

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

**REREVISED**

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

LLS NO. 26-1001.01 Sam Anderson x4218

**SENATE BILL 26-177**

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**SENATE SPONSORSHIP**

**Ball and Benavidez**, Coleman, Cutter, Gonzales J., Hinrichsen, Kipp, Snyder, Wallace

**HOUSE SPONSORSHIP**

**Gilchrist and Mabrey**, Boesenecker

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**Senate Committees**  
Judiciary

**House Committees**  
Judiciary

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**A BILL FOR AN ACT**

101      **CONCERNING A PROPERTY OWNER'S ABILITY TO PETITION A COURT**  
102                    **FOR LIMITED ACCESS TO AN ADJOINING PROPERTY TO MAKE**  
103                    **REPAIRS.**

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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 creates a process for a single-family residence owner to petition a district court for a limited access to an adjoining property to complete repairs or maintenance to the single-family residence if the owner of the adjoining property has denied such access.

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  
3rd Reading Unamended  
May 7, 2026

HOUSE  
Amended 2nd Reading  
May 6, 2026

SENATE  
3rd Reading Unamended  
May 4, 2026

SENATE  
Amended 2nd Reading  
May 1, 2026

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 13-20-1302 as  
3 follows:

4           **13-20-1302. Action for access to adjoining property to**  
5 **accomplish repairs or maintenance - applicability - definitions.**

6           (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
7 REQUIRES:

8           (a) "ADJOINING OWNER" MEANS THE OWNER OF REAL PROPERTY  
9 THAT ADJOINS A REQUESTING OWNER'S PROPERTY AND ONTO WHICH A  
10 REQUESTING OWNER SEEKS ENTRY.

11           (b) "REFUSE" MEANS AN ADJOINING OWNER'S:

12           (I) DENIAL TO THE REQUESTING OWNER, VERBALLY OR IN WRITING,  
13 OF ACCESS TO THE ADJOINING PROPERTY FOR THE PURPOSE OF  
14 ACCOMPLISHING REPAIRS OR MAINTENANCE OF THE REQUESTING OWNER'S  
15 PROPERTY; OR

16           (II) FAILURE TO RESPOND WITHIN SIXTY DAYS OF RECEIPT OF  
17 WRITTEN NOTICE SENT VIA CERTIFIED MAIL FROM THE REQUESTING OWNER  
18 TO THE ADJOINING OWNER REGARDING ACCESS TO THE ADJOINING  
19 PROPERTY FOR THE PURPOSE OF ACCOMPLISHING REPAIRS OR  
20 MAINTENANCE OF THE REQUESTING OWNER'S PROPERTY.

21           (c) "REQUESTING OWNER" MEANS THE OWNER OF A SINGLE-FAMILY  
22 RESIDENCE WHO SEEKS ENTRY ONTO AN ADJOINING PROPERTY FOR THE  
23 PURPOSE OF ACCOMPLISHING REPAIRS OR MAINTENANCE OF THE  
24 REQUESTING OWNER'S PROPERTY.

25           (d) "SINGLE-FAMILY RESIDENCE" MEANS A PRIVATE RESIDENCE  
26 THAT IS A SEPARATE BUILDING OR AN INDIVIDUAL RESIDENCE THAT IS PART

1 OF A ROW OF RESIDENCES JOINED BY COMMON SIDEWALLS.

2 (2) IF A REQUESTING OWNER SEEKS TO MAKE REPAIRS TO OR  
3 COMPLETE MAINTENANCE ON THE REQUESTING OWNER'S PROPERTY, THE  
4 REPAIRS OR MAINTENANCE CANNOT REASONABLY BE ACCOMPLISHED  
5 WITHOUT ENTERING ONTO AN ADJOINING OWNER'S PROPERTY, AND THE  
6 ADJOINING OWNER REFUSES TO PERMIT ENTRY ONTO THE ADJOINING  
7 OWNER'S PROPERTY FOR THE PURPOSE OF THE REPAIR OR MAINTENANCE,  
8 THE REQUESTING OWNER MAY PETITION THE DISTRICT COURT OF THE  
9 COUNTY IN WHICH THE PROPERTIES ARE LOCATED TO PERMIT THE  
10 REQUESTING OWNER TO ENTER ONTO THE ADJOINING OWNER'S PROPERTY  
11 FOR THE PURPOSE OF THE REPAIR OR MAINTENANCE OF THE REQUESTING  
12 OWNER'S PROPERTY.

