

**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**

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**HOUSE SPONSORSHIP**

**Velasco and Boesenecker,**

**SENATE SPONSORSHIP**

**Cutter,**

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**House Committees**

Transportation, Housing & Local Government  
Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING WATER QUALITY IN MOBILE HOME PARKS, AND, IN**  
102 **CONNECTION THEREWITH, 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 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

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.*

results, recommended actions, remediation, and the grant program established in the bill:

- 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 to provide grants through the grant program and for the division to administer and enforce the bill.

The ombudsperson is given the duty to represent park residents in matters of water quality.

The bill adds water quality issues to the database created by the "Mobile Home Park Act Dispute Resolution and Enforcement Program", which tracks complaints filed against parks.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 10 to article  
3 8 of title 25 as follows:

4 **PART 10**

5 **MOBILE HOME WATER QUALITY**

6 **25-8-1001. Definitions.** AS USED IN THIS PART 10, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

8 (1) "ACTION PLAN" MEANS THE STATEWIDE ACTION PLAN CREATED  
9 BY THE DIVISION IN ACCORDANCE WITH SECTION 25-8-1004.

10 (2) "COLORADO ENVIROSCREEN" MEANS THE ENVIRONMENTAL  
11 JUSTICE MAPPING TOOL DEVELOPED AND ADMINISTERED BY THE  
12 DEPARTMENT AND COLORADO STATE UNIVERSITY, OR ANY SUCCESSOR  
13 TOOL.

14 (3) "DEPARTMENT" MEANS THE STATE DEPARTMENT OF PUBLIC  
15 HEALTH AND ENVIRONMENT.

16 (4) "DIVISION" MEANS THE WATER QUALITY CONTROL DIVISION IN  
17 THE DEPARTMENT.

18 (5) "DIVISION OF HOUSING" MEANS THE DIVISION OF HOUSING IN  
19 THE DEPARTMENT OF LOCAL AFFAIRS.

20



1 (6) (a) "FINISHED WATER" MEANS WATER THAT IS SUPPLIED TO A  
2 DISTRIBUTION SYSTEM OF A MOBILE HOME PARK AND INTENDED FOR  
3 DISTRIBUTION AND HUMAN CONSUMPTION.

4 (b) "FINISHED WATER" INCLUDES DRINKING WATER PRESENT  
5 ANYWHERE IN THE DISTRIBUTION SYSTEM.

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

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

10 (9) "LOCAL GOVERNMENT" MEANS:

11 (a) A STATUTORY OR HOME RULE COUNTY, MUNICIPALITY, OR CITY  
12 AND COUNTY; OR

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

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

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

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

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

1 (14) "TESTING PROGRAM" MEANS THE PROGRAM TO TEST MOBILE  
2 HOME PARK WATER QUALITY CREATED IN ACCORDANCE WITH SECTION  
3 25-8-1002 (1)(a).

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

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

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

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

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

26 (b) THE DIVISION SHALL ENSURE THAT MATERIALS, INFORMATION,  
27 AND COMMUNICATIONS SHARED WITH MEMBERS OF THE PUBLIC RELATED

1 TO THE TESTING PROGRAM ARE AVAILABLE IN BOTH ENGLISH, SPANISH,  
2 AND ANY OTHER LANGUAGE REQUESTED BY A RESIDENT OR THAT THE  
3 DIVISION DETERMINES IS NECESSARY TO PROVIDE REASONABLE NOTICE.

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

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

8 (II) FIFTY PERCENT OF THE TOTAL NUMBER OF PARKS BY JULY 1,  
9 2026;

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

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

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

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

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

26 (C) PARKS WHERE RESIDENTS HAVE REQUESTED TESTING;

27 (D) PARKS WHERE RESIDENTS HAVE SUBMITTED COMPLAINTS

1 ABOUT THE QUALITY OF THE FINISHED WATER TO THE DEPARTMENT, TO  
2 THE DIVISION OF HOUSING, OR TO THE OMBUDSPERSON; █

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

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

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

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

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

26 (I) TESTING TO DETERMINE IF THE WATER COMPLIES WITH THE  
27 PRIMARY AND SECONDARY DRINKING WATER STANDARDS ESTABLISHED BY

