

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 24-0333.01 Shelby Ross x4510

SENATE BILL 24-064

SENATE SPONSORSHIP

Mullica,

HOUSE SPONSORSHIP

Bird,

Senate Committees

Judiciary
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIRING THE JUDICIAL DEPARTMENT TO MAKE**
102 **RESIDENTIAL EVICTION-RELATED INFORMATION AVAILABLE TO**
103 **THE PUBLIC.**

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 requires the judicial department to collect, compile, and publish online, on a monthly basis, aggregate residential eviction data for all forcible entry and detainer actions filed in each county in the immediately preceding month. The judicial department shall make individual case level residential eviction data available upon request. The

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

bill requires the judicial department to publish online in a searchable format, and make available free of charge, every final order issued by Colorado district courts regarding residential eviction actions.

The bill requires the complaint for an eviction action to include the street address and the zip code.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 13-40-128 as
3 follows:

4 **13-40-128. Monthly residential eviction data - report -**
5 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
6 OTHERWISE REQUIRES:

7 (a) "QUALIFIED ENTITY" MEANS:

8 (I) A PRINCIPAL DEPARTMENT OF THE STATE DESCRIBED IN
9 SECTION 24-1-110;

10 (II) AN ORGANIZATION IN GOOD STANDING WITH THE SECRETARY
11 OF STATE THAT IS EXEMPT FROM TAXATION UNDER SECTION 501(c)(3) OF
12 THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, THAT
13 HAS A DEMONSTRATED HISTORY OF CREDIBLE HOUSING-RELATED
14 RESEARCH AND PUBLICATIONS; OR

15 (III) AN INSTITUTION OF HIGHER EDUCATION THAT HAS A
16 DEMONSTRATED HISTORY OF CREDIBLE HOUSING-RELATED RESEARCH AND
17 PUBLICATIONS.

18 (b) "QUALIFIED REQUEST" MEANS A REQUEST FOR COMPILED DATA
19 FROM RESIDENTIAL FORCIBLE ENTRY AND DETAINER ACTIONS THAT IS
20 FILED IN COMPLIANCE WITH DIRECTIVES AND POLICIES GOVERNING THE
21 JUDICIAL DEPARTMENT'S RESPONSE TO REQUESTS FOR COMPILED AND
22 AGGREGATE DATA.

23 (c) "RESIDENTIAL EVICTION DATA" MEANS, FOR EACH RESIDENTIAL

1 FORCIBLE ENTRY AND DETAINER ACTION FILED PURSUANT TO THIS ARTICLE
2 40:

3 (I) THE DATE THE COMPLAINT WAS FILED;

4 (II) THE RETURN DATE;

5 (III) THE DATE OF THE SCHEDULED HEARING;

6 (IV) WHETHER THE PLAINTIFF WAS REPRESENTED BY LEGAL
7 COUNSEL;

8 (V) WHETHER THE TENANT WAS REPRESENTED BY LEGAL
9 COUNSEL;

10 (VI) WHETHER THE TENANT FILED AN ANSWER;

11 (VII) ANY OF THE FOLLOWING CASE OUTCOMES:

12 (A) DEFAULT JUDGMENT;

13 (B) JUDGMENT FOR POSSESSION;

14 (C) STIPULATED AGREEMENT;

15 (D) WRIT OF RESTITUTION; OR

16 (E) DISMISSAL;

17 (VIII) THE ZIP CODE OF THE PROPERTY AT ISSUE;

18 (IX) WHETHER THE ACTION WAS FILED FOR:

19 (A) NONPAYMENT OF RENT OR UTILITIES; OR

20 (B) OTHER LEASE VIOLATIONS;

21 (X) THE TOTAL AMOUNT OF UNPAID RENT OR UTILITIES AT THE
22 TIME OF FILING, AND ANY LATE FEES THAT THE PLAINTIFF CLAIMS THE
23 TENANT OWES;

24 (XI) WHETHER THE TENANT ELECTED TO PARTICIPATE IN PERSON
25 OR REMOTELY; AND

26 (XII) WHETHER THE PLAINTIFF ELECTED TO PARTICIPATE IN
27 PERSON OR REMOTELY.

1 (2) (a) BEGINNING JULY 1, 2024, DENVER COUNTY COURT SHALL
2 ELECTRONICALLY PROVIDE RESIDENTIAL EVICTION DATA FOR ALL ACTIONS
3 FILED IN DENVER COUNTY TO THE JUDICIAL DEPARTMENT, AND THE
4 JUDICIAL DEPARTMENT SHALL ELECTRONICALLY COLLECT RESIDENTIAL
5 EVICTION DATA FOR ALL ACTIONS FILED IN EACH COUNTY, INCLUDING
6 DATA PROVIDED BY DENVER COUNTY COURT, PURSUANT TO THIS ARTICLE
7 40.

