM AN
2 UNREGULATED WATER SUPPLY; AND

3 (F) PARKS THE DIVISION DETERMINES SHOULD BE PRIORITIZED.

4 (II) THE DIVISION SHALL CREATE A WAITING LIST IF REQUESTS FOR
5 FINISHED WATER TESTING AT PARKS EXCEED THE DIVISION'S CAPACITY FOR
6 CONDUCTING THE TESTING WITHIN THIRTY DAYS AFTER THE REQUEST.

7 (2) **Testing parameters.** (a) IN DEVELOPING THE TESTING
8 PROGRAM, THE DIVISION SHALL INTERVIEW RESIDENTS OF PARKS TO
9 UNDERSTAND RESIDENT EXPERIENCES, INCLUDING DAMAGE TO
10 APPLIANCES, HEALTH EFFECTS, AND ECONOMIC EFFECTS, AND SHALL
11 ASSESS POSSIBLE CAUSES OF CONCERN ABOUT THE QUALITY OF FINISHED
12 WATER, INCLUDING CONCERNS ABOUT FINISHED WATER THAT HAS AN
13 ABNORMAL COLOR, ODOR, OR TASTE. THE DIVISION SHALL CONDUCT THE
14 INTERVIEWS IN ENGLISH, SPANISH, OR ANY OTHER LANGUAGE REQUESTED
15 BY A RESIDENT OR THAT THE DIVISION DETERMINES IS NECESSARY TO
16 CONDUCT THE INTERVIEW.

17 (b) IN DEVELOPING THE TESTING PROGRAM, THE DIVISION SHALL
18 DETERMINE AND APPROVE A SPECIFIC SAMPLING AND TESTING PLAN FOR
19 EACH PARK REQUIRING ANY WATER QUALITY TESTING THAT THE DIVISION
20 DETERMINES IS NECESSARY TO ASSESS THE FINISHED WATER'S SAFETY AND
21 QUALITY AND TO ASSES PARK RESIDENT CONCERNS IDENTIFIED IN THE
22 INTERVIEWS DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION. THE
23 TESTING MAY INCLUDE:

24 (I) TESTING TO DETERMINE IF THE WATER COMPLIES WITH THE
25 PRIMARY AND SECONDARY DRINKING WATER STANDARDS ESTABLISHED BY
26 RULE UNDER SECTIONS 25-8-202 AND 25-8-204 AND WITH THE MAXIMUM
27 CONTAMINANT LEVELS OR SECONDARY MAXIMUM CONTAMINANT LEVELS

1 ESTABLISHED BY THE UNITED STATES ENVIRONMENTAL PROTECTION
2 AGENCY;

3 (II) TESTING TO EVALUATE HARDNESS, IRON, CALCIUM, AND TOTAL
4 DISSOLVED SOLIDS; AND

5 (III) TESTING FOR CHEMICALS WITH HEALTH ADVISORY LEVELS IF
6 THE DIVISION BELIEVES THE CHEMICALS MAY BE PRESENT IN THE FINISHED
7 WATER.

8 (c) EACH APPROVED SAMPLING AND TESTING PLAN IS SUBJECT TO
9 REVIEW AND REVISION BY THE DEPARTMENT.

10 (d) THE DIVISION IS AUTHORIZED TO NOT TEST FINISHED WATER AT
11 A PARK FOR A SPECIFIC CONTAMINANT IF INFORMATION EXISTS SHOWING
12 THE CONTAMINANT IS NOT NEAR OR IN EXCESS OF THE STANDARD IN THE
13 FINISHED WATER.

14 (e) THE DIVISION SHALL REQUIRE THAT ANY SAMPLING AND
15 ANALYSIS PERFORMED IN THE FIELD FOR THE TESTING PROGRAM IS
16 CONDUCTED BY A QUALIFIED PROFESSIONAL, AS DETERMINED BY THE
17 DIVISION.

18 (f) IN IMPLEMENTING THE TESTING PROGRAM, THE DIVISION SHALL:

19 (I) USE THE SAMPLE HOLD TIMES FOR VALID SAMPLING IN
20 ACCORDANCE WITH THE RULES PROMULGATED UNDER SECTIONS 25-8-202
21 AND 25-8-204; AND

22 (II) AVOID TESTING WITHIN A MOBILE HOME WITHOUT THE
23 OWNER'S OR RENTER'S CONSENT AND EVALUATE POSSIBLE ALTERNATE
24 TESTING LOCATIONS, INCLUDING PEDESTALS AND SERVICE LINES.

