

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

**PREAMENDED**

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

LLS NO. 25-0236.02 Sarah Lozano x3858

**HOUSE BILL 25-1090**

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**A BILL FOR AN ACT**

101 **CONCERNING PROTECTIONS AGAINST DECEPTIVE PRICING PRACTICES.**

**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>.)*

**Section 2** of the bill:

- Prohibits a person from offering, displaying, or advertising pricing information for a good, service, or property unless the person discloses the maximum total (total price) of all amounts that a person may pay for the good, service, or property, not including a government charge or shipping charge (total price disclosure requirement);
- Prohibits a person from misrepresenting the nature and

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.

HOUSE  
3rd Reading Unamended  
March 4, 2025

HOUSE  
Amended 2nd Reading  
February 28, 2025

purpose of pricing information for a good, service, or property;

- Requires a person to disclose the nature and purpose of pricing information for a good, service, or property that is not part of the total price; and
- Prohibits a landlord from requiring a tenant to pay certain fees, charges, or amounts.

A person does not violate the total price disclosure requirement if the person does not use deceptive, unfair, and unconscionable acts or practices related to the pricing of goods, services, or property and if the person:

- Is a food and beverage service establishment that:
  - Includes a disclosure in the total price for a good or service the amount of any mandatory service charge and how the mandatory service charge is distributed; and
  - Distributes any mandatory service charge exclusively to nonmanagerial employees in accordance with applicable laws; or
- Can demonstrate that the person is governed by and compliant with applicable federal law regarding pricing transparency.

A violation of the above prohibitions and requirement (violation) constitutes a deceptive, unfair, and unconscionable act or practice.

**Section 2** also, along with any other remedies available by law or in equity, allows a person aggrieved by a violation to bring a civil action and send a written demand for the violation. If a person declines to make full legal tender of all fees, charges, amounts, or damages demanded or refuses to cease charging the aggrieved person within 14 days after receiving the written demand, the person is liable for the greater of:

- 3 times the actual damages incurred; or
- At least \$100 to no more than \$1,000 per person per violation.

Current law prohibits a written rental agreement from including a provision requiring a tenant to pay a markup or fee for a service for which the landlord is billed by a third party. **Section 3** changes that provision to prohibit the inclusion of a provision in a written rental agreement that requires a tenant to pay a fee that is a violation.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly

3 finds and declares that the purposes and policies of this act are to:

1 (a) Clarify and reiterate the law governing the setting and  
2 communication of prices in Colorado, including landlord obligations  
3 regarding setting and communicating the price of rent and other costs to  
4 residential tenants; and

5 (b) Protect people, including tenants, who experience deceptive,  
6 unfair, or unconscionable pricing of goods, services, or property in the  
7 state.

8 (2) Therefore, the general assembly further declares that this act  
9 should be broadly interpreted to achieve its intended purposes and  
10 policies.

11 **SECTION 2.** In Colorado Revised Statutes, **add 6-1-737** as  
12 follows:

13 **6-1-737. Requirement to disclose certain pricing information**  
14 **- landlords and tenants - remedies - rules - definitions.** (1) AS USED  
15 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

16 **(a)** "CLEARLY AND CONSPICUOUSLY" OR "CLEAR AND  
17 CONSPICUOUS" MEANS THAT A REQUIRED DISCLOSURE IS EASILY  
18 NOTICEABLE AND UNDERSTANDABLE, INCLUDING IN ALL OF THE  
19 FOLLOWING WAYS:  
20

21 (I) FOR A COMMUNICATION THAT IS ONLY VISUAL OR ONLY  
22 AUDIBLE, THE DISCLOSURE MUST BE MADE THROUGH THE SAME MEANS BY  
23 WHICH THE COMMUNICATION IS PRESENTED;

24 (II) FOR A COMMUNICATION THAT IS BOTH VISUAL AND AUDIBLE,  
25 SUCH AS A TELEVISION ADVERTISEMENT, THE DISCLOSURE MUST BE MADE  
26 SIMULTANEOUSLY IN BOTH THE VISUAL AND AUDIBLE PORTIONS OF THE  
27 COMMUNICATION, EVEN IF THE COMMUNICATION REQUIRING THE

