

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 24-0633.01 Caroline Martin x5902

HOUSE BILL 24-1007

HOUSE SPONSORSHIP

Rutinel and Mabrey,

SENATE SPONSORSHIP

Exum and Gonzales,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING RESIDENTIAL OCCUPANCY LIMITS.**

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 prohibits local governments from enacting or enforcing residential occupancy limits unless those limits are tied to a minimum square footage per person requirement that is necessary to regulate safety, health, and welfare.

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

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.

HOUSE
Amended 2nd Reading
February 2, 2024

1 **SECTION 1.** In Colorado Revised Statutes, **add** 29-20-111 as
2 follows:

3 **29-20-111. Local government residential occupancy limits -**
4 **short title - legislative declaration - definition.** (1) THE SHORT TITLE OF
5 THIS SECTION IS THE "HOME (HARMONIZING OCCUPANCY MEASURES
6 EQUITABLY) ACT."

7 (2) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT
8 OCCUPANCY LIMITS AND THE INCREASED AVAILABILITY OF HOUSING ARE
9 MATTERS OF MIXED STATEWIDE AND LOCAL CONCERN.

10 (3) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

11 (a) THE GENERAL ASSEMBLY AIMS TO ENCOURAGE DENSER LIVING
12 ARRANGEMENTS, RECOGNIZING THEIR MULTIPLE SOCIETAL, ECONOMIC,
13 AND ENVIRONMENTAL BENEFITS. IT THEREFORE SEEKS TO LIMIT THE
14 ABILITY OF LOCAL GOVERNMENTS TO IMPOSE ARBITRARY OCCUPANCY
15 LIMITS THAT DO NOT ALIGN WITH THESE PRINCIPLES.

16 (b) CERTAIN ARBITRARY OCCUPANCY LIMITS RESTRICT HOUSING
17 AVAILABILITY FOR COLORADANS. REDUCING THESE BARRIERS CAN
18 INCREASE AFFORDABLE HOUSING OPTIONS THROUGHOUT THE STATE.
19 THEREFORE, IT IS NECESSARY TO MANDATE THAT ANY RESIDENTIAL
20 OCCUPANCY LIMITS WITHIN COLORADO BE DETERMINED BASED SOLELY ON
21 HEALTH AND SAFETY CONSIDERATIONS, AS DICTATED BY NATIONALLY
22 RECOGNIZED STANDARDS.

23 (4) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
24 THE OBJECTIVES OF THIS SECTION ARE AS FOLLOWS:

25 (a) TO INCREASE THE AVAILABILITY OF AFFORDABLE HOUSING
26 OPTIONS, WHICH WILL BE ACCOMPLISHED BY ALLOWING MORE
27 INDIVIDUALS TO LEGALLY SHARE LIVING SPACES, PARTICULARLY IN AREAS

1 WITH HIGH HOUSING COSTS;

2 (b) TO ENHANCE ECONOMIC ACTIVITY, WHICH WILL BE
3 ACCOMPLISHED BY PROMOTING INCREASED OCCUPANCY IN RESIDENTIAL
4 AREAS AND THEREBY SUPPORTING BUSINESSES AND SERVICES IN THOSE
5 COMMUNITIES;

6 (c) TO REDUCE HOUSING DISCRIMINATION, THEREBY ENSURING
7 THAT ALL INDIVIDUALS, REGARDLESS OF THEIR HOUSEHOLD COMPOSITION,
8 ARE AFFORDED EQUAL ACCESS TO HOUSING;

9 (d) TO ENCOURAGE MORE EFFICIENT USE OF HOUSING AND
10 RESOURCES, THEREBY REDUCING THE PER CAPITA ENVIRONMENTAL
11 FOOTPRINT OF HOUSEHOLDS, WHICH ALIGNS WITH COLORADO'S
12 COMMITMENT TO ENVIRONMENTAL SUSTAINABILITY; AND

13 (e) TO MITIGATE LONELINESS AND SOCIAL ISOLATION AND
14 PROMOTE A SENSE OF BELONGING AND COMMUNITY COHESION BY
15 ENCOURAGING LIVING ARRANGEMENTS THAT FOSTER COMMUNITY AND
16 SOCIAL CONNECTIONS.

17 (5) A LOCAL GOVERNMENT SHALL NOT LIMIT THE NUMBER OF
18 PEOPLE WHO MAY LIVE TOGETHER IN A SINGLE DWELLING BASED ON
19 FAMILIAL RELATIONSHIP. LOCAL GOVERNMENTS RETAIN THE AUTHORITY
20 TO IMPLEMENT RESIDENTIAL OCCUPANCY LIMITS BASED ONLY ON
21 DEMONSTRATED HEALTH AND SAFETY STANDARDS, SUCH AS
22 INTERNATIONAL BUILDING CODE STANDARDS, FIRE CODE REGULATIONS, OR
23 COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
24 WASTEWATER AND WATER QUALITY STANDARDS.

25 (6) AS USED IN THIS SECTION, "LOCAL GOVERNMENT" MEANS A
26 HOME RULE OR STATUTORY CITY, HOME RULE OR STATUTORY COUNTY,
27 TOWN, TERRITORIAL CHARTER CITY, OR CITY AND COUNTY.

1 **SECTION 2. Effective date.** This act takes effect July 1, 2024.

2 **SECTION 3. Safety clause.** The general assembly finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, or safety or for appropriations for
5 the support and maintenance of the departments of the state and state
6 institutions.