25 (3) **Notice of test results.** (a) TEST RESULTS OBTAINED IN
26 ACCORDANCE WITH THIS SECTION ARE PUBLIC RECORDS. THE DIVISION
27 SHALL MAKE THE TEST RESULTS ACCESSIBLE AS SOON AS POSSIBLE ON A

1 PUBLIC WEBSITE ON WHICH THE TEST RESULTS MAY BE VIEWED IN
2 ENGLISH, SPANISH, AND ANY OTHER LANGUAGE REQUESTED BY A
3 RESIDENT OR THAT THE DIVISION DETERMINES IS NECESSARY TO PROVIDE
4 REASONABLE NOTICE.

5 (b) (I) WITHIN TEN DAYS AFTER RECEIVING THE TEST RESULTS, THE
6 DIVISION SHALL NOTIFY THE FOLLOWING PERSONS OF THE TEST RESULTS
7 OBTAINED IN ACCORDANCE WITH THIS SECTION FOR EACH PARK:

- 8 (A) THE PARK OWNER;
- 9 (B) THE COUNTY DEPARTMENT OF HEALTH WHERE THE PARK IS
10 LOCATED;
- 11 (C) THE MUNICIPALITY, IF ANY, WHERE THE PARK IS LOCATED;
- 12 (D) THE DIVISION OF HOUSING IN THE DEPARTMENT OF LOCAL
13 AFFAIRS;
- 14 (E) THE WATER SUPPLIER; AND
- 15 (F) THE OMBUDSPERSON.

16 (II) IF TEST RESULTS SHOW THAT A PARK'S FINISHED WATER HAS A
17 WATER QUALITY ISSUE, THE DIVISION'S NOTIFICATION DESCRIBED IN
18 SUBSECTION (3)(b)(I) OF THIS SECTION MUST INCLUDE:

- 19 (A) A SUMMARY OF THE TEST RESULTS AND INFORMATION
20 CONCERNING THE AVAILABILITY OF THE COMPLETE TEST RESULTS;
- 21 (B) INFORMATION ABOUT ANY VIOLATION OF WATER QUALITY
22 STANDARDS FOR FINISHED WATER;
- 23 (C) GUIDANCE ABOUT ANY ACTIONS RESIDENTS SHOULD TAKE IN
24 LIGHT OF ANY VIOLATIONS OF WATER QUALITY STANDARDS FOR FINISHED
25 WATER;
- 26 (D) GUIDANCE ABOUT THE REMEDIATION PROCESS, AS DESCRIBED
27 IN SECTION 25-8-1003; AND

1 (E) INFORMATION ABOUT THE GRANT PROGRAM.

2 (c) (I) UPON RECEIVING NOTICE OF TEST RESULTS IN ACCORDANCE
3 WITH SUBSECTION (3)(b)(I)(A) OF THIS SECTION, THE PARK OWNER SHALL
4 NOTIFY THE PARK RESIDENTS OF THE TEST RESULTS WITHIN FORTY-EIGHT
5 HOURS IN ENGLISH, SPANISH, AND ANY OTHER LANGUAGE REQUESTED BY
6 A RESIDENT OR THAT THE DIVISION DETERMINES IS NECESSARY TO PROVIDE
7 REASONABLE NOTICE AND INCLUDE IN THE NOTICE THE INFORMATION AND
8 GUIDANCE RECEIVED FROM THE DIVISION IN ACCORDANCE WITH
9 SUBSECTION (3)(b)(II) OF THIS SECTION. THE PARK OWNER SHALL USE A
10 PROFESSIONAL TRANSLATOR TO PROVIDE THE NOTICE IN ANY LANGUAGE
11 OTHER THAN ENGLISH. AFTER GIVING THE NOTICE, THE PARK OWNER
12 SHALL CERTIFY TO THE DIVISION THAT THE PARK OWNER HAS NOTIFIED
13 THE RESIDENTS.

