

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 19-0423.01 Bob Lackner x4350

**SENATE BILL 19-225**

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**SENATE SPONSORSHIP**

**Gonzales and Rodriguez**, Foote, Moreno

**HOUSE SPONSORSHIP**

**Lontine and Gonzales-Gutierrez**, Duran, Galindo, Jackson, Singer, Sirota

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**Senate Committees**

State, Veterans, & Military Affairs

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ABILITY OF LOCAL GOVERNMENTS TO STABILIZE**  
102 **RENTS ON PRIVATE RESIDENTIAL PROPERTY.**

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**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 repeals existing statutory language prohibiting counties or municipalities (local governments) from enacting any ordinance or resolution that would control rent on either private residential property or a private residential housing unit (collectively, private residential property). The bill authorizes local governments to enact and enforce any ordinance, resolution, agreement, deed restriction, or other measure that

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

would stabilize rent on private residential property.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**  
3 **with amendments,** 38-12-301 as follows:

4 **38-12-301. Authority of local governments to stabilize rent on**  
5 **private residential real property - legislative declaration.** (1) THE  
6 GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

7 (a) IN 1981, THE GENERAL ASSEMBLY ENACTED LEGISLATION THAT  
8 PROHIBITED COUNTIES AND MUNICIPALITIES, REFERRED TO IN THIS PART 3  
9 AS "LOCAL GOVERNMENTS", FROM ENACTING ANY RESOLUTION OR  
10 ORDINANCE THAT WOULD CONTROL RENT ON PRIVATE RESIDENTIAL REAL  
11 PROPERTY OR PRIVATE RESIDENTIAL HOUSING UNITS.

12 (b) SINCE 2000, THE STATE'S NEED FOR AFFORDABLE HOUSING IN  
13 ALL GEOGRAPHIC REGIONS HAS GROWN EXPONENTIALLY. AMONG OTHER  
14 EFFECTS, THE IMMENSE DEMAND FOR AFFORDABLE HOUSING REPRESENTS  
15 A SIGNIFICANT IMPEDIMENT TO ECONOMIC GROWTH AND OPPORTUNITIES  
16 FOR RESIDENTS WITHIN THE STATE AS THE MAJORITY OF RENTERS IN  
17 COLORADO ARE RENT-BURDENED AND, ACCORDINGLY, ARE CHALLENGED  
18 IN THEIR ABILITY TO AFFORD THEIR RENT.

19 (c) THE DEMAND FOR AFFORDABLE HOUSING LIMITS THE ABILITY  
20 OF THE STATE TO PROVIDE A HIGH-QUALITY LIFE FOR ALL ITS RESIDENTS  
21 AND TO DEVELOP, ATTRACT, AND MAINTAIN A HIGH-QUALITY WORKFORCE.

22 (d) IN ADOPTING ITS MASTER PLANS, MUNICIPALITIES ARE  
23 SPECIFICALLY DIRECTED BY SECTION 31-23-207 TO ACCOMPLISH "A  
24 COORDINATED, ADJUSTED, AND HARMONIOUS DEVELOPMENT OF THE  
25 MUNICIPALITY AND ITS ENVIRONS WHICH WILL, IN ACCORDANCE WITH

1 PRESENT AND FUTURE NEEDS, BEST PROMOTE HEALTH, SAFETY, ORDER,  
2 CONVENIENCE, PROSPERITY, AND GENERAL WELFARE...  
3 INCLUDING...AFFORDABLE HOUSING....".