1 DISCLOSURE IS MADE THROUGH ONLY VISUAL OR AUDIBLE MEANS;

2 (III) FOR A VISUAL DISCLOSURE, THE DISCLOSURE MUST BE  
3 DISTINGUISHABLE BY ITS SIZE, CONTRAST, AND LOCATION; THE LENGTH OF  
4 TIME FOR WHICH IT APPEARS; AND OTHER CHARACTERISTICS FROM  
5 ACCOMPANYING TEXT OR OTHER VISUAL ELEMENTS SO THAT IT IS EASILY  
6 NOTICEABLE, READABLE, AND UNDERSTANDABLE TO ORDINARY PERSONS;

7 (IV) FOR AN AUDIBLE DISCLOSURE, INCLUDING BY TELEPHONE OR  
8 STREAMING VIDEO, THE DISCLOSURE MUST BE DELIVERED IN A VOLUME,  
9 SPEED, AND CADENCE SUFFICIENT FOR ORDINARY PERSONS TO EASILY  
10 HEAR AND UNDERSTAND IT;

11 (V) IN ANY COMMUNICATION USING AN INTERACTIVE ELECTRONIC  
12 MEDIUM, SUCH AS THE INTERNET OR SOFTWARE, THE DISCLOSURE MUST BE  
13 UNAVOIDABLE;

14 (VI) THE DISCLOSURE USES DICTION AND SYNTAX  
15 UNDERSTANDABLE TO ORDINARY PERSONS AND MUST APPEAR IN EACH  
16 LANGUAGE IN WHICH THE REPRESENTATION REQUIRING THE DISCLOSURE  
17 APPEARS;

18 (VII) THE DISCLOSURE MUST NOT BE CONTRADICTED OR  
19 MITIGATED BY, OR INCONSISTENT WITH, ANYTHING ELSE IN THE  
20 COMMUNICATION REQUIRING THE DISCLOSURE; AND

21 (VIII) THE DISCLOSURE MUST COMPLY WITH THE REQUIREMENTS  
22 OF THIS SUBSECTION (1)(a) FOR EACH MEDIUM THROUGH WHICH IT IS  
23 RECEIVED BY A PERSON, INCLUDING AN ELECTRONIC DEVICE OR  
24 FACE-TO-FACE COMMUNICATION.

25 (b) "COMMON AREAS" HAS THE MEANING SET FORTH IN SECTION  
26 38-12-502 (2).

27 (c) "DELIVERY NETWORK COMPANY" HAS THE MEANING SET FORTH

1 IN SECTION 8-4-126 (1)(c).

2 (d) (I) "DWELLING UNIT" HAS THE MEANING SET FORTH IN SECTION  
3 38-12-502 (3).

4 (II) "DWELLING UNIT" DOES NOT INCLUDE COMMON AREAS.

5 (e) "FOOD AND BEVERAGE SERVICE ESTABLISHMENT" MEANS:

6 (I) A RETAIL FOOD ESTABLISHMENT, AS DEFINED IN SECTION  
7 25-4-1602 (14);

8 (II) AN ALCOHOLIC BEVERAGES DRINKING PLACES INDUSTRY, AS  
9 DEFINED IN SECTION 39-26-105 (1.3)(a)(I);

10 (III) A BREW PUB, DISTILLERY PUB, OR VINTNER'S RESTAURANT, AS  
11 THOSE TERMS ARE DEFINED IN SECTION 44-3-103; OR

12 (IV) A RETAIL PORTION OF A BREWERY, DISTILLERY, OR WINERY,  
13 AS THOSE TERMS ARE DEFINED IN SECTION 44-3-103, THAT SELLS  
14 BEVERAGES FOR CONSUMPTION ON THE PREMISES.