8 (b) BEGINNING JANUARY 1, 2025, THE JUDICIAL DEPARTMENT
9 SHALL, ON A MONTHLY BASIS, COMPILE AND PUBLISH ONLINE IN A
10 SEARCHABLE FORMAT, AND MAKE AVAILABLE FREE OF CHARGE,
11 AGGREGATE RESIDENTIAL EVICTION DATA FOR ALL ACTIONS FILED IN EACH
12 COUNTY, INCLUDING RESIDENTIAL EVICTION DATA PROVIDED TO THE
13 JUDICIAL DEPARTMENT BY DENVER COUNTY COURT, PURSUANT TO THIS
14 ARTICLE 40 THAT CONCLUDED IN THE IMMEDIATELY PRECEDING MONTH;
15 EXCEPT THAT ON JANUARY 1, 2025, THE JUDICIAL DEPARTMENT SHALL
16 COMPILE AND PUBLISH ONLINE THE AGGREGATE RESIDENTIAL EVICTION
17 DATA FOR JULY 1, 2024, THROUGH DECEMBER 31, 2024. THE JUDICIAL
18 DEPARTMENT SHALL POST THE RESIDENTIAL EVICTION DATA IN A
19 CONSPICUOUS PLACE ON THE JUDICIAL DEPARTMENT'S WEBSITE.

20 (c) (I) AFTER RECEIVING A QUALIFIED REQUEST FROM A QUALIFIED
21 ENTITY, THE JUDICIAL DEPARTMENT SHALL MAKE DATA FROM RESIDENTIAL
22 FORCIBLE ENTRY AND DETAINER ACTIONS ELECTRONICALLY AVAILABLE
23 ON AN INDIVIDUAL CASE LEVEL. A REQUEST FOR INDIVIDUAL CASE LEVEL
24 DATA MUST NOT BE USED FOR THE PURPOSE OF IDENTIFYING INDIVIDUAL
25 PLAINTIFFS OR TENANTS, FOR ANY ACTION AGAINST INDIVIDUAL
26 PLAINTIFFS OR TENANTS, OR TO ADVERTISE OR SELL ANY GOODS OR
27 SERVICES.

1 (II) A QUALIFYING ENTITY SHALL AGREE TO COMPLY WITH DATA
2 CONFIDENTIALITY AND SUPPRESSION REQUIREMENTS AS DETERMINED BY
3 THE JUDICIAL DEPARTMENT. AT A MINIMUM, THE AGREEMENT MUST
4 ENSURE THAT THE REQUESTING QUALIFIED ENTITY SHALL NOT DISCLOSE
5 ANY PERSONALLY IDENTIFIABLE INFORMATION ABOUT THE PLAINTIFF OR
6 TENANT, NOR MAKE THE DATA PUBLICLY ACCESSIBLE IN ANY WAY THAT
7 WOULD ENABLE A THIRD PARTY TO DISCERN THE IDENTITY OF AN
8 INDIVIDUAL PLAINTIFF OR TENANT.

9 (3) BEGINNING JANUARY 1, 2025, THE JUDICIAL DEPARTMENT
10 SHALL PUBLISH ONLINE IN A SEARCHABLE FORMAT, AND MAKE AVAILABLE
11 FREE OF CHARGE, EVERY FINAL ORDER ISSUED BY COLORADO DISTRICT
12 COURTS IN AN APPEAL FROM COUNTY COURT PURSUANT TO SECTION
13 13-6-310 FOR RESIDENTIAL EVICTION ACTIONS FILED PURSUANT TO THIS
14 ARTICLE 40. THE PLAINTIFF'S AND TENANT'S PERSONALLY IDENTIFYING
15 INFORMATION THAT APPEARS IN THE PUBLISHED FINAL ORDER ON APPEAL
16 MUST BE REDACTED AND THE PLAINTIFF'S AND TENANT'S NAMES MUST BE
17 REPLACED WITH THE PLAINTIFF'S AND TENANT'S INITIALS.

18 (4) BEGINNING JANUARY 2025 AND EACH JANUARY THEREAFTER
19 UNTIL JANUARY 2035, THE JUDICIAL DEPARTMENT SHALL REPORT TO THE
20 HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE AND THE SENATE
21 JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, DURING THE
22 JUDICIAL DEPARTMENT'S "SMART ACT" HEARING PURSUANT TO PART 2
23 OF ARTICLE 7 OF TITLE 2, ON THE COMPILED RESIDENTIAL EVICTION DATA
24 COLLECTED AND PUBLISHED PURSUANT TO THIS SECTION IN THE
25 AGGREGATE FOR THE PREVIOUS CALENDAR YEAR. AT A MINIMUM, THE
26 REPORT MUST INCLUDE THE NUMBER OF REQUESTS FOR INDIVIDUAL CASE
27 LEVEL RESIDENTIAL EVICTION DATA PURSUANT TO SUBSECTION (2)(c) OF

1 THIS SECTION AND THE NAMES OF THE REQUESTING ENTITIES.

2 **SECTION 2.** In Colorado Revised Statutes, 13-40-110, **amend**
3 (1)(a) introductory portion as follows:

4 **13-40-110. Action - how commenced - report.** (1) (a) An action
5 ~~under~~ PURSUANT TO this article 40 is commenced by filing with the court
6 a complaint in writing describing the property with reasonable certainty;
7 THE STREET ADDRESS AND THE ZIP CODE, LISTED SEPARATELY; the grounds
8 for ~~the~~ recovery; ~~thereof~~, the name of the person in possession or
9 occupancy; a prayer for recovery of possession; and a signed affidavit that
10 states:

11 **SECTION 3. Safety clause.** The general assembly finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety or for appropriations for
14 the support and maintenance of the departments of the state and state
15 institutions.