1 RULE UNDER SECTIONS 25-8-202 AND 25-8-204 AND WITH THE MAXIMUM  
2 CONTAMINANT LEVELS OR SECONDARY MAXIMUM CONTAMINANT LEVELS  
3 ESTABLISHED BY THE UNITED STATES ENVIRONMENTAL PROTECTION  
4 AGENCY;

5 (II) TESTING TO EVALUATE HARDNESS, IRON, CALCIUM, AND TOTAL  
6 DISSOLVED SOLIDS; AND

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

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

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

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

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

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

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

27 (3) **Notice of test results.** (a) TEST RESULTS OBTAINED IN



1 ACCORDANCE WITH THIS SECTION ARE PUBLIC RECORDS. THE DIVISION  
2 SHALL MAKE THE TEST RESULTS ACCESSIBLE AS SOON AS POSSIBLE ON A  
3 PUBLIC WEBSITE ON WHICH THE TEST RESULTS MAY BE VIEWED IN  
4 ENGLISH, SPANISH, AND ANY OTHER LANGUAGE REQUESTED BY A  
5 RESIDENT OR THAT THE DIVISION DETERMINES IS NECESSARY TO PROVIDE  
6 REASONABLE NOTICE.

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

10 (A) THE PARK OWNER;

11 (B) THE COUNTY DEPARTMENT OF HEALTH WHERE THE PARK IS  
12 LOCATED;

13 (C) THE MUNICIPALITY, IF ANY, WHERE THE PARK IS LOCATED;

14 (D) THE DIVISION OF HOUSING IN THE DEPARTMENT OF LOCAL  
15 AFFAIRS;

16 (E) THE WATER SUPPLIER; AND

17 (F) THE OMBUDSPERSON.

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

21 (A) A SUMMARY OF THE TEST RESULTS AND INFORMATION  
22 CONCERNING THE AVAILABILITY OF THE COMPLETE TEST RESULTS;

23 (B) INFORMATION ABOUT ANY VIOLATION OF WATER QUALITY  
24 STANDARDS FOR FINISHED WATER;

25 (C) GUIDANCE ABOUT ANY ACTIONS RESIDENTS SHOULD TAKE IN  
26 LIGHT OF ANY VIOLATIONS OF WATER QUALITY STANDARDS FOR FINISHED  
27 WATER;

1 (D) GUIDANCE ABOUT THE REMEDIATION PROCESS, AS DESCRIBED  
2 IN SECTION 25-8-1003; AND

3 (E) INFORMATION ABOUT THE GRANT PROGRAM.

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

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

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

25 (B) USE A TRANSLATION PROVIDED BY A PROFESSIONAL  
26 TRANSLATOR.

27 (III) IF A PARK OWNER FAILS TO PROVIDE AND POST THE NOTICE

1 REQUIRED BY SUBSECTIONS (3)(c)(I) AND (3)(c)(II) OF THIS SECTION TO  
2 RESIDENTS WITHIN FIVE BUSINESS DAYS AFTER RECEIPT OF THE NOTICE  
3 FROM THE DIVISION, THE PARK OWNER IS SUBJECT TO SECTION 38-12-1104  
4 AND PART 2 OF ARTICLE 12 OF TITLE 38.

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

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

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

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

17 (I) APPROVE THE PLAN; OR

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

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

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

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

27 (b) NOT IMPOSE THE COST OF COMPLIANCE WITH THIS SUBSECTION

1 (2) ON PARK RESIDENTS;

2 (c) WITHIN ONE HUNDRED TWENTY DAYS AFTER RECEIVING THE  
3 NOTICE, PREPARE AND SUBMIT TO THE DIVISION A REMEDIATION PLAN,  
4 WHICH MUST BE DESIGNED TO ADDRESS THE WATER QUALITY ISSUE  
5 DESCRIBED IN THE NOTICE AND MUST INCLUDE DEADLINES, WITH STATUS  
6 UPDATE REQUIREMENTS, TO ADDRESS THE WATER QUALITY ISSUE;

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

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

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

15 (a) PERFORM ADDITIONAL WATER TESTING;

16 (b) PERFORM TEMPORARY MEASURES NECESSARY TO ADDRESS  
17 ACUTE HEALTH RISKS; OR

18 (c) MAKE ADDITIONAL REPORTS TO THE DIVISION CONCERNING THE  
19 WATER QUALITY ISSUE.