15 (f) "GOVERNMENT CHARGE" MEANS A FEE OR CHARGE IMPOSED ON  
16 CONSUMERS BY A FEDERAL, STATE, OR LOCAL GOVERNMENT AGENCY,  
17 UNIT, OR DEPARTMENT, INCLUDING TAXES OR FEES THAT ARE IMPOSED BY,  
18 PAID TO, OR PASSED ON TO A GOVERNMENT, INCLUDING A LOCAL  
19 GOVERNMENT ENTITY OR OTHER UNIT OF LOCAL GOVERNMENT, OR A  
20 POLITICAL SUBDIVISION OF THE STATE, INCLUDING A  
21 GOVERNMENT-CREATED SPECIAL DISTRICT.

22 (g) "LANDLORD" HAS THE MEANING SET FORTH IN SECTION  
23 38-12-502 (5).

24 (h) "MANDATORY SERVICE CHARGE" MEANS A MANDATORY FEE,  
25 CHARGE, OR AMOUNT THAT A FOOD AND BEVERAGE SERVICE  
26 ESTABLISHMENT ADDS TO A CUSTOMER'S, GUEST'S, OR PATRON'S BILL.

27 (i) "PRICING INFORMATION" MEANS INFORMATION RELATING TO AN

1 AMOUNT A PERSON MAY PAY.

2 (j) "RENTAL AGREEMENT" HAS THE MEANING SET FORTH IN  
3 SECTION 38-12-502 (7).

4 (k) "SHIPPING CHARGE" MEANS A FEE OR CHARGE THAT REFLECTS  
5 THE ACTUAL COST THAT A PERSON INCURS TO SEND PHYSICAL GOODS TO  
6 A PERSON.

7 (l) "TENANT" HAS THE MEANING SET FORTH IN SECTION 38-12-502  
8 (9).

9 (m) (I) "TOTAL PRICE" MEANS THE MAXIMUM TOTAL OF ALL  
10 AMOUNTS, INCLUDING FEES AND CHARGES, THAT A PERSON MUST PAY FOR  
11 A GOOD, SERVICE, OR PROPERTY, INCLUDING ANY ADDITIONAL  
12 MANDATORY GOODS, SERVICES, OR PROPERTIES.

13 (II) "TOTAL PRICE" INCLUDES ALL AMOUNTS THAT:

14 (A) MUST BE PAID TO PURCHASE, ENJOY, OR UTILIZE A GOOD,  
15 SERVICE, OR PROPERTY; OR

16 (B) ARE NOT REASONABLY AVOIDABLE BY THE PERSON.

17

18 (III) "TOTAL PRICE" DOES NOT INCLUDE A GOVERNMENT CHARGE  
19 OR SHIPPING CHARGE UNLESS INCLUDED AT THE OPTION OF THE PERSON  
20 OFFERING, DISPLAYING, OR ADVERTISING THE GOOD, SERVICE, OR  
21 PROPERTY.

22 (2) (a) A PERSON SHALL NOT OFFER, DISPLAY, OR ADVERTISE AN  
23 AMOUNT A PERSON MAY PAY FOR A GOOD, SERVICE, OR PROPERTY UNLESS  
24 THE PERSON OFFERING, DISPLAYING, OR ADVERTISING THE GOOD, SERVICE,  
25 OR PROPERTY CLEARLY AND CONSPICUOUSLY DISCLOSES THE TOTAL PRICE  
26 FOR THE GOOD, SERVICE, OR PROPERTY AS A SINGLE NUMBER WITHOUT  
27 SEPARATING THE TOTAL PRICE INTO SEPARATE FEES, CHARGES, OR

1 AMOUNTS. THE TOTAL PRICE FOR THE GOOD, SERVICE, OR PROPERTY MUST  
2 BE DISCLOSED MORE PROMINENTLY THAN ANY OTHER PRICING  
3 INFORMATION FOR THE GOOD, SERVICE, OR PROPERTY.

