

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

February 28, 2022

Committee on Health & Human Services.

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

HB22-1041 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 2, line 3, after "(2.8)(c)" insert "and
2 (2.8)(d)".

3 Page 2, after line 19 insert:

4 "(c) "EXEMPT PARTY" MEANS ANY PARTY TO THE RECORD, A
5 SETTLEMENT SERVICE, A TITLE INSURANCE COMPANY, A TITLE INSURANCE
6 AGENCY, A MORTGAGE SERVICER OR A MORTGAGE SERVICER'S QUALIFIED
7 AGENT, OR AN ATTORNEY LICENSED AND IN GOOD STANDING IN THE STATE
8 OF COLORADO TO PRACTICE LAW AND WHO IS ENGAGED IN A REAL ESTATE
9 MATTER."

10 Reletter succeeding paragraphs accordingly.

11 Page 5, lines 13 and 14, strike "A MORTGAGE SERVICER OR A MORTGAGE
12 SERVICER'S QUALIFIED AGENT,".

13 Page 7, strike lines 4 through 16 and substitute:

14 "(c) AN EXEMPT PARTY MAY ACCESS A RECORD THAT INCLUDES
15 INFORMATION OTHERWISE SUBJECT TO REDACTION PURSUANT TO
16 SUBSECTION (2.8)(b) OF THIS SECTION, AND THAT IS MAINTAINED BY THE
17 COUNTY RECORDER, COUNTY ASSESSOR, OR COUNTY TREASURER, IF THE
18 PERSON SEEKING ACCESS TO THE RECORD PROVIDES EVIDENCE AND AN
19 AFFIRMATION UNDER PENALTY OF PERJURY THAT THEY ARE AN EXEMPT
20 PARTY.

21 (d) EACH COUNTY RECORDER, COUNTY ASSESSOR, OR COUNTY
22 TREASURER SHALL GRANT AN EXEMPT PARTY ACCESS TO THE RECORD
23 BASED ON ITS EXISTING PROCESSES OR SHALL ADOPT A PROCESS TO GRANT
24 ACCESS IF ONE IS NOT ALREADY IN PLACE. EACH COUNTY RECORDER,

1 COUNTY ASSESSOR, OR COUNTY TREASURER MAY ASSESS ADMINISTRATIVE
2 COSTS RELATED TO GRANTING ACCESS TO THE EXEMPT PARTY REQUESTING
3 THE RECORD."

4 Page 7, line 27, strike "(1)(g)," and substitute "(1)(l),".

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