14 (II) IN ADDITION TO DIRECTLY NOTIFYING RESIDENTS, A PARK
15 OWNER SHALL ALSO POST THE NOTICE OF TEST RESULTS IN ENGLISH,
16 SPANISH, AND ANY OTHER LANGUAGE REQUESTED BY A RESIDENT OR THAT
17 THE DIVISION DETERMINES IS NECESSARY TO PROVIDE REASONABLE
18 NOTICE IN A CLEARLY VISIBLE LOCATION IN PARK COMMON AREAS,
19 INCLUDING ANY COMMUNITY HALL OR RECREATION HALL. THE NOTICE
20 MUST:

21 (A) REMAIN CLEARLY VISIBLE IN THE COMMON AREA FOR AT LEAST
22 ONE HUNDRED TWENTY DAYS AFTER THE DATE IT IS POSTED; AND

23 (B) USE A TRANSLATION PROVIDED BY A PROFESSIONAL
24 TRANSLATOR.

25 (III) IF A PARK OWNER FAILS TO PROVIDE AND POST THE NOTICE
26 REQUIRED BY SUBSECTIONS (3)(c)(I) AND (3)(c)(II) OF THIS SECTION TO
27 RESIDENTS WITHIN FIVE BUSINESS DAYS AFTER RECEIPT OF THE NOTICE

1 FROM THE DIVISION, THE PARK OWNER IS SUBJECT TO SECTION 38-12-1104
2 AND PART 2 OF ARTICLE 12 OF TITLE 38.

3 **25-8-1003. Remediation.** (1) IF TESTING CONDUCTED IN
4 ACCORDANCE WITH THE TESTING PROGRAM IDENTIFIES A WATER QUALITY
5 ISSUE IN FINISHED WATER, THE DIVISION SHALL:

6 (a) PERFORM OR REQUIRE ADDITIONAL TESTING, IF NECESSARY, OF
7 THE FINISHED WATER OR WATER SUPPLY AT THE PARK, AND THIS TESTING
8 MAY INCLUDE CONTINUED TESTING, TESTING OF MULTIPLE POINTS IN THE
9 WATER SUPPLY OUTSIDE THE MOBILE HOME, AND TESTING OF FLOW RATES
10 AND WATER PRESSURE;

11 (b) NOTIFY THE DIVISION OF HOUSING AND THE PERSONS LISTED IN
12 SECTION 25-8-1002 (3)(b)(I);

13 (c) TIMELY REVIEW THE REMEDIATION PLAN DESCRIBED IN
14 SUBSECTION (2)(c) OF THIS SECTION, AND EITHER:

15 (I) APPROVE THE PLAN; OR

16 (II) DENY THE PLAN WITH A WRITTEN EXPLANATION OF THE
17 REASON THE PLAN WAS DENIED AND MAKE RECOMMENDATIONS FOR
18 ADDRESSING THE REASON THE PLAN WAS DENIED; AND

19 (d) WHEN THE WATER QUALITY ISSUE HAS BEEN REMEDIATED,
20 NOTIFY THE DIVISION OF HOUSING.

21 (2) UPON RECEIVING THE NOTICE MADE UNDER SUBSECTION (1)(b)
22 OF THIS SECTION, THE PARK OWNER SHALL:

23 (a) COMPLY WITH ANY ORDERS OF THE DIVISION RELATED TO THE
24 WATER QUALITY ISSUE;

25 (b) NOT IMPOSE THE COST OF COMPLIANCE WITH THIS SUBSECTION
26 (2) ON PARK RESIDENTS;

27 (c) WITHIN ONE HUNDRED TWENTY DAYS AFTER RECEIVING THE

1 NOTICE, PREPARE AND SUBMIT TO THE DIVISION A REMEDIATION PLAN,
2 WHICH MUST BE DESIGNED TO ADDRESS THE WATER QUALITY ISSUE
3 DESCRIBED IN THE NOTICE AND MUST INCLUDE DEADLINES, WITH STATUS
4 UPDATE REQUIREMENTS, TO ADDRESS THE WATER QUALITY ISSUE;

5 (d) COMPLETE THE REMEDIATION PLAN BASED ON A SCHEDULE
6 APPROVED BY THE DIVISION; AND

7 (e) CONSULT WITH THE DIVISION AND PROVIDE A REASONABLE AND
8 SUFFICIENT AMOUNT OF ACCESSIBLE DRINKING WATER OR
9 DEPARTMENT-APPROVED FILTERS, IF EITHER ONE OR BOTH ARE
10 NECESSARY, TO ADDRESS ACUTE HEALTH RISKS.

11 (3) TO ADDRESS A WATER QUALITY ISSUE, THE DEPARTMENT SHALL
12 ISSUE AN ORDER REQUIRING THE PARK OWNER TO:

13 (a) PERFORM ADDITIONAL WATER TESTING;

14 (b) PERFORM TEMPORARY MEASURES NECESSARY TO ADDRESS
15 ACUTE HEALTH RISKS; OR

16 (c) MAKE ADDITIONAL REPORTS TO THE DIVISION CONCERNING THE
17 WATER QUALITY ISSUE.

