Second Regular Session Seventy-first General Assembly STATE OF COLORADO

INTRODUCED

LLS NO. 18-0597.01 Duane Gall x4335

SENATE BILL 18-010

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| | A BILL FOR AN ACT |
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| 101 | CONCERNING THE REQUIREMENT THAT A RESIDENTIAL LANDLORD |
| 102 | PROVIDE A TENANT WITH SPECIFIED DOCUMENTS RELEVANT TO |
| 103 | THE LANDLORD-TENANT RELATIONSHIP, AND, IN CONNECTION |
| 104 | THEREWITH, SPECIFYING RENT RECEIPTS AND COPIES OF ANY |
| 105 | WRITTEN LEASE AGREEMENT AS DOCUMENTS THAT MUST BE |
| 106 | PROVIDED. |

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 requires a residential landlord to provide each tenant with

a copy of a written rental agreement signed by the parties and to give a tenant a contemporaneous receipt for any payment made in person with cash or a money order. For payments not made in person with cash or a money order, the landlord must provide a receipt if the tenant requests it.

The landlord may provide the tenant with an electronic copy of the agreement or the receipt unless the tenant requests a paper copy.

| 1 | Be it enacted by the General Assembly of the State of Colorado: |
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| 2 | SECTION 1. In Colorado Revised Statutes, 38-12-502, amend |
| 3 | the introductory portion as follows: |
| 4 | 38-12-502. Definitions. As used in this part 5 AND PART 8 OF THIS |
| 5 | ARTICLE 12, unless the context otherwise requires: |
| 6 | SECTION 2. In Colorado Revised Statutes, add part 8 to article |
| 7 | 12 of title 38 as follows: |
| 8 | PART 8 |
| 9 | REQUIRED DOCUMENTATION |
| 10 | 38-12-801. Written rental agreement - copy - tenant. IF THERE |
| 11 | IS A WRITTEN RENTAL AGREEMENT, THEN THE LANDLORD SHALL PROVIDE |
| 12 | THE TENANT WITH A COPY OF THE AGREEMENT THAT IS SIGNED BY THE |
| 13 | LANDLORD AND THE TENANT, NO LATER THAN THE SEVENTH DAY AFTER |
| 14 | THE TENANT HAS SIGNED THE AGREEMENT. A LANDLORD MAY PROVIDE |
| 15 | THE TENANT WITH AN ELECTRONIC COPY OF THE AGREEMENT, UNLESS THE |
| 16 | TENANT REQUESTS A PAPER COPY, IN WHICH CASE THE LANDLORD SHALL |
| 17 | PROVIDE THE TENANT WITH A PAPER COPY. |
| 18 | 38-12-802. Tenant payment - receipts. Upon receiving any |
| 19 | PAYMENT MADE IN PERSON BY A TENANT WITH CASH OR A MONEY ORDER, |
| 20 | A LANDLORD SHALL CONTEMPORANEOUSLY PROVIDE THE TENANT WITH A |
| 21 | RECEIPT INDICATING THE AMOUNT THE TENANT PAID AND THE DATE OF |
| 22 | PAYMENT. UPON RECEIVING ANY PAYMENT THAT IS NOT DELIVERED IN |

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| 1 | PERSON BY A TENANT WITH CASH OR A MONEY ORDER, IF REQUESTED BY |
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| 2 | THE TENANT, A LANDLORD SHALL PROVIDE THE TENANT WITH A RECEIPT |
| 3 | INDICATING THE AMOUNT THE TENANT PAID, THE RECIPIENT, AND THE |
| 4 | DATE OF PAYMENT, UNLESS THERE IS ALREADY AN EXISTING PROCEDURE |
| 5 | THAT PROVIDES A TENANT WITH A RECORD OF THE PAYMENT RECEIVED |
| 6 | THAT INDICATES THE AMOUNT THE TENANT PAID, THE RECIPIENT, AND THE |
| 7 | DATE OF PAYMENT. A LANDLORD MAY PROVIDE THE TENANT WITH AN |
| 8 | ELECTRONIC RECEIPT, UNLESS THE TENANT REQUESTS A PAPER RECEIPT, IN |
| 9 | WHICH CASE THE LANDLORD SHALL PROVIDE THE TENANT WITH A PAPER |
| 10 | RECEIPT. FOR PURPOSES OF THIS SECTION, A RECEIPT MAY BE INCLUDED AS |
| 11 | PART OF A BILLING STATEMENT. |
| 12 | SECTION 3. Act subject to petition - effective date. This act |
| 13 | takes effect at 12:01 a.m. on the day following the expiration of the |
| 14 | ninety-day period after final adjournment of the general assembly (August |
| 15 | 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a |
| 16 | referendum petition is filed pursuant to section 1 (3) of article V of the |
| 17 | state constitution against this act or an item, section, or part of this act |
| 18 | within such period, then the act, item, section, or part will not take effect |
| 19 | unless approved by the people at the general election to be held in |
| 20 | November 2018 and, in such case, will take effect on the date of the |
| 21 | official declaration of the vote thereon by the governor. |

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