4 (e) WHILE RENTAL HOUSING AFFORDABILITY IS AN ISSUE ACROSS  
5 THE STATE, THE DYNAMICS FACING COLORADO COMMUNITIES DIFFER.  
6 WHILE THE RENT INCREASES IN THE DENVER METROPOLITAN AREA ARE  
7 WELL-DOCUMENTED, SUBURBAN CITIES ALSO STRUGGLE TO PROVIDE  
8 HOUSING FOR RENTERS MOVING INTO THESE AREAS. FORT COLLINS AND  
9 CITIES WITH LARGE NUMBERS OF UNIVERSITY STUDENTS HAVE STUDENT  
10 POPULATIONS CONTENDING WITH RISING HOUSING COSTS. SKI  
11 COMMUNITIES FACE HOUSING SHORTAGES FOR SEASONAL WORKERS, AND  
12 SMALLER CITIES SUCH AS DURANGO ARE ALSO CONFRONTING  
13 UNAFFORDABLE RENTAL HOUSING IN THEIR COMMUNITIES.

14 (f) THE INABILITY OF LOCAL GOVERNMENTS TO REGULATE  
15 SKYROCKETING RENTS HAS LED TO RENTERS BEING DISPLACED FROM  
16 DENVER AND OTHER LARGER COMMUNITIES INTO SMALLER SURROUNDING  
17 COMMUNITIES WHOSE EXISTING HOUSING STOCK IS ILL-EQUIPPED TO MEET  
18 INCREASED DEMAND. AS A RESULT, COUNTLESS COLORADO RENTERS ARE  
19 UNABLE TO WORK IN CLOSE PROXIMITY TO THEIR PLACE OF EMPLOYMENT  
20 WITH FAR-REACHING IMPACTS ON THE STATE.

21 (2) ALTHOUGH SENATE BILL 19-225, ENACTED IN 2019, DOES NOT  
22 CREATE, AND IS NOT INTENDED BY THE GENERAL ASSEMBLY TO CREATE,  
23 A STATEWIDE RENT CONTROL POLICY, BY GIVING LOCAL GOVERNMENTS  
24 THE AUTHORITY TO ADOPT THE TYPES OF HOUSING PROGRAMS  
25 AUTHORIZED BY SENATE BILL 19-225, THE GENERAL ASSEMBLY INTENDS  
26 TO GIVE LOCAL GOVERNMENTS AN ADDITIONAL AND MEANINGFUL  
27 RESOURCE TO EXPAND THE SUPPLY OF AFFORDABLE HOUSING IN THEIR

1 COMMUNITIES AND TO ENABLE LOW-INCOME AND WORKING-CLASS  
2 RESIDENTS TO LIVE IN THE COMMUNITIES IN WHICH THEY WORK, THEREBY  
3 PREVENTING THE DISPLACEMENT OF THESE RESIDENTS FROM THEIR  
4 COMMUNITIES.

5 (3) A LOCAL GOVERNMENT MAY ENACT AND ENFORCE ANY  
6 ORDINANCE, RESOLUTION, AGREEMENT, DEED RESTRICTION, OR OTHER  
7 MEASURE THAT WOULD STABILIZE RENT ON EITHER PRIVATE RESIDENTIAL  
8 PROPERTY OR A PRIVATE RESIDENTIAL HOUSING UNIT.

9 **SECTION 2.** In Colorado Revised Statutes, **amend** 38-12-302 as  
10 follows:

11 **38-12-302. Definitions.** As used in this part 3, unless the context  
12 otherwise requires:

13 (1) "LOCAL GOVERNMENT" MEANS A COUNTY, HOME RULE  
14 COUNTY, OR A MUNICIPALITY.

15 (2) "Municipality" means a city or town and, in addition,  
16 means a city or town incorporated prior to July 3, 1877, whether or not  
17 reorganized, and any city, town, or city and county which has chosen to  
18 adopt a home rule charter pursuant to ~~the provisions of~~ article XX of the  
19 state constitution.

20 **SECTION 3. Act subject to petition - effective date.** This act  
21 takes effect September 1, 2019; except that, if a referendum petition is  
22 filed pursuant to section 1 (3) of article V of the state constitution against  
23 this act or an item, section, or part of this act within the ninety-day period  
24 after final adjournment of the general assembly, then the act, item,  
25 section, or part will not take effect unless approved by the people at the

1 general election to be held in November 2020 and, in such case, will take  
2 effect on the date of the official declaration of the vote thereon by the  
3 governor.