4 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
5 CONTRARY, A PERSON IS COMPLIANT WITH SUBSECTIONS (2)(a) AND (3)(b)  
6 OF THIS SECTION IF THE PERSON DOES NOT USE DECEPTIVE, UNFAIR, AND  
7 UNCONSCIONABLE ACTS OR PRACTICES RELATED TO THE PRICING OF  
8 GOODS, SERVICES, OR PROPERTY AND IF THE PERSON:

9 (I) IS A FOOD AND BEVERAGE SERVICE ESTABLISHMENT THAT, IN  
10 EVERY OFFER, DISPLAY, OR ADVERTISEMENT FOR THE PURCHASE OF A  
11 GOOD OR SERVICE, INCLUDES WITH THE PRICE OF THE GOOD OR SERVICE  
12 OFFERED, DISPLAYED, OR ADVERTISED A CLEAR AND CONSPICUOUS  
13 DISCLOSURE OF THE PERCENTAGE OR AMOUNT OF ANY MANDATORY  
14 SERVICE CHARGE AND AN ACCURATE DESCRIPTION OF HOW THE  
15 MANDATORY SERVICE CHARGE IS DISTRIBUTED;

16 (II) CAN DEMONSTRATE THAT THE PERSON IS OFFERING SERVICES  
17 FOR WHICH THE TOTAL PRICE OF THE SERVICE CANNOT REASONABLY BE  
18 KNOWN AT THE TIME OF THE OFFER DUE TO FACTORS THAT DETERMINE THE  
19 TOTAL PRICE THAT ARE BEYOND THE CONTROL OF THE PERSON OFFERING  
20 THE SERVICE, INCLUDING FACTORS THAT ARE DETERMINED BY CONSUMER  
21 SELECTIONS OR PREFERENCES OR THAT RELATE TO DISTANCE OR TIME, AND  
22 CLEARLY AND CONSPICUOUSLY DISCLOSES:

23 (A) THE FACTORS THAT DETERMINE THE TOTAL PRICE;

24 (B) ANY MANDATORY FEES ASSOCIATED WITH THE TRANSACTION;

25 AND

26 (C) THAT THE TOTAL PRICE OF THE SERVICES MAY VARY.

27 (III) CAN DEMONSTRATE THAT THE PERSON IS GOVERNED BY AND

1 COMPLIANT WITH APPLICABLE FEDERAL LAW, RULE, OR REGULATION  
2 REGARDING PRICE TRANSPARENCY FOR THE PURPOSES OF THE  
3 TRANSACTION AT ISSUE, INCLUDING, BUT NOT LIMITED TO:

4 (A) THE FEDERAL "TRUTH IN SAVINGS ACT", 12 U.S.C. SEC. 4301  
5 ET SEQ.;

6 (B) THE FEDERAL "ELECTRONIC FUND TRANSFER ACT", 15 U.S.C.  
7 SEC. 1693 ET SEQ.;

8 (C) SECTION 19 OF THE "FEDERAL RESERVE ACT", 12 U.S.C. SEC.  
9 461 ET SEQ., AS AMENDED;

10 (D) THE FEDERAL "TRUTH IN LENDING ACT", 15 U.S.C. SEC. 1601  
11 ET SEQ.;

12 (E) THE FEDERAL "HOME OWNERSHIP AND EQUITY PROTECTION  
13 ACT", 15 U.S.C. SEC. 1639;

14 (F) THE FEDERAL "INVESTMENT COMPANY ACT OF 1940", 15  
15 U.S.C. 80a-1 ET SEQ.;

16 (G) THE FEDERAL "INVESTMENT ADVISERS ACT OF 1940", 15  
17 U.S.C. SEC. 80b-1 ET SEQ.; OR

18 (H) THE FEDERAL REGULATION BEST INTEREST REGULATION IN 17  
19 CFR 240.151-1 PURSUANT TO THE FEDERAL "SECURITIES EXCHANGE ACT  
20 OF 1934", 15 U.S.C. 78a ET SEQ.;

21 (IV) CAN DEMONSTRATE THAT ANY FEES, COSTS, OR AMOUNTS  
22 CHARGED IN ADDITION TO THE TOTAL PRICE WERE:

