

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB22-1287 be amended as follows:

1 Amend reengrossed bill, page 13, line 18, strike "and 5" and substitute
2 "(5), (6) introductory portion, (6)(c), and (6)(d)".

3 Page 14, after line 20 insert:

4 "(6) If a landlord fails to comply with the requirements of this
5 section, a home owner of the park may file a complaint with the division
6 of housing pursuant to the "Mobile Home Park Act Dispute Resolution
7 and Enforcement Program" created in section 38-12-1104. ON AND AFTER
8 JULY 1, 2024, OR EARLIER IF ALLOWED BY THE DIVISION, A RESIDENT WHO
9 DOES NOT OWN A MOBILE HOME IN THE PARK, A LOCAL GOVERNMENT, OR
10 A NONPROFIT MAY FILE SUCH A COMPLAINT. If the division finds by a
11 written determination that the landlord has violated this section, the
12 division may:

13 (c) Require the landlord to reduce the rent owed by a home owner
14 OR RESIDENT on a prorated basis to reflect the home owner's OR
15 RESIDENT'S loss of use of the mobile home space; or

16 (d) Require the landlord to compensate a home owner OR
17 RESIDENT for housing expenses on a per diem basis if the home owner OR
18 RESIDENT is displaced from the ~~home owner's~~ mobile home as a result of
19 the landlord's violation."

20 Page 26, line 24, strike "HOME OWNER" and substitute "RESIDENT".

21 Page 44, line 11, after the period add "ON AND AFTER JULY 1, 2024, OR
22 EARLIER IF ALLOWED BY THE DIVISION, A RESIDENT WHO DOES NOT OWN
23 A MOBILE HOME IN THE PARK, A LOCAL GOVERNMENT, OR A NONPROFIT
24 MAY FILE SUCH A COMPLAINT."

25 Page 44, line 19, after "owners" insert "AND RESIDENTS".

26 Page 44, line 27, strike "owners" and substitute "owners, MOBILE HOME
27 PARK RESIDENTS,".

28 Page 45, line 9, strike "(2)" and substitute "(2) (a)".

29 Page 45, after line 12 insert:

30 "(b) ON AND AFTER JULY 1, 2024, OR EARLIER IF ALLOWED BY THE
31 DIVISION, "COMPLAINANT" ALSO INCLUDES A RESIDENT, LOCAL
32 GOVERNMENT, OR NONPROFIT WHO HAS FILED A COMPLAINT ALLEGING A

- 1 VIOLATION OF THE ACT, THIS PART 11, OR A RULE.".
- 2 Page 45, line 27, after "owner" insert "AND RESIDENT".
- 3 Page 46, line 3, strike "home owners" and substitute "~~home owners~~".
- 4 Page 46, line 4, strike "landlords" and substitute "landlords, and home
5 owners, AND RESIDENTS".
- 6 Page 46, line 21, after "(10)," insert "(12),".
- 7 Page 50, after line 6, insert:
- 8 "(12) This section does not provide an exclusive remedy and does
9 not limit the right of landlords, ~~or~~ home owners, OR RESIDENTS to take
10 legal action against another party as provided in the act or otherwise.
11 Exhaustion of the administrative remedy provided in this section is not
12 required before a landlord, ~~or~~ home owner, OR RESIDENT may bring a
13 legal action.".
- 14 Page 50, line 9, after "owner" insert "OR RESIDENT".
- 15 Page 50, line 10, after "OWNER" insert "OR RESIDENT".
- 16 Page 50, line 12, after "owner" insert "OR RESIDENT".
- 17 Page 51, line 1, before "(7)(d)" insert "(2)(d), (2)(e),".
- 18 Page 51, strike line 3 and substitute "(2) The division shall send
19 registration notifications and information packets to all known landlords
20 of unregistered mobile home parks. These information packets must
21 include:
- 22 (d) Registration assessment information, including registration
23 due dates and late fees, and the collections procedures, liens, and
24 charging costs to home owners OR RESIDENTS; and
- 25 (e) A description of the protections afforded home owners AND
26 RESIDENTS under section 38-12-1105 (13).
- 27 (7) The registration forms provided by the division must require".
- 28 Page 51, strike lines 21 and 22 and substitute "landlord's mobile home
29 park. ON AND AFTER JULY 1, 2024, THE DIVISION MAY ADJUST THE FEE TO
30 COVER THE COSTS ASSOCIATED WITH COMPLAINTS FILED PURSUANT TO
31 SECTION 38-12-1103 (2)(b), AND MAY BY RULE AUTHORIZE LANDLORDS

1 TO CHARGE A RESIDENT, AS DEFINED IN SECTION 38-12-201.5 (11), A
2 PORTION OF THE FEE. A landlord ~~may~~ MUST NOT charge a home owner ~~not~~
3 OR RESIDENT more than half of the fee. The registration fee for each
4 mobile home must".

5 Page 52, line 3, strike "(3)" and substitute "(3) (a)".

6 Page 52, after line 8 insert:

7 "(b) IN FISCAL YEAR 2024-25 AND EACH FISCAL YEAR THEREAFTER,
8 THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY FROM THE GENERAL
9 FUND TO THE MOBILE HOME PARK ACT DISPUTE RESOLUTION AND
10 ENFORCEMENT PROGRAM FUND FOR USE BY THE DIVISION TO COVER COSTS
11 ASSOCIATED WITH COMPLAINTS FILED PURSUANT TO SECTION 38-12-1103
12 (2)(b) THAT ARE NOT COVERED BY THE FEE AUTHORIZED IN SECTION
13 32-12-1106 (8)".

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