



Legislative Update Week of March 2nd, 2020  
Colorado Mortgage Lenders Association

**House Bill 1004: Assistance Landowner Wildfire Mitigation**

Summary: This bill increases the wildfire mitigation income tax deduction and creates a grant program for outreach to homeowners to inform them of best practices and resources for wildfire mitigation.

Position: Support

Status: House Finance Committee referred to Appropriations

**House Bill 1046: Private Construction Contract Payment Requirements**

*Summary: The bill requires that 95% of the price of completed work for construction services be paid to contractors monthly, and the remaining 5% paid 60 days after satisfactory completion. Once paid, the contractor is required to pay all subcontractors, laborers, suppliers, etc. The bill only applies to multiple single-family or to multi-family homes, or when the contract value is \$150,000 or greater.*

*Position: Monitor*

*Status: House Business Affairs and Labor Committee postponed indefinitely*

**House Bill 1057: Modify Wildfire Risk Mitigation Grant Program**

Summary: The bill makes changes to the Forest Restoration and Wildfire Mitigation Risk Act by reducing the amount required to be self-financed (in some cases), allows some grant recipients to receive ongoing maintenance funding, adds to the list of eligible recipients, and extends the program.

The bill was amended to allow for gifts, grants, and donations to meet matching requirements, and eliminates a provision that requires a diverse and balanced group of stakeholders in order to receive funding. Instead, applicants are encouraged to include such information on the application.

Position: Support

Status: Passed Senate Second Reading

**House Bill 1077: Modifications to County Treasurer Duties**



Summary: The bill makes changes to county treasurer responsibilities, including allowing access to certain records, clarifying what fees can be imposed, allowing receipt of pre-payment of estimated taxes, flexibility when condemning mobile homes, and others.

The bill was amended to give treasurers authority to establish conditions and terms under which a taxpayer can prepay estimated property taxes.

Position: Monitor

Status: Passed House unanimously

### **House Bill 1089: Employee Protection Lawful Off-duty Activities**

*Summary: This bill prohibits an employer from terminating an employee for conduct that is lawful under state law but not lawful under federal law.*

*Position: Monitor*

*Status: House Business Affairs and Labor Committee postponed indefinitely*

### **House Bill 1093: County Authority License and Regulate Business**

Summary: As introduced, this bill gives county governments the power/authority to regulate any business occurring within the county (same power municipal governments currently have), including the power to regulate short-term rentals. The bill was amended to limit the regulatory authority to only short-term rentals.

Position: Monitor

Status: passed House 44-19

### **House Bill 1136: Insurance Investment Regulation Modernization**

Summary: Current law regulates the types and amount of investments domestic insurers may make, including first-priority mortgage loans. Among other things, the bill allows insurers to invest in lower-priority loans, repeals the requirement that a mortgage loan be evidenced by a written appraisal, repeals the requirement that mortgaged land have a building, be used for agriculture, or be income-producing, and repeals mortgage loan document requirements.

Position: Monitor

Status: Passed House 45-19



### **House Bill 1155: Higher Efficiency New Construction Residence**

Summary: Current law requires homebuilders to offer several options for renewable energy products, including solar panels or pre-wiring for certain products. This bill would require a builder to offer all of those products and adds additional optional products such as an electric vehicle charging system, wiring upgrades, or heating options.

The bill was amended to apply only to single-family homes.

Position: Monitor

Status: Passed House 37-23

### **House Bill 1161: Private Activity Bond Allocation**

Summary: This bill makes several changes to private activity bond allocations, including eliminating the current committee that reviews recommendations and eliminates the cap on the amount of the direct allocation fee paid to the Department of Local Affairs by bond issuers.

Position: Monitor

Status: Passed House 63-0

### **House Bill 1200: HOA Resource Center**

Summary: This bill continues the HOA information and resource center for five years and creates a dispute resolution program.

Position: Monitor

Status: House Business Affairs and Labor hearing 3/18

### **House Bill 1333: Homeowner's Association Transparency Responsibility Competency**

Summary: This bill increases HOA transparency, including:

- Posting governing documents on the internet,
- Providing list of fees chargeable on sale of a home to the information and resource center,



- Prohibiting action by secret ballot unless 20% of the owners in attendance request it,
- Requires executive board to take basic training course,
- And others

Position: N/A

Status: Introduced, assigned to Transportation and Local Government

### **Senate Bill 018: Homeless Outreach Programs to Reduce Wildfire Risk**

Summary: The bill creates a grant program within the Department of Local Affairs to conduct outreach to homeless individuals to reduce wildfire risks in the wildland-urban interface.

Position: Support

Status: Senate Finance referred to Appropriations

### **Senate Bill 047: Financial Institution Agent Analyses Not Real Estate Appraisal**

*Summary: This bill would align state law with current federal law by exempting an agent of a financial institution from the definition of real estate appraiser when the analysis, opinion, or compilation is used for internal purposes only.*

*Position: Support*

*Status: Sent to Governor*

### **Senate Bill 049: Senior Property Tax Exemption Medical Necessity**

*Summary: This bill allows a senior who has lived in his or her home for fewer than ten years to qualify for the senior property tax exemption if he or she meets certain criteria.*

*Position: Monitor*

*Status: Senate State, Veterans, and Military Affairs Committee postponed indefinitely*

### **Senate Bill 068: Interstate Branches for State Credit Unions**

Summary: This bill allows a credit union to open a branch or branches in another state after the credit union provides the commissioner of financial services 30 days' notice.



The bill was amended to include a provision allowing the commissioner of financial services to enter into agreements with other state credit union regulators for the purposes of examination and supervision on out-of-state offices.

Position: Monitor

Status: Passed Senate unanimously

### **Senate Bill 080: Consumer Protection Act Damages**

Summary: This bill amends the Consumer Protection Act to allow a plaintiff to recover damages equal to \$500 per violation and allows for class action litigation.

Position: Oppose

Status: Awaiting Second Reading

### **Senate Bill 093: Consumer and Employee Dispute Resolution Fairness**

Summary: The bill establishes ethical standards for arbitrators, disclosure requirements, and declares certain provisions in standard form contracts to be void.

Position: Monitor

Status: Awaiting final Senate vote

### **Senate Bill 096: Remote Notaries Protect Privacy**

Summary: This bill authorizes a Colorado notary to perform a notarial act when the signer is not in the physical presence of the notary (remote notarization). The bill establishes standards for remote notary services and prohibits the use or sale of data collected in the course of performing a notarial act except for purposes of completing the underlying transaction.

Position: Support

Status: Senate Judiciary Committee passed 5-0; will be in Senate Appropriations on 3/6

### **Senate Bill 109: Short-term Rentals Property Tax**

*Summary: For purposes of calculating property taxes, an improvement used to provide short-term stays is classified as residential property. A short-term rental unit,*



*defined as a building or portion of a building that is designed for use predominantly as a place of residency by a person, family, or families but that is leased for short-term rentals and is occupied by the owner for fewer than 30 days per year, is classified as nonresidential property.*

*Position: Monitor*

*Status: Senate Finance postponed indefinitely*

### **Senate Bill 138: Construction Defect Time Period**

Summary: This bill would increase the statutory period for filing a lawsuit from 6 to 10 years and requires tolling of the statute not only until the defect is discovered, but after the claimant discovers its cause.

Position: Oppose

Status: Passed Senate Judiciary, awaiting Second Reading

### **Senate Bill 148: Property Tax Exemption Valuation Adjustments**

Summary: This bill increases the current property tax exemption for seniors from 50% of the first \$200,000 in actual value to \$435,000.

Position: Support

Status: Finance Committee postponed indefinitely