23 (A) ASSOCIATED WITH SETTLEMENT SERVICES, AS DEFINED BY THE  
24 FEDERAL "REAL ESTATE SETTLEMENT PROCEDURES ACT", 12 U.S.C. SEC.  
25 2602 (3); AND

26 (B) NOT REAL ESTATE BROKER COMMISSIONS OR FEES; ==

27 (V) CAN DEMONSTRATE THAT THE PERSON IS PROVIDING



1 BROADBAND INTERNET ACCESS SERVICE ON THEIR OWN OR AS PART OF A  
2 BUNDLE, AS DEFINED IN 47 CFR 8.1 (b), AND IS COMPLIANT WITH THE  
3 BROADBAND CONSUMER LABEL REQUIREMENTS ADOPTED BY THE FEDERAL  
4 COMMUNICATIONS COMMISSION IN FCC 22-86 ON NOVEMBER 14, 2022; OR

5 (VI) CAN DEMONSTRATE THAT THE PERSON IS A CABLE OPERATOR  
6 OR DIRECT BROADCAST SATELLITE PROVIDER AND IS COMPLIANT WITH  
7 TRUTH IN BILLING AND ADVERTISING REQUIREMENTS SPECIFIED IN 47 CFR  
8 76.310.

9 (c) (I) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
10 CONTRARY, A DELIVERY NETWORK COMPANY IS COMPLIANT WITH  
11 SUBSECTIONS (2)(a) AND (3)(b) OF THIS SECTION IF THE DELIVERY  
12 NETWORK COMPANY DOES NOT USE DECEPTIVE, UNFAIR, AND  
13 UNCONSCIONABLE ACTS OR PRACTICES RELATED TO THE PRICING OF  
14 GOODS, SERVICES, OR PROPERTY AND:

15 (A) CLEARLY AND CONSPICUOUSLY DISCLOSES, AT THE POINT  
16 WHEN A CONSUMER VIEWS AND SELECTS A VENDOR OR GOODS OR  
17 SERVICES FOR PURCHASE, THAT AN ADDITIONAL FLAT FEE, VARIABLE FEE,  
18 OR PERCENTAGE FEE IS CHARGED, INCLUDING THE AMOUNT OF OR, IN THE  
19 CASE OF A VARIABLE FEE THAT IS DEPENDENT ON CONSUMER SELECTIONS  
20 OR DISTANCE AND TIME, THE FACTORS DETERMINING THE FEE, ANY  
21 MANDATORY FEES ASSOCIATED WITH THE TRANSACTION, AND THAT THE  
22 TOTAL PRICE OF THE SERVICES MAY VARY;

23 (B) PROVIDES AN ACCURATE DESCRIPTION OF THE RECIPIENTS AND  
24 PURPOSES OF THE ADDITIONAL FLAT FEE, VARIABLE FEE, OR PERCENTAGE  
25 FEE IN CONCISE LANGUAGE; AND

26 (C) DISPLAYS, AFTER A CONSUMER SELECTS A VENDOR OR GOODS  
27 OR SERVICES FOR PURCHASE BUT BEFORE COMPLETING THE TRANSACTION,

1 A SUBTOTAL PAGE THAT ITEMIZES THE PRICE OF THE GOODS OR SERVICES  
2 FOR PURCHASE AND THE ADDITIONAL FLAT FEE, VARIABLE FEE, OR  
3 PERCENTAGE FEE THAT IS INCLUDED IN THE TOTAL PRICE.

4 (II) A DELIVERY NETWORK COMPANY MAY DISPLAY THE  
5 INFORMATION REQUIRED BY THIS SUBSECTION (2)(c) AS FOLLOWS:

6 (A) BY DISPLAYING ALL OF THE INFORMATION SPECIFIED IN  
7 SUBSECTION (2)(c)(I) OF THIS SECTION ON THE SAME PAGE; OR

8 (B) BY USING CONCISE LANGUAGE DISPLAYED VIA REASONABLE  
9 AND ACCESSIBLE MEANS AS DEFINED BY THE ATTORNEY GENERAL BY  
10 RULE.

