

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

REVISED

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

LLS NO. 26-0212.01 Richard Sweetman x4333

HOUSE BILL 26-1196

HOUSE SPONSORSHIP

English and Joseph, Bacon, Nguyen

SENATE SPONSORSHIP

Benavidez,

House Committees

Transportation, Housing & Local Government

Senate Committees

Local Government & Housing

A BILL FOR AN ACT

101 **CONCERNING TENANT DATA INFORMATION.**

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>.)

Section 2 of the bill provides that, prior to seeking to obtain information about a prospective tenant for a tenant screening, a landlord shall provide a written notice to the prospective tenant or post the notice in a conspicuous location. The notice must include the following:

- The information and data that the landlord will attempt to access to conduct the tenant screening; and
- The specific criteria that would result in the landlord's denial of the prospective tenant's application.

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.*

SENATE
2nd Reading Unamended
May 5, 2026

HOUSE
3rd Reading Unamended
April 21, 2026

HOUSE
Amended 2nd Reading
April 14, 2026

Section 3 requires that, before entering into a lease agreement with a prospective tenant, a landlord that is responsible for 5 or more dwelling units or that receives certain financial assistance (covered landlord) shall offer to the prospective tenant the option for positive rent reporting to at least one consumer reporting agency. If a tenant declines a covered landlord's initial positive rent reporting offer and enters into a lease agreement with the covered landlord, the covered landlord shall offer to the tenant the option for positive rent reporting to at least one consumer reporting agency any time that the covered landlord and the tenant renew the lease agreement.

If a tenant accepts a covered landlord's offer of positive rent reporting, the covered landlord shall send the tenant's rental payment information, including the tenant's full name and date of rent payment, to at least one consumer reporting agency each time the tenant pays rent. A covered landlord shall not charge a tenant for positive rent reporting or pass on the cost of positive rent reporting to a tenant by raising rent prices. A tenant that has opted into positive rent reporting may opt out at any time by notifying the tenant's covered landlord.

Section 1 provides that the failure of a covered landlord to comply with new positive rent reporting requirements is an unfair and deceptive trade practice.

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

2 **SECTION 1. Legislative declaration.**

3 (1) The general assembly finds and declares that:

4 (a) Safe and stable housing is essential to the health, safety, and
5 economic security of individuals and families in Colorado;

6 (b) Everyone has the right to fair treatment and transparency in
7 housing, and affording tenants better opportunities to understand the
8 information landlords access and the criteria used to grant or deny
9 applications will reduce uncertainty, arbitrary denials, and discrimination;

10 (c) Landlords often rely on tenant screening processes that use
11 prospective tenants' personal and financial data, while prospective tenants
12 are not always informed about the type of information landlords review
13 or how it is used in decision-making;

1 (d) This imbalance of information can create confusion, limit
2 meaningful access to housing, and contribute to inconsistent or unfair
3 outcomes for tenants;

4 (e) Court records related to eviction proceedings can include
5 sensitive personal identifying information and are often publicly
6 accessible, meaning those records can expose tenants to identity theft,
7 financial harm, and long-term barriers to accessing housing and economic
8 stability; and

9 (f) The combination of the lack of transparency in tenant
10 screenings and insufficient protections for personal identifying
11 information in eviction proceedings create unnecessary barriers to
12 housing and undermine public confidence in the fairness of the housing
13 system.

14 (2) Therefore, the general assembly finds and declares that
15 requiring landlords to provide transparency in tenant screening practices
16 and to protect personal identifying information in eviction proceedings is
17 essential to protecting the rights, privacy, and dignity of all renters in
18 Colorado.

19 **SECTION 2.** In Colorado Revised Statutes, **add** 13-40-110.2 as
20 follows:

21 **13-40-110.2. Personal identifying information in eviction court**
22 **filings - landlord's duties - definition.**

23 (1) A LANDLORD SHALL COMPLY WITH APPLICABLE COURT RULES
24 GOVERNING THE PROTECTION AND REDACTION OF PERSONAL IDENTIFYING
25 INFORMATION IN EVICTION FILINGS.

26 (2) A LANDLORD SHALL REDACT PERSONAL IDENTIFYING
27 INFORMATION FROM ANY SUPPORTING DOCUMENTS SUBMITTED TO A

1 COURT THAT MAY BECOME PUBLICLY ACCESSIBLE. A LANDLORD MAY
2 SUBMIT PERSONAL IDENTIFYING INFORMATION IN A CONFIDENTIAL
3 MANNER CONSISTENT WITH JUDICIAL DEPARTMENT PROCEDURES IF A
4 COURT REQUIRES SUCH INFORMATION.

5 (3) NOTHING IN THIS SECTION PROHIBITS A LANDLORD FROM
6 INCLUDING PERSONAL IDENTIFYING INFORMATION EXPLICITLY REQUIRED
7 BY A COURT. ALL OTHER SUPPORTING DOCUMENTS SUBMITTED MUST
8 COMPLY WITH SUBSECTION (2) OF THIS SECTION.

9 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
10 REQUIRES, "PERSONAL IDENTIFYING INFORMATION" INCLUDES A:

11 (a) SOCIAL SECURITY NUMBER;

12 (b) BIRTH DATE;

13 (c) DRIVER'S LICENSE NUMBER;

14 (d) STATE IDENTIFICATION NUMBER;

15 (e) BANK ACCOUNT NUMBER;

16 (f) CREDIT CARD NUMBER; AND

17 (g) DEBIT CARD NUMBER.

18 **SECTION 3.** In Colorado Revised Statutes, 38-12-904, **add** (1.7)
19 as follows:

20 **38-12-904. Consideration of rental applications - limitations**
21 **- portable tenant screening report - notice to prospective tenants -**
22 **denial notice.**

23 (1.7) (a) A LANDLORD SHALL INCLUDE IN ALL RENTAL
24 APPLICATIONS:

25 (I) A NOTICE TO PROSPECTIVE TENANTS REGARDING THE
26 INFORMATION AND DATA THE LANDLORD WILL ATTEMPT TO ACCESS WHEN
27 CONDUCTING A TENANT SCREENING;

1 (II) A GENERAL DESCRIPTION OF THE FACTORS THE LANDLORD
2 WILL CONSIDER WHEN EVALUATING A RENTAL APPLICATION, INCLUDING
3 A PROSPECTIVE TENANT'S CREDIT HISTORY, RENTAL HISTORY, INCOME,
4 AND CRIMINAL BACKGROUND, IF APPLICABLE; AND

5 (III) WHETHER THE LANDLORD USES A THIRD-PARTY TENANT
6 SCREENING SERVICE, AND IF SO, THE NAME OF THE SERVICE.

7 (b) NOTHING IN THIS SUBSECTION (1.7) REQUIRES A LANDLORD TO
8 ADOPT OR DISCLOSE FIXED DISQUALIFYING CRITERIA.

9 **SECTION 4. Effective date.** This act takes effect January 1,
10 2027.

11 **SECTION 5. 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.