18 **25-8-1004. Action plan.** (1) BY MARCH 1, 2026, THE DIVISION
19 SHALL DEVELOP AN ACTION PLAN TO ADDRESS AND IMPROVE WATER
20 QUALITY IN MOBILE HOME PARKS. THE ACTION PLAN MUST COMPLY
21 WITH SUBSECTION (3) OF THIS SECTION.

22 (2) IN DEVELOPING THE ACTION PLAN, THE DIVISION SHALL:

23 (a) CONDUCT OUTREACH TO PARK RESIDENTS TO:

24 (I) GATHER INFORMATION TO DEVELOP THE ACTION PLAN; AND

25 (II) RECEIVE INPUT ABOUT WATER QUALITY CONCERNS, INCLUDING
26 CONCERNS RELATED TO WATER SAFETY, COLOR, ODOR, AND TASTE;

27 (b) COORDINATE WITH RESIDENTS OF PARKS TO IDENTIFY

1 OPPORTUNITIES TO IMPROVE THE QUALITY OF FINISHED WATER IN AND THE
2 WATER SUPPLY FOR PARKS;

3 (c) ENSURE THAT COMMUNICATIONS WITH MEMBERS OF THE
4 PUBLIC CONCERNING THE ACTION PLAN ARE AVAILABLE IN ENGLISH,
5 SPANISH, AND ANY OTHER LANGUAGE REQUESTED BY A RESIDENT OR THAT
6 THE DIVISION DETERMINES IS NECESSARY FOR PUBLIC OUTREACH;

7 (d) CONSULT WITH OR COORDINATE WITH THE PARK OWNER, PARK
8 RESIDENTS, NONPROFIT ORGANIZATIONS, PUBLIC INSTITUTIONS OF HIGHER
9 EDUCATION, THE WATER PROVIDER, COUNTY HEALTH DEPARTMENTS, AND
10 THE OMBUDSPERSON;

11 (e) CONSIDER THE RESULTS OF THE TESTING PROGRAM AND ANY
12 OTHER WATER QUALITY TESTING CONDUCTED TO DATE;

13 (f) ASSESS WATER SUPPLY INFRASTRUCTURE FOR A SAMPLING OF
14 PARKS BASED ON PRIORITIZATION CRITERIA IN SECTION 25-8-1002 (1)(d),
15 AND THIS ASSESSMENT MUST ASSESS FOR THE PRESENCE OF LEAD PIPES OR
16 DECAYING OR AGING PIPES, THE SIZING OF PIPES, AND WATER PRESSURE
17 LEVELS TO DETERMINE IF INFRASTRUCTURE IS IMPAIRING WATER QUALITY;
18 AND

19 (g) COLLECT RELEVANT DATA ABOUT FINISHED WATER AT PARKS.

20 (3) THE ACTION PLAN MUST:

21 (a) INCLUDE A STATUS REPORT OF THE TESTING PROGRAM
22 CONDUCTED TO DATE, AND THE STATUS REPORT MUST SPECIFY THE
23 NUMBER OF PARKS TESTED, THE TESTING LOCATIONS, AND A SUMMARY OF
24 FINDINGS TO DATE;

25 (b) DEVELOP A STRATEGY TO TEST WATER QUALITY AT ANY PARKS
26 NOT YET TESTED;

27 (c) IDENTIFY OPPORTUNITIES TO IMPROVE THE QUALITY OF

1 FINISHED WATER IN AND THE WATER SUPPLY FOR PARKS, INCLUDING
2 OPPORTUNITIES TO ADDRESS COLOR, TASTE, AND ODOR CONCERNS;

3 (d) IN COOPERATING AND CONSULTING WITH THE DIVISION OF
4 HOUSING, IDENTIFY OPPORTUNITIES FOR POTENTIAL FUNDING TO IMPROVE
5 THE QUALITY OF FINISHED WATER AND THE WATER SUPPLY AND TO
6 ENFORCE THIS PART 10; █

7 (e) INCLUDE TIMELINES FOR IMPLEMENTATION OF THE ACTION
8 PLAN; AND

9 (f) INCLUDE A WRITTEN DESCRIPTION OF HOW PARK RESIDENT
10 FEEDBACK WAS AND WAS NOT INCORPORATED.

