

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 25-0428.01 Brita Darling x2241

HOUSE BILL 25-1108

HOUSE SPONSORSHIP

Weinberg and Mabrey,

SENATE SPONSORSHIP

Kirkmeyer and Bridges,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING LIMITATIONS ON RESIDENTIAL RENTAL AGREEMENT**
102 **TERMS IN THE EVENT OF THE DEATH OF AN INDIVIDUAL WHO IS**
103 **RESPONSIBLE FOR THE PAYMENT OF RENT.**

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 prohibits residential rental agreements from requiring acceleration of rent, liquidated damages, or other penalties, or from requiring a person to forgo a sum of money that would have otherwise been refunded, if the rental agreement is terminated before the end of its term due to the death of a tenant or other individual who is responsible

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
Amended 2nd Reading
February 28, 2025

for the payment of rent under the rental agreement.

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-12-801, **add** (3.5)
3 as follows:

4 **38-12-801. Written rental agreement - prohibited clauses -**
5 **copy - tenant - applicability - definitions.** (3.5) (a) IN ADDITION TO
6 OTHER PROHIBITED CLAUSES DESCRIBED IN SUBSECTION (3)(a) OF THIS
7 SECTION, IF A RENTAL AGREEMENT IS TERMINATED BEFORE THE END OF
8 THE TERM OF THE RENTAL AGREEMENT DUE TO THE DEATH OF A **TENANT**
9 UNDER THE RENTAL AGREEMENT, A CLAUSE IN THE RENTAL AGREEMENT
10 THAT REQUIRES ANY OF THE FOLLOWING IS VOID AND UNENFORCEABLE:

11 (I) THE PAYMENT OF LIQUIDATED DAMAGES;

12 (II) THE ACCELERATION OF RENT FOR A PERIOD THAT IS BEYOND
13 **THE END OF THE MONTH OR MORE THAN TEN BUSINESS DAYS AFTER THE**
14 **DWELLING UNIT IS VACATED AFTER NOTICE TO THE LANDLORD OF THE**
15 **DEATH OF THE TENANT, WHICHEVER IS LATER;**

16 (III) THE PAYMENT OR REFUND TO THE LANDLORD OF ANY
17 CONCESSIONS OR MOVE-IN DISCOUNTS; **OR**

18 (IV) THE PAYMENT OF ANY OTHER FEE, DAMAGES, OR PENALTY
19 ASSESSED AS A RESULT OF THE EARLY TERMINATION OF THE RENTAL
20 **AGREEMENT.**

21 **(b) A LANDLORD MAY TAKE POSSESSION OF THE DWELLING UNIT**
22 **WITHOUT FILING AN EVICTION ACTION OR OTHERWISE OBTAINING A COURT**
23 **ORDER IF:**

24 **(I) THE PERSONAL REPRESENTATIVE OF THE TENANT'S ESTATE**
25 **NOTIFIES THE LANDLORD OF THE SURRENDER OF THE PREMISES; OR**

- 1 (II) THIRTY DAYS AFTER THE DEATH OF THE TENANT:
- 2 (A) RENT REMAINS UNPAID; OR
- 3 (B) SUBSTANTIALLY ALL OF THE TENANT'S PROPERTY HAS BEEN
- 4 REMOVED.

5 **SECTION 2. Act subject to petition - effective date -**
6 **applicability.** (1) This act takes effect September 1, 2025; except that,
7 if a referendum petition is filed pursuant to section 1 (3) of article V of
8 the state constitution against this act or an item, section, or part of this act
9 within the ninety-day period after final adjournment of the general
10 assembly, then the act, item, section, or part will not take effect unless
11 approved by the people at the general election to be held in November
12 2026 and, in such case, will take effect on the date of the official
13 declaration of the vote thereon by the governor.

14 (2) This act applies to rental agreements that are entered into on
15 or after the applicable effective date of this act.