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

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

25 (a) CONDUCT OUTREACH TO PARK RESIDENTS TO:

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

27 (II) RECEIVE INPUT ABOUT WATER QUALITY CONCERNS, INCLUDING

1 CONCERNS RELATED TO WATER SAFETY, COLOR, ODOR, AND TASTE;

2 (b) COORDINATE WITH RESIDENTS OF PARKS TO IDENTIFY  
3 OPPORTUNITIES TO IMPROVE THE QUALITY OF FINISHED WATER IN AND THE  
4 WATER SUPPLY FOR PARKS;

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

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

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

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

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

22 (3) THE ACTION PLAN MUST:

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

27 (b) DEVELOP A STRATEGY TO TEST WATER QUALITY AT ANY PARKS

1 NOT YET TESTED;

2 (c) IDENTIFY OPPORTUNITIES TO IMPROVE THE QUALITY OF  
3 FINISHED WATER IN AND THE WATER SUPPLY FOR PARKS, INCLUDING  
4 OPPORTUNITIES TO ADDRESS COLOR, TASTE, AND ODOR CONCERNS;

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

9 (e) INCLUDE TIMELINES FOR IMPLEMENTATION OF THE ACTION  
10 PLAN; AND

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

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

17 **25-8-1005. Mobile home water quality grant program -**  
18 **created - grant application and award process - reporting - funding.**

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

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

26 (2) (a) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM  
27 AND, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS

1 PROVIDED IN THIS SECTION.

2 (b) THE DIVISION SHALL, IN COLLABORATION WITH THE DIVISION  
3 OF HOUSING, DEVELOP POLICIES TO IMPLEMENT THE GRANT PROGRAM IN  
4 ACCORDANCE WITH THIS SECTION. AT A MINIMUM, THE POLICIES MUST  
5 SPECIFY:

6 (I) THE DEADLINES FOR APPLYING FOR, AWARDING, AND  
7 DISBURSING GRANTS;

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

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

10 AND

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

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

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

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

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

24 (d) THE PLANNED REMEDIATION OR IMPROVEMENT TO BE  
25 ACCOMPLISHED WITH THE GRANT.

26 (4) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED  
27 UNDER THIS SECTION AND SHALL PRIORITIZE FUNDING FOR APPLICATIONS

1       BASED ON:

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

3               (II) THE NUMBER OF PEOPLE AFFECTED BY THE WATER QUALITY  
4       ISSUE; AND

5               (III) THE COSTS TO REMEDIATE THE WATER QUALITY ISSUE OR  
6       IMPROVE WATER QUALITY.

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

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

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

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

25              (3) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
26      ASSEMBLY, THE DIVISION SHALL, AS NECESSARY TO ADDRESS A PARK'S  
27      WATER QUALITY ISSUES OR IMPROVE A PARK'S WATER QUALITY, EXPEND



1 MONEY FROM THE FUND TO IMPLEMENT THIS PART 10, INCLUDING THE  
2 GRANT PROGRAM.

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

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

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

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

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

26  
27 (4) THIS SECTION DOES NOT PROVIDE AN EXCLUSIVE REMEDY AND

1 DOES NOT LIMIT THE RIGHT OF PARK RESIDENTS TO TAKE LEGAL ACTION  
2 AGAINST THE PARK OWNER. EXHAUSTION OF THE ADMINISTRATIVE  
3 REMEDY PROVIDED IN THIS SECTION IS NOT REQUIRED BEFORE A RESIDENT  
4 MAY BRING A LEGAL ACTION.