11 (4) THE DIVISION SHALL COORDINATE WITH THE DIVISION OF
12 HOUSING TO IDENTIFY POTENTIAL MONEY, INCLUDING GRANT MONEY
13 FROM THE GRANT PROGRAM, TO SUPPORT REMEDIATION OF A WATER
14 QUALITY ISSUE AT A PARK.

15 **25-8-1005. Mobile home water quality grant program -**
16 **created - grant application and award process - reporting - funding.**

17 (1) (a) THE MOBILE HOME WATER QUALITY GRANT PROGRAM IS CREATED
18 TO PROVIDE GRANTS TO PARK OWNERS, NONPROFIT ENTITIES, AND LOCAL
19 GOVERNMENTS TO ADDRESS WATER QUALITY ISSUES AND WASTEWATER
20 PROBLEMS IN MOBILE HOME PARKS.

21 (b) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED THROUGH
22 THE GRANT PROGRAM TO REMEDIATE WATER QUALITY ISSUES IN A PARK
23 OR IMPROVE WATER QUALITY IN A PARK.

24 (2) (a) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM
25 AND, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
26 PROVIDED IN THIS SECTION.

27 (b) THE DIVISION SHALL, IN COLLABORATION WITH THE DIVISION

1 OF HOUSING, DEVELOP POLICIES TO IMPLEMENT THE GRANT PROGRAM IN
2 ACCORDANCE WITH THIS SECTION. AT A MINIMUM, THE POLICIES MUST
3 SPECIFY:

4 (I) THE DEADLINES FOR APPLYING FOR, AWARDING, AND
5 DISBURSING GRANTS;

6 (II) THE PROCEDURES FOR APPLYING FOR A GRANT;

7 (III) THE CRITERIA USED TO EVALUATE A GRANT APPLICATION;

8 AND

9 (IV) THE CRITERIA FOR DETERMINING THE AMOUNT OF A GRANT.

10 (3) TO RECEIVE A GRANT, A PARK OWNER, NONPROFIT ENTITY, OR
11 LOCAL GOVERNMENT MUST SUBMIT AN APPLICATION TO THE DIVISION IN
12 ACCORDANCE WITH THE POLICIES DEVELOPED PURSUANT TO SUBSECTION
13 (2) OF THIS SECTION. AT A MINIMUM, THE APPLICATION MUST INCLUDE THE
14 FOLLOWING INFORMATION:

15 (a) THE NAME OF THE PARK OWNER, NONPROFIT ENTITY, LOCAL
16 GOVERNMENT, OR AGENCY OF A LOCAL GOVERNMENT APPLYING FOR THE
17 GRANT;

18 (b) THE PARK THAT WOULD BENEFIT FROM THE GRANT;

19 (c) A REFERENCE TO THE NOTICE RECEIVED IN ACCORDANCE WITH
20 SECTION 25-8-1003 (1)(b) ON THE MOBILE HOME PARK'S WATER QUALITY
21 ISSUE; AND

22 (d) THE PLANNED REMEDIATION OR IMPROVEMENT TO BE
23 ACCOMPLISHED WITH THE GRANT.

24 (4) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
25 UNDER THIS SECTION AND SHALL PRIORITIZE FUNDING FOR APPLICATIONS
26 BASED ON:

27 (I) THE SEVERITY OF THE WATER QUALITY ISSUE;

1 (II) THE NUMBER OF PEOPLE AFFECTED BY THE WATER QUALITY
2 ISSUE; AND

3 (III) THE COSTS TO REMEDIATE THE WATER QUALITY ISSUE OR
4 IMPROVE WATER QUALITY.

5 (b) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE JULY
6 1, 2025, AND ON OR BEFORE JULY 1 OF EACH YEAR THEREAFTER, THE
7 DIVISION SHALL AWARD GRANTS AS PROVIDED IN THIS SECTION AND THE
8 POLICIES ADOPTED IN ACCORDANCE WITH THIS SECTION. ■ ■

9 (5) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
10 MONEY FROM THE FUND TO THE DEPARTMENT FOR ALLOCATION TO THE
11 DIVISION TO IMPLEMENT THE GRANT PROGRAM. THE DIVISION MAY USE UP
12 TO TEN PERCENT OF THE MONEY ANNUALLY APPROPRIATED FOR THE
13 GRANT PROGRAM TO PAY THE DIRECT AND INDIRECT COSTS THAT THE
14 DIVISION INCURS TO ADMINISTER THE GRANT PROGRAM.