11 (d) SUBSECTION (2)(a) OF THIS SECTION DOES NOT REQUIRE A  
12 LANDLORD OR LANDLORD'S AGENT TO INCLUDE, IN THE DISCLOSURE OF  
13 THE TOTAL PRICE FOR A DWELLING UNIT, THE ACTUAL COST CHARGED BY  
14 A UTILITY PROVIDER FOR SERVICE TO A TENANT'S DWELLING UNIT.

15 (3) (a) A PERSON SHALL NOT MISREPRESENT THE NATURE AND  
16 PURPOSE OF PRICING INFORMATION FOR A GOOD, SERVICE, OR PROPERTY,  
17 INCLUDING:

18 (I) THE REFUNDABILITY OF AN AMOUNT CHARGED;

19 (II) THE IDENTITY OF A GOOD, SERVICE, OR PROPERTY FOR WHICH  
20 AN AMOUNT IS CHARGED;

21 (III) THE RECIPIENT OF AN AMOUNT CHARGED FOR THE GOOD,  
22 SERVICE, OR PROPERTY; AND

23 (IV) THE ACTUAL PRICE OF THE GOOD, SERVICE, OR PROPERTY  
24 FOR WHICH AN AMOUNT IS CHARGED.

25 (b) UPON OFFERING, DISPLAYING, OR ADVERTISING AN AMOUNT A  
26 PERSON MAY PAY FOR A GOOD, SERVICE, OR PROPERTY AND BEFORE A  
27 PERSON CONSENTS TO PAY FOR THE GOOD, SERVICE, OR PROPERTY, THE

1 PERSON OFFERING, DISPLAYING, OR ADVERTISING THE GOOD, SERVICE, OR  
2 PROPERTY SHALL CLEARLY AND CONSPICUOUSLY DISCLOSE THE NATURE  
3 AND PURPOSE OF PRICING INFORMATION FOR THE GOOD, SERVICE, OR  
4 PROPERTY THAT IS NOT PART OF THE TOTAL PRICE FOR THE GOOD, SERVICE,  
5 OR PROPERTY, INCLUDING:

6 (I) THE REFUNDABILITY OF THE AMOUNT CHARGED FOR THAT  
7 GOOD, SERVICE, OR PROPERTY THAT IS NOT PART OF THE TOTAL PRICE;

8 (II) THE IDENTITY OF THAT GOOD, SERVICE, OR PROPERTY FOR  
9 WHICH AN AMOUNT IS CHARGED THAT IS NOT PART OF THE TOTAL PRICE;

10 AND

11 (III) THE RECIPIENT OF THE AMOUNT CHARGED FOR THAT GOOD,  
12 SERVICE, OR PROPERTY THAT IS NOT PART OF THE TOTAL PRICE.

13 (4) A LANDLORD OR THE LANDLORD'S AGENT SHALL NOT REQUIRE  
14 A TENANT TO PAY A FEE, CHARGE, OR AMOUNT:

15 (a) RELATED TO THE PROVISION OF UTILITIES THAT IS ABOVE THE  
16 AMOUNT CHARGED BY THE UTILITY PROVIDER FOR SERVICE TO THE  
17 TENANT'S DWELLING UNIT, EXCEPT IN ACCORDANCE WITH SECTION  
18 38-12-801 (3)(a)(VI);

19 (b) THAT INCREASES BY MORE THAN TWO PERCENT OVER THE  
20 COURSE OF A RENTAL AGREEMENT OF ONE YEAR OR LESS, EXCEPT FOR THE  
21 COST OF UTILITIES PROVIDED TO THE TENANT'S DWELLING UNIT;

22 (c) RELATED TO THE PAYMENT OF PROPERTY TAXES;

23 (d) RELATED TO THE PROCESSING OF RENT OR OTHER PAYMENTS  
24 IF A MEANS OF PAYMENT THAT IS COST-FREE TO THE TENANT IS NOT  
25 REASONABLY ACCESSIBLE BY THE TENANT;

