



**Colorado
Legislative
Council
Staff**

HB16-1400

**FINAL
FISCAL NOTE**

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-1157
Prime Sponsor(s): Rep. Ryden
Sen. Todd

Date: June 10, 2016
Bill Status: Postponed Indefinitely
Fiscal Analyst: Anna Gerstle (303-866-4375)

BILL TOPIC: PROTECTION AGAINST RETALIATION BY HOMEOWNER ASSN

| Fiscal Impact Summary | FY 2015-2016 <i>(current year)</i> | FY 2016-2017 | FY 2017-2018 |
|--|---------------------------------------|--------------|--------------|
| State Revenue | | | |
| State Expenditures | Minimal workload increase. | | |
| Appropriation Required: None. | | | |
| Future Year Impacts: Ongoing workload increase. | | | |

NOTE: The bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

The bill prohibits an homeowners' association (HOA), its board of directors, manager, unit owner, or a person acting on behalf of an HOA or unit owner from retaliating against another unit owner who reports or files a complaint, or cooperates with an investigation of a complaint about a violation of state law or HOA bylaws. The bill allows a unit owner to bring a civil action alleging a violation of the law once the parties have followed the HOA's dispute resolution policy. If the HOA policy does not require parties to meet in good faith to try resolve the dispute, then parties must meet before following the policy.

State Expenditures

Beginning in FY 2015-16, this bill is anticipated to increase workload in the Judicial Department to hear any civil cases under the bill. The fiscal note assumes any such increases are minimal and will not require an increase in appropriations.

Local Expenditures

The bill may increase the workload of county courts to handle additional cases as a result of the bill. Any increase is expected to be minimal.

Effective Date

The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on May 2, 2016.

State and Local Government Contacts

District Attorneys

Judicial

Local Affairs

Regulatory Agencies