

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Mullica

1 Amend reengrossed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, 38-12-509, **amend**
4 (1)(b)(III) and (1)(b)(IV); and **add** (1)(b)(V) as follows:

5 **38-12-509. Prohibition on retaliation.** (1) (b) Prohibited
6 retaliation includes:

7 (III) Bringing or threatening to bring an action for possession; ~~or~~

8 (IV) Taking action that in any manner intimidates, threatens,
9 discriminates against, or retaliates against a tenant; OR

10 (V) REFUSING TO RENEW A TENANT'S RENTAL AGREEMENT UPON
11 THE EXPIRATION OF THE RENTAL AGREEMENT.

12 **SECTION 2.** In Colorado Revised Statutes, 24-34-502, **amend**
13 (1)(a)(I) as follows:

14 **24-34-502. Unfair housing practices prohibited - definition.**

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

16 (a) (I) For any person to refuse to show, sell, transfer, rent, ~~or~~
17 lease, OR RENEW A RENTAL AGREEMENT FOR any housing; refuse to
18 receive and transmit any bona fide offer to buy, sell, rent, ~~or~~ lease, OR
19 RENEW A RENTAL AGREEMENT FOR any housing; or otherwise make
20 unavailable or deny or withhold from an individual any housing because
21 of disability, race, creed, color, sex, sexual orientation, gender identity,
22 gender expression, marital status, familial status, veteran or military
23 status, religion, national origin, or ancestry; to discriminate against an
24 individual because of disability, race, creed, color, sex, sexual orientation,
25 gender identity, gender expression, marital status, familial status, veteran
26 or military status, religion, national origin, or ancestry in the terms,
27 conditions, or privileges pertaining to any housing or the transfer, sale,
28 rental, or lease of OR RENEWAL OF A RENTAL AGREEMENT FOR housing or
29 in furnishing facilities or services in connection with housing; or to cause
30 to be made any written or oral inquiry or record concerning the disability,
31 race, creed, color, sex, sexual orientation, gender identity, gender
32 expression, marital status, familial status, veteran or military status,
33 religion, national origin, or ancestry of an individual seeking to purchase,
34 rent, ~~or~~ lease, OR RENEW A RENTAL AGREEMENT FOR any housing;
35 however, nothing in this subsection (1)(a) requires a dwelling to be made
36 available to an individual whose tenancy would constitute a direct threat
37 to the health or safety of other individuals or whose tenancy would result
38 in substantial physical damage to the property of others;

39 **SECTION 3.** In Colorado Revised Statutes, **add** part 13 to article

1 12 of title 38 as follows:

2 PART 13

3 NOTICE OF NONRENEWAL OF RENTAL AGREEMENT

4 **38-12-1301. Notice of nonrenewal of rental agreement**
5 **required - tenant renewal option - definition.** (1) A LANDLORD SHALL
6 PROVIDE A TENANT PROPER SERVICE OF A WRITTEN NOTICE OF THE
7 NONRENEWAL OF A RENTAL AGREEMENT AT LEAST ONE HUNDRED TWENTY
8 DAYS BEFORE THE TERMINATION OF THE RENTAL AGREEMENT. THE
9 WRITTEN NOTICE MUST INCLUDE THE DATE BY WHICH THE TENANT MUST
10 VACATE THE PREMISES, WHICH DATE MUST BE AT LEAST ONE HUNDRED
11 TWENTY DAYS AFTER THE DATE UPON WHICH THE LANDLORD PROVIDES
12 THE WRITTEN NOTICE TO THE TENANT.

13 (2) IF A LANDLORD FAILS TO PROVIDE A TENANT NOTICE OF THE
14 LANDLORD'S INTENT TO NOT RENEW THE TENANT'S RENTAL AGREEMENT
15 AT LEAST ONE HUNDRED TWENTY DAYS BEFORE THE TERMINATION OF THE
16 RENTAL AGREEMENT AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION,
17 THE LANDLORD SHALL PAY THE TENANT THE AMOUNT OF ONE MONTH'S
18 RENT UNDER THE RENTAL AGREEMENT AND ANY REMAINING DEPOSIT PAID
19 BY THE TENANT AND HELD BY THE LANDLORD.

20 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
21 REQUIRES, "RENTAL AGREEMENT" MEANS A RENTAL AGREEMENT, AS
22 DEFINED IN SECTION 38-12-502 (7), THAT IS AT LEAST ONE YEAR IN
23 LENGTH.

24 **SECTION 4. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V
28 of the state constitution against this act or an item, section, or part of this
29 act within such period, then the act, item, section, or part will not take
30 effect unless approved by the people at the general election to be held in
31 November 2024 and, in such case, will take effect on the date of the
32 official declaration of the vote thereon by the governor."

33 Page 1, line 101, strike "TENANTS, AND, IN" and substitute "TENANTS."

34 Page 1, strike lines 102 and 103.

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