

SENATE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chair of Committee

\_\_\_\_\_  
January 30, 2024  
Date

Committee on Local Government & Housing.

After consideration on the merits, the Committee recommends the following:

SB24-021 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend printed bill, page 2, line 5, strike "If" and substitute "EXCEPT AS  
2 DESCRIBED IN SUBSECTION (4) OF THIS SECTION, if".

3 Page 3, line 7, strike "If" and substitute "EXCEPT AS DESCRIBED IN  
4 SUBSECTION (4) OF THIS SECTION, if".

5 Page 4, after line 14 insert:

6 "(4) A COOPERATIVE OR PLANNED COMMUNITY THAT IS SUBJECT  
7 ONLY TO SECTIONS 38-33.3-105 TO 38-33.3-107 OF THIS ARTICLE 33.3  
8 PURSUANT TO SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION MAY ELECT TO  
9 BE SUBJECT TO THIS ENTIRE ARTICLE 33.3. A COOPERATIVE OR PLANNED  
10 COMMUNITY THAT SO ELECTS SHALL ADOPT AN AMENDMENT TO ITS  
11 DECLARATION IN ACCORDANCE WITH SECTION 38-33.3-217 EVIDENCING  
12 THE COOPERATIVE OR PLANNED COMMUNITY'S ELECTION TO BE SUBJECT  
13 TO THIS ENTIRE ARTICLE 33.3.

14 **SECTION 2.** In Colorado Revised Statutes, 12-10-801, **add**  
15 **(3)(a.5)** as follows:

16 **12-10-801. HOA information and resource center - creation -**  
17 **duties - rules - subject to review - repeal.** (3) (a.5) (I) THE HOA  
18 INFORMATION OFFICER SHALL IDENTIFY, TO THE EXTENT PRACTICABLE,  
19 COOPERATIVES AND PLANNED COMMUNITIES THAT:

20 (A) PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (3)(a.5),  
21 WERE SUBJECT TO THE ENTIRETY OF ARTICLE 33.3 OF TITLE 38; AND

22 (B) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION  
23 (3)(a.5), ARE SUBJECT ONLY TO SECTIONS 38-33.3-105 TO 38-33.3-107, AS

1 DESCRIBED IN SECTION 38-33.3-116.

2 (II) ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION  
3 (3)(a.5), BUT NO LATER THAN NOVEMBER 1, 2024, THE HOA  
4 INFORMATION OFFICER SHALL NOTIFY EACH COOPERATIVE AND PLANNED  
5 COMMUNITY IDENTIFIED PURSUANT TO SUBSECTION (3)(a.5)(I) OF THIS  
6 SECTION THAT:

7 (A) AS A RESULT OF THE ENACTMENT OF SENATE BILL 24-021,  
8 ENACTED IN 2024, THE COOPERATIVE AND PLANNED COMMUNITY IS  
9 SUBJECT ONLY TO SECTIONS 38-33.3-105 TO 38-33.3-107, AS DESCRIBED  
10 IN SECTION 38-33.3-116; AND

11 (B) PURSUANT TO SECTION 38-33.3-116 (4), THE COOPERATIVE  
12 AND PLANNED COMMUNITY MAY ELECT TO BE SUBJECT TO THE ENTIRETY  
13 OF ARTICLE 33.3 OF TITLE 38, AND THAT A COOPERATIVE OR PLANNED  
14 COMMUNITY THAT SO ELECTS IS REQUIRED TO ADOPT AN AMENDMENT TO  
15 ITS DECLARATION IN ACCORDANCE WITH SECTION 38-33.3-217  
16 EVIDENCING THE COOPERATIVE OR PLANNED COMMUNITY'S ELECTION TO  
17 BE SUBJECT TO THE ENTIRETY OF ARTICLE 33.3 OF TITLE 38.

18 (III) THIS SUBSECTION (3)(a.5) IS REPEALED, EFFECTIVE JULY 1,  
19 2025."

20 Renumber succeeding section accordingly.

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