15 **25-8-1006. Mobile home park water quality fund.** (1) THE
16 MOBILE HOME PARK WATER QUALITY FUND IS CREATED IN THE STATE
17 TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE FUND IN
18 ACCORDANCE WITH SECTION 25-8-1007 (3) AND ANY OTHER MONEY THAT
19 THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

20 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
21 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
22 FUND TO THE FUND.

23 (3) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
24 ASSEMBLY, THE DIVISION SHALL, AS NECESSARY TO ADDRESS A PARK'S
25 WATER QUALITY ISSUES OR IMPROVE A PARK'S WATER QUALITY, EXPEND
26 MONEY FROM THE FUND TO IMPLEMENT THIS PART 10, INCLUDING THE
27 GRANT PROGRAM.

1 **25-8-1007. Enforcement.** (1) THE DIVISION HAS AUTHORITY TO
2 TEST AND REQUIRE REMEDIATION OF PARK FINISHED WATER, REGARDLESS
3 OF THE TYPE OF WATER SOURCE.

4 (2) THE DIVISION SHALL, AS NECESSARY TO ADDRESS A PARK'S
5 WATER QUALITY ISSUES OR IMPROVE A PARK'S WATER QUALITY, ISSUE A
6 CEASE-AND-DESIST ORDER FOR A VIOLATION OF THIS PART 10 IN
7 ACCORDANCE WITH SECTION 25-8-605.

8 (3) (a) IF THE PARK OWNER FAILS TO COMPLY WITH A CEASE AND
9 DESIST ORDER, CREATE A REMEDIATION PLAN, IMPLEMENT A REMEDIATION
10 PLAN, OR RESPOND TO THE DIVISION IN CONNECTION WITH A REMEDIATION
11 PLAN, THE DIVISION MAY IMPOSE A CIVIL PENALTY OF UP TO TEN
12 THOUSAND DOLLARS PLUS AN ADDITIONAL FIVE THOUSAND DOLLARS FOR
13 EACH FULL CALENDAR MONTH AFTER THE FIRST CALENDAR MONTH FOR
14 WHICH THE VIOLATION CONTINUES. THE DIVISION MUST IMPOSE A CIVIL
15 PENALTY IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24.

16 (b) THE DIVISION SHALL TRANSFER A CIVIL PENALTY COLLECTED
17 PURSUANT TO THIS SUBSECTION (3) TO THE STATE TREASURER, WHO SHALL
18 CREDIT THE CIVIL PENALTY TO THE FUND.

19 (c) IF A PARK OWNER THREATENS TO EVICT A PARK RESIDENT FOR
20 FILING A WATER QUALITY COMPLAINT OR FOR REQUESTING REMEDIATION
21 TO ADDRESS A WATER QUALITY ISSUE, THE PARK OWNER HAS VIOLATED
22 SECTION 38-12-203 (3) AND IS SUBJECT TO THE PENALTIES SET FORTH IN
23 SECTION 38-12-203 (3).

24 [REDACTED]

25 (4) THIS SECTION DOES NOT PROVIDE AN EXCLUSIVE REMEDY AND
26 DOES NOT LIMIT THE RIGHT OF PARK RESIDENTS TO TAKE LEGAL ACTION
27 AGAINST THE PARK OWNER. EXHAUSTION OF THE ADMINISTRATIVE

1 REMEDY PROVIDED IN THIS SECTION IS NOT REQUIRED BEFORE A RESIDENT
2 MAY BRING A LEGAL ACTION.

3 **25-8-1008. This part 10 does not affect other statutory**
4 **protections.** THIS PART 10 DOES NOT AFFECT OR SUPERCEDE THE
5 PROTECTIONS GRANTED TO PARK RESIDENTS PURSUANT TO OTHER
6 STATUTES, INCLUDING ARTICLE 12 OF TITLE 38. IF A COURT DETERMINES
7 THAT A PROVISION OF THIS PART 10 CONFLICTS WITH A PROVISION OF
8 ARTICLE 12 OF TITLE 38, THE COURT SHALL APPLY THE STATUTE THAT
9 GRANTS THE STRONGER PROTECTION TO THE PARK RESIDENT.

10 **SECTION 2.** In Colorado Revised Statutes, 6-1-105, **add**
11 (1)(uuu) as follows:

12 **6-1-105. Unfair or deceptive trade practices.** (1) A person
13 engages in a deceptive trade practice when, in the course of the person's
14 business, vocation, or occupation, the person:

15 (uuu) FAILS TO REGISTER A MOBILE HOME PARK IN VIOLATION OF
16 SECTION 38-12-1106.