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

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

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

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

19 ■ ■ ■

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

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

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

1 (X) Serve in an advisory capacity, as requested, to other state  
2 agencies conducting outreach to and engagement of disproportionately  
3 impacted communities in light of a proposed agency action; AND

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

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

10 **38-12-201.5. Definitions.** As used in this part 2 and in part 11 of  
11 this article 12, unless the context otherwise requires:

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

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

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

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

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

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

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

1           **38-12-212.3. Responsibilities of landlord - acts prohibited.**

2           (2) In addition to the responsibilities described in subsection (1)(a) of  
3 this section, a landlord is responsible for:

4           (b) The premises, including:

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

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

18           (V) ~~COMPLYING WITH THE PROVISIONS OF PART 10 OF ARTICLE 8~~  
19 ~~OF TITLE 25.~~

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

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

27           **SECTION 8.** In Colorado Revised Statutes, 38-12-502, **add** (6.5)

1 as follows:

2 **38-12-502. Definitions.** As used in this part 5 and part 8 of this  
3 article 12, unless the context otherwise requires:

4 (6.5) "ORGANIZING INCLUDES:

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

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

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

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

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

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

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

26 (5) A RETALIATORY ACTION DESCRIBED IN SUBSECTION (1) OF THIS  
27 SECTION IS REBUTTABLY PRESUMED TO BE RETALIATION IN VIOLATION OF

1 THIS SECTION IF DONE WITHIN ONE HUNDRED TWENTY DAYS AFTER THE  
2 TENANT DOES AN ACTION DESCRIBED IN SUBSECTION (1)(a) TO (1)(c) OF  
3 THIS SECTION.

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

6 **38-12-1106. Registration of mobile home parks - process - fees.**

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

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

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

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

20 **SECTION 11.** In Colorado Revised Statutes, 38-12-1108, **amend**  
21 (1), (2)(c), and (2)(d); and **add** (2)(e) as follows:

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

- 1 (2) At a minimum, the database must include:  
2 (c) The violation of law complained of; ~~and~~  
3 (d) The outcome of each complaint; AND  
4 (e) WHETHER THE MOBILE HOME PARK HAS A WATER QUALITY  
5 ISSUE, AS DESCRIBED IN THE NOTICE FROM THE WATER QUALITY CONTROL  
6 DIVISION IN ACCORDANCE WITH SECTION 25-8-1003 (1)(b), THAT HAS NOT  
7 BEEN REMEDIATED.

8 **SECTION 12. Appropriation.** (1) For the 2023-24 state fiscal  
9 year, \$3,611,859 is appropriated to the mobile home park water quality  
10 fund created in section 25-8-1006 (1), C.R.S. This appropriation is from  
11 the general fund. The department of public health and environment is  
12 responsible for the accounting related to this program.

13 (2) For the 2023-24 state fiscal year, \$3,407,448 is appropriated  
14 to the department of public health and environment. This appropriation  
15 is from reappropriated funds in the mobile home park water quality fund  
16 under subsection (1) of this section. To implement this act, the  
17 department may use the appropriation for as follows:

18 (a) \$1,065,779 for use by the water quality control division for  
19 administration, which amount is based on an assumption that the division  
20 will require an additional 10.8 FTE;

21 (b) \$2,303,603 for use by the water quality control division for  
22 personal services related to the drinking water program; and

23 (c) \$38,066 for the purchase of legal services.

24 (3) For the 2023-24 state fiscal year, \$38,066 is appropriated to  
25 the department of law. This appropriation is from reappropriated funds  
26 received from the department of public health and environment under  
27 subsection (2) of this section and is based on an assumption that the

1 department of law will require an additional 0.2 FTE. To implement this  
2 act, the department of law may use this appropriation to provide legal  
3 services for the department of public health and environment.

4 (4) For the 2023-24 state fiscal year, \$128,909 is appropriated to  
5 the mobile home park act dispute resolution and enforcement program  
6 fund created in section 38-12-1110 (1), C.R.S. This appropriation is from  
7 the general fund. The department of local affairs is responsible for the  
8 accounting related to this program.

9 **SECTION 13. Applicability.** This act applies to offenses  
10 committed or conduct occurring on or after the effective date of this act.

11 **SECTION 14. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, or safety.