26 (e) RELATED TO THE OVERDUE PAYMENT OF A FEE, CHARGE, OR  
27 AMOUNT THAT IS NOT RENT;

1 (f) FOR A GOOD, SERVICE, OR PROPERTY NECESSARY TO COMPLY  
2 WITH THE RESPONSIBILITIES OR OBLIGATIONS OF A LANDLORD OR THE  
3 LANDLORD'S AGENT, INCLUDING THE LANDLORD'S RESPONSIBILITY TO  
4 PROVIDE A HABITABLE LIVING ENVIRONMENT IN ACCORDANCE WITH  
5 SECTION 38-12-503;

6 (g) ABOVE THE TOTAL PRICE OF THE GOOD, SERVICE, OR PROPERTY  
7 FOR WHICH AN AMOUNT IS CHARGED, EXCEPT AS PROVIDED IN SECTION  
8 38-12-801 (3)(a)(VI);

9 (h) FOR A GOOD, SERVICE, OR PROPERTY NOT ACTUALLY  
10 PROVIDED;

11 (i) FOR THE MAINTENANCE OF COMMON AREAS; OR

12 (j) THAT VIOLATES THIS SECTION.

13 (5) \_\_\_ A PERSON THAT VIOLATES ANY OF THE REQUIREMENTS OR  
14 PROHIBITIONS OF THIS SECTION ENGAGES IN A DECEPTIVE, UNFAIR, AND  
15 UNCONSCIONABLE ACT OR PRACTICE.

16 \_\_\_ (6) THIS SECTION DOES NOT APPLY TO A PERSON GOVERNED BY  
17 FEDERAL LAW THAT PREEMPTS STATE LAW.

18 (7) THE ATTORNEY GENERAL MAY ADOPT RULES TO IMPLEMENT  
19 THIS SECTION.

20 **SECTION 3.** In Colorado Revised Statutes, 6-1-720, **amend** (1)  
21 introductory portion, as follows:

22 **6-1-720. Ticket sales - deceptive trade practice - definitions.**

23 (1) NOTWITHSTANDING SECTION 6-1-737, a person engages in a deceptive  
24 trade practice when, in the course of the person's business, vocation, or  
25 occupation, the person:

26 **SECTION 4.** In Colorado Revised Statutes, 38-12-801, **amend**  
27 (3)(a)(VI) as follows:

1           **38-12-801. Written rental agreement - prohibited clauses -**  
2 **copy - tenant - applicability - definitions.** (3) (a) A written rental  
3 agreement must not include:

4           (VI) A provision that requires a tenant to pay a:

5           (A) Markup or fee for a service for which the landlord is billed by  
6 a third party; except that a written rental agreement may include a  
7 provision that requires a tenant to pay either a markup or fee in an amount  
8 that does not exceed two percent of the amount that the landlord was  
9 billed or a markup or fee in an amount that does not exceed a total of ten  
10 dollars per month, but not both. This subsection (3)(a)(VI) does not  
11 preclude a prevailing party from recovering an amount equal to any  
12 reasonable attorney fees awarded by a court pursuant to subsection  
13 (3)(a)(II) of this section; OR

14           (B) FEE, CHARGE, OR AMOUNT THAT VIOLATES ANY PART OF  
15 SECTION 6-1-737;

16           **SECTION 5. Act subject to petition - effective date -**  
17 **applicability.** (1) This act takes effect January 1, 2026; except that, if a  
18 referendum petition is filed pursuant to section 1 (3) of article V of the  
19 state constitution against this act or an item, section, or part of this act  
20 within the ninety-day period after final adjournment of the general  
21 assembly, then the act, item, section, or part will not take effect unless  
22 approved by the people at the general election to be held in November  
23 2026 and, in such case, will take effect on the date of the official  
24 declaration of the vote thereon by the governor.

25           (2) This act applies to conduct occurring on or after the applicable  
26 effective date of this act.