17

18 **SECTION 3.** In Colorado Revised Statutes, 25-1-134, **amend**
19 (1)(d)(IX) and (1)(d)(X); and **add** (1)(d)(XI) as follows:

20 **25-1-134. Environmental justice - ombudsperson - advisory**
21 **board - grant program - definitions - repeal.** (1) **Environmental**
22 **justice ombudsperson.** (d) The ombudsperson shall:

23 (IX) Consult with the division of administration in reporting to the
24 air quality control commission, created in section 25-7-104, on equitable
25 progress toward the state's greenhouse gas reduction goals; ~~and~~

26 (X) Serve in an advisory capacity, as requested, to other state
27 agencies conducting outreach to and engagement of disproportionately

1 impacted communities in light of a proposed agency action; AND

2 (XI) **ADVOCATE FOR AND LIAISE WITH MOBILE HOME RESIDENTS**
3 **IN MATTERS OF WATER QUALITY AND WORK WITH RESIDENTS ON**
4 **SOLUTIONS AND FUNDING TO IMPROVE WATER QUALITY IN ACCORDANCE**
5 **WITH PART 10 OF ARTICLE 8 OF TITLE 25.**

6 **SECTION 4.** In Colorado Revised Statutes, 38-12-201.5, **amend**
7 (3) as follows:

8 **38-12-201.5. Definitions.** As used in this part 2 and in part 11 of
9 this article 12, unless the context otherwise requires:

10 (3) "Management" or "landlord" means the owner OF A MOBILE
11 HOME PARK or person responsible for operating and managing a mobile
12 home park or an agent, employee, or representative authorized to act on
13 the management's behalf in connection with matters relating to tenancy
14 in the park.

15 **SECTION 5.** In Colorado Revised Statutes, 38-12-204, **amend**
16 (4) introductory portion, (4)(b), and (4)(c); and **add** (4)(d) as follows:

17 **38-12-204. Nonpayment of rent - notice required for rent**
18 **increase - limitation on rent increases.** (4) A landlord shall not increase
19 rent on a **RESIDENT OF A mobile home park lot if the park:**

20 (b) **Has any unpaid penalties owed to the division of housing; or**

21 (c) **Has not fully complied with any final agency order issued by**
22 **the division of housing; OR**

23 (d) **HAS NOT FULLY COMPLIED WITH SECTION 25-8-1003 (2).**

24 **SECTION 6.** In Colorado Revised Statutes, 38-12-212.3, **amend**
25 (2)(b)(III) and (2)(b)(IV); and **add** (2)(b)(V) as follows:

26 **38-12-212.3. Responsibilities of landlord - acts prohibited.**

27 (2) In addition to the responsibilities described in subsection (1)(a) of

1 this section, a landlord is responsible for:

2 (b) The premises, including:

3 (III) Maintaining lot grades, regrading lots as necessary to prevent
4 the accumulation of stagnant water and the detrimental effects of moving
5 water, and taking reasonably necessary steps to maintain the integrity of
6 the foundation of each mobile home's utility pedestal or pad space in
7 order to prevent structural damage to the mobile home, except in
8 circumstances where the need for such maintenance is caused by a
9 resident's actions; ~~and~~

10 (IV) Maintaining trees on the premises in a manner that protects
11 the safety of residents of the park and their property, including the
12 preservation of healthy, mature trees that home owners reasonably
13 expected to remain on the premises when they signed their rental
14 agreements, so long as such preservation does not pose a safety risk to
15 any person, property, or infrastructure; AND

16 (V) COMPLYING WITH THE PROVISIONS OF PART 10 OF ARTICLE 8
17 OF TITLE 25.

18 **SECTION 7.** In Colorado Revised Statutes, 38-12-220, **amend**
19 (1) as follows:

20 **38-12-220. Private civil right of action.** (1) A home owner, a
21 resident, an association of home owners, or a landlord or the assignee of
22 a home owner, a resident, an association of home owners, or a landlord
23 may file a civil action alleging a violation of a rental agreement or of ~~any~~
24 ~~provision~~ of this article 12 OR PART 10 OF ARTICLE 8 OF TITLE 25.

