



**Colorado  
Legislative  
Council  
Staff**

**SB16-082**

**FINAL  
FISCAL NOTE**

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

**Drafting Number:** LLS 16-0538  
**Prime Sponsor(s):** Sen. Carroll  
Rep. Ryden

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

**BILL TOPIC:** HOA WHISTLEBLOWER PROTECTION

<b>Fiscal Impact Summary</b>	<b>FY 2015-16 <i>(current year)</i></b>	<b>FY 2016-2017</b>	<b>FY 2017-2018</b>
<b>State Revenue</b>			
<b>State Expenditures</b>	Minimal workload increase.		
<b>Appropriation Required:</b> None.			
<b>Future Year Impacts:</b> Ongoing workload increase.			

**NOTE: This 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.

**Effective Date**

The bill was postponed indefinitely by the Senate Business, Labor, and Technology Committee on March 2, 2016.

**State and Local Government Contacts**

District Attorneys

Judicial

Local Affairs

Regulatory Agencies