

SENATE COMMITTEE OF REFERENCE REPORT

June 4, 2021

Chair of Committee

Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

HB21-1329 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 5, line 4, strike "BILL," and substitute
2 "SECTION,".

3 Page 5, line 10, strike "24-32-717, C.R.S.," and substitute "24-32-717".

4 Page 5, lines 11 and 12, strike "24-32-721, C.R.S." and substitute
5 "24-32-721.".

6 Page 5, after line 20 insert:

7 "(g) PURSUANT TO 31 C.F.R. 35.6 (b)(6), THE TRANSFER TO THE
8 EVICTION LEGAL DEFENSE FUND REQUIRED BY SUBSECTION (3.5) OF THIS
9 SECTION FOR THE PURPOSE OF PROVIDING LEGAL REPRESENTATION TO
10 INDIGENT TENANTS TO RESOLVE CIVIL LEGAL MATTERS ARISING ON AND
11 AFTER MARCH 1, 2020, FOR AN EVICTION OR IMPENDING EVICTION
12 RELATED TO THE PUBLIC HEALTH EMERGENCY CAUSED BY THE COVID-19
13 PUBLIC HEALTH EMERGENCY, IS INTENDED TO ADDRESS HOUSING
14 INSECURITY, LACK OF AFFORDABLE HOUSING, OR HOMELESSNESS TO
15 ASSIST PERSONS DISPROPORTIONATELY AFFECTED BY THE PUBLIC HEALTH
16 EMERGENCY IN OBTAINING AFFORDABLE HOUSING. ACCORDINGLY, THE
17 GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT
18 THE TRANSFER REQUIRED BY SUBSECTION (3.5) OF THIS SECTION IS AN
19 ELIGIBLE USE OF MONEY RECEIVED BY THE STATE UNDER THE "AMERICAN
20 RESCUE PLAN ACT OF 2021", PUB. L. 117-2.".



1 Page 7, after line 23 insert:

2 "(4) THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
3 (4), THE STATE TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED
4 THOUSAND DOLLARS FROM THE FUND TO THE EVICTION LEGAL DEFENSE
5 FUND CREATED IN SECTION 13-40-127 (2).".

6 Renumber succeeding subsections accordingly.

7 Page 9, line 15, strike the second "THE".

8 Page 9, after line 16 insert:

9 "SECTION 3. In Colorado Revised Statutes, 13-40-127, **add** (9)
10 as follows:

11 **13-40-127. Eviction legal assistance - fund - rules - report -**
12 **definitions - repeal.** (9) (a) IN ACCORDANCE WITH SECTION 24-75-229
13 (4), THREE DAYS AFTER THE EFFECTIVE DATE OF SECTION 24-75-229 (4),
14 THE STATE TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED
15 THOUSAND DOLLARS FROM THE AFFORDABLE HOUSING AND HOME
16 OWNERSHIP CASH FUND CREATED IN SECTION 24-75-229 (3)(a) TO THE
17 FUND FOR THE PURPOSE OF PROVIDING LEGAL REPRESENTATION TO
18 INDIGENT TENANTS TO RESOLVE CIVIL LEGAL MATTERS ARISING ON AND
19 AFTER MARCH 1, 2020, FOR AN EVICTION OR IMPENDING EVICTION
20 RELATED TO THE PUBLIC HEALTH EMERGENCY CAUSED BY THE COVID-19
21 PUBLIC HEALTH EMERGENCY. THE MONEY TRANSFERRED TO THE FUND
22 PURSUANT TO THIS SUBSECTION (9)(a) MUST BE MAINTAINED IN A
23 SEPARATE ACCOUNT AND MUST BE USED ONLY FOR THE PURPOSES
24 SPECIFIED IN THIS SUBSECTION (9)(a). THE GENERAL ASSEMBLY SHALL
25 APPROPRIATE THE MONEY TRANSFERRED TO THE FUND PURSUANT TO THIS
26 SUBSECTION (9)(a) TO THE ADMINISTRATOR FOR USE IN ACCORDANCE WITH
27 THIS SUBSECTION (9)(a). THE ADMINISTRATOR SHALL USE THE MONEY BY
28 DECEMBER 31, 2024, FOR THE PURPOSES SPECIFIED IN THIS SUBSECTION
29 (9)(a).

30 (b) NOT LATER THAN SEPTEMBER 1, 2021, THE ADMINISTRATOR
31 SHALL USE THE MONEY TRANSFERRED TO THE FUND UNDER SUBSECTION
32 (9)(a) OF THIS SECTION TO MAKE GRANT AWARDS FOR THE USES SPECIFIED
33 IN (9)(a) OF THIS SECTION TO:

34 (I) QUALIFYING ORGANIZATIONS THAT HAVE PREVIOUSLY BEEN
35 AWARDED A GRANT FROM THE FUND IN THE 2020-21 STATE FISCAL YEAR;
36 AND

1 (II) NEWLY QUALIFYING ORGANIZATIONS.
2 (c) ANY MONEY TRANSFERRED TO THE FUND IN ACCORDANCE WITH
3 SUBSECTION (9)(a) OF THIS SECTION THAT HAS NOT BEEN EXPENDED OR
4 ENCUMBERED AS OF JUNE 30, 2021, MUST REVERT TO THE AFFORDABLE
5 HOUSING AND HOME OWNERSHIP CASH FUND CREATED IN SECTION
6 24-75-229 (3)(a).
7 (d) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2025."

8 Renumber succeeding sections accordingly.

9 Page 9, line 18, strike "\$100,000,000" and substitute "\$98,500,000".

10 Page 10, after line 8 insert:

11 "(3) For the 2021-22 state fiscal year, \$1,500,000 is appropriated
12 to the judicial department for use by the eviction legal defense fund grant
13 program. This appropriation is from the affordable housing and home
14 ownership cash fund created in section 24-75-229 (3)(a) and of money the
15 state received from the federal coronavirus state fiscal recovery fund. To
16 implement this act, the department may use this appropriation for the
17 purpose of providing legal representation to indigent tenants as specified
18 in section 13-40-127 (3) and (9), C.R.S. Any money appropriated in this
19 section not expended as of June 30, 2021, must revert to the affordable
20 housing and home ownership cash fund created in section 24-75-229
21 (3)(a)."

22 Page 10, line 11, strike the second "effective date" and substitute
23 "passage".

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