13 (3) BEFORE BRINGING AN ACTION PURSUANT TO SUBSECTION (2)  
14 OF THIS SECTION, THE REQUESTING OWNER IS ENCOURAGED TO ENGAGE IN  
15 ALTERNATIVE DISPUTE RESOLUTION, SUCH AS MEDIATION, WITH THE  
16 ADJOINING PROPERTY OWNER, TO ACCESS THE ADJOINING PROPERTY TO  
17 MAKE REPAIRS OR MAINTENANCE.

18 (4) IN AN ACTION BROUGHT PURSUANT TO SUBSECTION (2) OF THIS  
19 SECTION:

20 (a) THE REQUESTING OWNER MUST SPECIFY THE NATURE OF THE  
21 REPAIRS OR MAINTENANCE THEY SEEK TO COMPLETE AND DESCRIBE WHY  
22 THE REPAIRS OR MAINTENANCE CANNOT BE MADE WITHOUT ACCESSING  
23 THE ADJOINING OWNER'S PROPERTY;

24 (b) THE REQUESTING OWNER MUST DEMONSTRATE THAT THEY  
25 HAVE MADE REASONABLE EFFORTS TO OBTAIN PERMISSION FROM THE  
26 ADJOINING OWNER TO ACCESS THE ADJOINING OWNER'S PROPERTY AND  
27 THAT THE ADJOINING OWNER HAS REFUSED SUCH ACCESS; AND

1 (c) THE ADJOINING OWNER MAY PRESENT EVIDENCE THAT ACCESS  
2 TO THE ADJOINING OWNER'S PROPERTY IS NOT NECESSARY TO COMPLETE  
3 THE REPAIRS OR MAINTENANCE.

4 (5) IF THE COURT DETERMINES THAT ACCESS TO THE ADJOINING  
5 OWNER'S PROPERTY IS NECESSARY TO ALLOW REPAIR TO OR MAINTENANCE  
6 ON THE REQUESTING OWNER'S PROPERTY AND WILL NOT NEGATIVELY  
7 AFFECT ANY EASEMENT ON THE ADJOINING OWNER'S PROPERTY, THE  
8 COURT SHALL GRANT ACCESS AS THE COURT DEEMS NECESSARY TO ALLOW  
9 COMPLETION OF THE REPAIR OR MAINTENANCE. THE COURT SHALL  
10 PRESCRIBE THE CONDITIONS AND DURATION OF THE REQUESTING OWNER'S  
11 ACCESS TO THE ADJOINING OWNER'S PROPERTY AND MAY REQUIRE:

12 (a) REASONABLE NOTICE TO THE ADJOINING OWNER IN ADVANCE  
13 OF THE ACCESS;

14 (b) REASONABLE COMPENSATION TO THE ADJOINING OWNER; ■

15 (c) THAT THE REQUESTING OWNER PURCHASE INSURANCE OR POST  
16 BOND TO COVER ANY DAMAGE TO PROPERTY, PERSONAL INJURY, OR LOSS  
17 OF LIFE, THAT MAY OCCUR BECAUSE OF THE REPAIR OR MAINTENANCE; OR

18 (d) ANY OTHER CONDITION DEEMED NECESSARY BY THE COURT.

19 (6) THIS SECTION DOES NOT APPLY IF THE ADJOINING PROPERTY IS  
20 OWNED OR CONTROLLED BY THE FEDERAL GOVERNMENT, THE STATE, OR  
21 A POLITICAL SUBDIVISION OF THE STATE.

22 **SECTION 2. Act subject to petition - effective date.** This act  
23 takes effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly (August  
25 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
26 referendum petition is filed pursuant to section 1 (3) of article V of the  
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect  
2 unless approved by the people at the general election to be held in  
3 November 2026 and, in such case, will take effect on the date of the  
4 official declaration of the vote thereon by the governor.