25 **SECTION 8.** In Colorado Revised Statutes, 38-12-502, **add** (6.5)
26 as follows:

27 **38-12-502. Definitions.** As used in this part 5 and part 8 of this

1 article 12, unless the context otherwise requires:

2 (6.5) "ORGANIZING INCLUDES:

3 (a) FACILITATING OR ATTENDING A MEETING FOR PURPOSES OF
4 FORMING A TENANTS' ORGANIZATION OR FILING A COMPLAINT, EVEN IF THE
5 ORGANIZATION IS NOT YET FORMED OR THE COMPLAINT HAS NOT YET BEEN
6 FILED WHEN THE RETALIATION OCCURS OR

7 (b) DISTRIBUTION OF FLYERS OR OTHER PROMOTIONAL OR
8 EDUCATIONAL MATERIALS RELATED TO EFFORTS TO ORGANIZE TENANTS.

9 **SECTION 9.** In Colorado Revised Statutes, 38-12-509, **amend**
10 **(1)**; and **add (5)** as follows:

11 **38-12-509. Prohibition on retaliation.** (1) A landlord shall not
12 retaliate against a tenant by increasing rent, ~~or~~ BY decreasing services, ~~or~~
13 by bringing or threatening to bring an action for possession, OR BY
14 BRINGING ANY OTHER ADVERSE ACTION in response to the tenant:

15 (a) Having made a good faith complaint to the landlord or to a
16 governmental agency alleging a condition described by section 38-12-505
17 (1) or any condition that materially interferes with the life, health, or
18 safety of the tenant; ~~or~~

19 (b) Organizing or becoming a member of a tenants' association or
20 similar organization; OR

21 (c) FILING A WATER QUALITY COMPLAINT OR REQUESTING
22 REMEDIATION TO ADDRESS A WATER QUALITY ISSUE UNDER PART 10 OF
23 ARTICLE 8 OF TITLE 12.

24 (5) A RETALIATORY ACTION DESCRIBED IN SUBSECTION (1) OF THIS
25 SECTION IS REBUTTABLY PRESUMED TO BE RETALIATION IN VIOLATION OF
26 THIS SECTION IF DONE WITHIN ONE HUNDRED TWENTY DAYS AFTER THE
27 TENANT DOES AN ACTION DESCRIBED IN SUBSECTION (1)(a) TO (1)(c) OF

1 THIS SECTION.

2 SECTION 10. In Colorado Revised Statutes, 38-12-1106, amend
3 (7)(e) and (7)(f); and add (7)(g) as follows:

4 38-12-1106. Registration of mobile home parks - process - fees.

5 (7) The registration forms provided by the division must require
6 information necessary to assist the division in identifying and locating a
7 mobile home park and other information that may be useful to the state.
8 A registration is not complete unless the landlord includes all of the
9 information required by the forms provided by the division. The forms
10 must require, at a minimum:

11 (e) The physical address of each mobile home within the mobile
12 home park and the mailing address of the home owner, if the landlord has
13 a different mailing address on file for the home owner; and

14 (f) The date and amount of the most recent rent increase for each
15 mobile home lot and each mobile home in the park; AND

16 (g) A DESCRIPTION OF THE MOBILE HOME PARK'S WATER SOURCE,
17 INCLUDING THE TYPE OF WATER SOURCE. ■■■

18 SECTION 11. In Colorado Revised Statutes, 38-12-1108, amend
19 (1), (2)(c), and (2)(d); and add (2)(e) as follows:

20 38-12-1108. Mobile home park complaint and water issue
21 database. (1) ~~By May 1, 2020,~~ The division shall also create and
22 maintain a database of mobile home parks that have had complaints filed
23 against them under the program OR THAT HAVE AN UNREMIEDIATED WATER
24 QUALITY ISSUE AS DETERMINED PURSUANT TO PART 10 OF ARTICLE 8 OF
25 TITLE 25.

26 (2) At a minimum, the database must include:

27 (c) The violation of law complained of; and

1 (d) The outcome of each complaint; AND

2 (e) WHETHER THE MOBILE HOME PARK HAS A WATER QUALITY
3 ISSUE, AS DESCRIBED IN THE NOTICE FROM THE WATER QUALITY CONTROL
4 DIVISION IN ACCORDANCE WITH SECTION 25-8-1003 (1)(b), THAT HAS NOT
5 BEEN REMEDIATED.

6 **SECTION 12. Applicability.** This act applies to offenses
7 committed or conduct occurring on or after the effective date of this act.

8 **SECTION 13. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety.