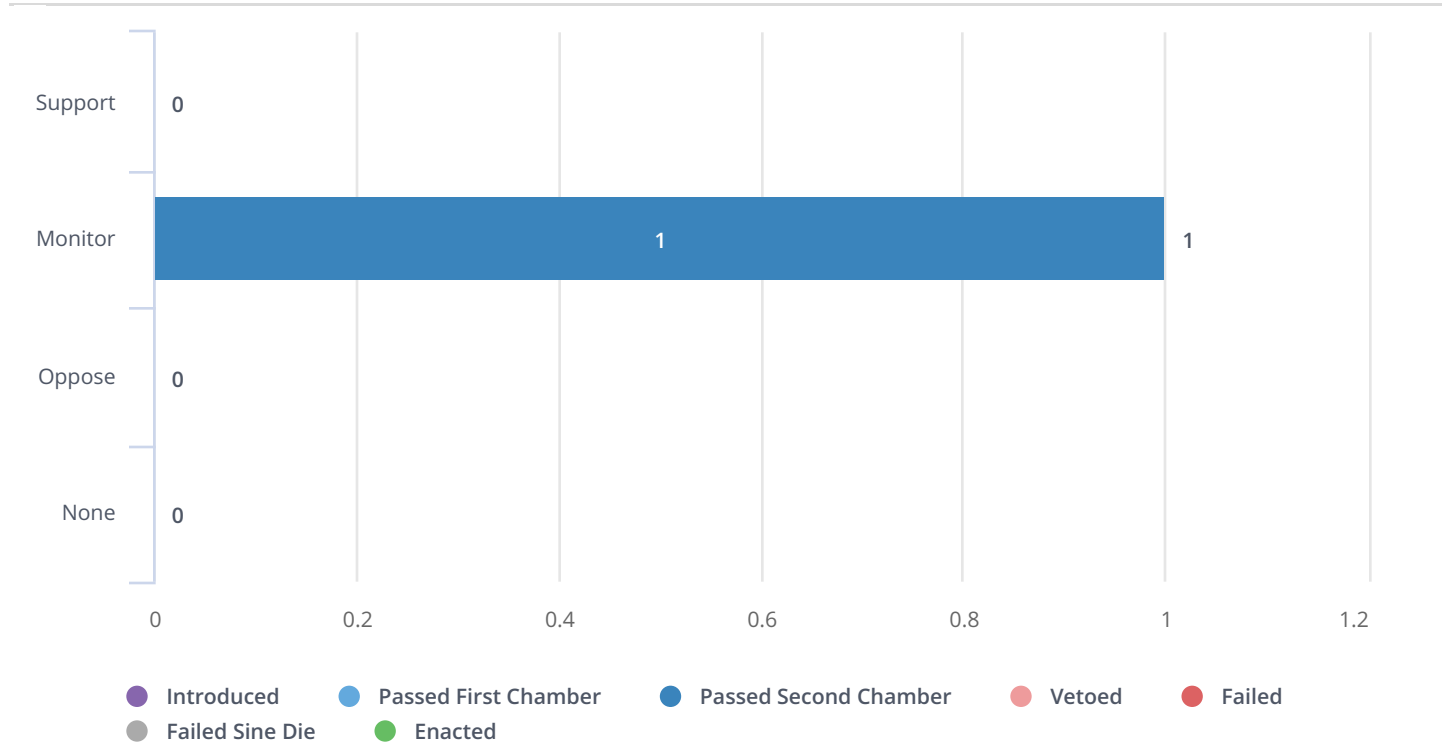


Colorado - 2023 Legislative Overview

Last Updated: May 09, 2023

Bills by Last Status and Position



Bill State: CO (1)

State	Bill Number	Last Action	Status	Position
CO	HB 23-1068	House Considered Senate Amendments Result Was To Concur Repass 2023 04 26	Passed Senate	Monitor

Title

Pet Animal Ownership In Housing

Description

Section 2 of the bill prohibits insurers from denying a homeowner's insurance policy or a dwelling fire insurance policy based on the breed or mixture of breeds of dog that resides at the insured dwelling, while allowing denial if a specific individual dog is a dangerous dog. Insurers are also prohibited from asking or otherwise inquiring about the specific breed or mixture of breeds of dog kept at a dwelling except to ask if the dog is known to be or has been declared a dangerous dog. For purposes of these provisions, a dwelling includes a dwelling unit that is a structure or part of a structure that is used as a home, residence, or sleeping place by a tenant. Section 3 requires that an officer executing a writ of restitution inspect the premises for pet animals and give any pet animal found to the tenant of the premises if the tenant is present at the time the writ is executed. If a tenant is not present, the landlord officer must contact a local animal shelter or pet animal rescue authority in charge of animal control to take custody of any pet animal. and The landlord shall provide the local animal control authority with the name and contact information for the tenant and shall leave contact information for the tenant as to where the pet animal has been taken by posting notice in a visible place at the premises. An officer or any other person in connection with execution of the writ is prohibited from removing and leaving any pet animal. The bill provides that no pet animal shall be removed from the premises during the execution of a writ and left unattended on public or private property. Section 4 prohibits a landlord from demanding or receiving a security deposit or rent in exchange for allowing a pet animal to reside on the residential premises with a tenant. limits the amount of an additional security deposit a landlord can receive from a prospective or current tenant as a condition of permitting the tenant's pet animal to reside at the residential premises to a refundable \$300. Additionally, a landlord is prohibited from demanding or receiving additional rent from a tenant as a condition of permitting the tenant's pet animal to reside at the residential premises in an amount that exceeds \$35 per month or 1% per month of the tenant's monthly rent, whichever is greater. Section 5 creates the pet friendly landlord damage mitigation program to be administered by the department of local affairs, subject to availability of funding. Under the program, a landlord may receive reimbursement for actual damage caused to a rental premises by a pet animal allowed to reside with the tenant up to \$1,000. Reimbursements are granted on a first come, first served basis, and a landlord must provide documentation in support of the damages for which the landlord ma... (click bill link to see more).

Bill Summary: Last edited by Jeff Plummer at Jan 20, 2023, 7:50 PM

Amends multiple titles of Colorado Revised Statutes concerning: 1) Pet ownership in housing; 2) Prohibiting restrictions on dog breeds for obtaining homeowner's insurance; 3) Providing for the manner in which pet animals are handled when a writ of restitution is executed; 4) Prohibiting security deposits or rent for pet animals; 5) Creating the pet friendly landlord damage mitigation program; 6) Excluding pet animals from personal property liens; and 7) Requiring that pet animals be allowed at a qualified development for the development to receive the Colorado Affordable Housing Tax Credit. Amends Title 10 (Insurance), Article 4 (Property & Casualty Insurance), Section 10-4-110 (Notice of intent prior to nonrenewal of certain policies of insurance) to prohibit insurers from denying a homeowner's insurance policy based on the breed or mixture of breeds of dog that resides at the insured dwelling, while allowing denial if a specific individual dog is a dangerous dog. Amends Title 13 (Courts & Court Procedures), Article 40 (Forcible Entry and Detainer - General Provisions), Section 13-40-122 (Writ of restitution after judgment) to require that an officer executing a writ of restitution inspect the premises for pet animals and give any pet animal found to the tenant of the premises if the tenant is present at the time the writ is executed. Amends Title 38 (Property - Real and Personal), Article 12 (Tenants & Landlords), Part 1 (Security Deposits - Wrongful Withholding) by adding new Sections 38-12-106 (Security deposits - prohibition on pet security deposit and rent - definition) and 38-12-1301 (Pet friendly landlord damage mitigation program - definitions - rules), Section 38-20-102 (Lien for care and feeding of pet animals - lien for lodging and boarding services for transient guests - landlord lien on tenant's personal property) to: 1) Prohibit a landlord from demanding or receiving a security deposit or rent in exchange for allowing a pet animal to reside on the residential premises with a tenant; 2) Create the Pet Friendly Landlord Damage Mitigation Program to be administered by the Department of Local Affairs, subject to availability of funding; and 3) To exclude pet animals from the categories of a tenant's personal property that a person who rents furnished or unfurnished rooms or apartments may place a lien on for unpaid board, lodging, or rent. Amends Title 39 (Taxation), Article 22 (Income Tax Act) by adding a new Section 39-22-2102 (Credit against tax - affordable housing developments - legislative declaration - definitions) to prohibit the existing Colorado affordable housing tax credit from being allocated unless tenants are allowed to keep pet animals at a qualified development where the tenant resides.

