

HOUSE COMMITTEE OF REFERENCE REPORT

March 24, 2026

Chair of Committee

Date

Committee on Transportation, Housing & Local Government.

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

HB26-1196 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1. Legislative declaration.**

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

5 (a) Rent is one of the largest recurring expenses for many
6 households in Colorado, and rent payment has profound implications for
7 tenants' financial stability, opportunity, and long-term wealth-building;

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

12 (c) According to the federal national mortgage association,
13 positive rent payment reporting, which occurs when tenants' on-time rent
14 payments are reported to consumer reporting agencies, helps renters to
15 establish, maintain, or improve credit scores, expands access to affordable
16 financing, and strengthens eligibility for home ownership, thereby
17 advancing financial empowerment, independence, and opportunity;

18 (d) Encouraging and facilitating on-time rent payments benefits
19 tenants, property owners, and lenders by fostering financial responsibility,
20 reducing delinquencies, increasing tenant retention, and enhancing
21 confidence in the housing market;

22 (e) Protecting tenants' personal identifying information in eviction
23 court filings is necessary to reduce the risk of identity theft, financial
24 harm, and misuse of sensitive data when court records become publicly
25 accessible;

26 (f) Providing tenants with notice regarding whether a landlord
27 offers positive rent reporting facilitates equitable access to these benefits,

1 particularly for households that have historically faced barriers to credit
2 or wealth-building, including low-income renters, women, and
3 communities of color; and

4 (g) Renters who can leverage their rental payment history have
5 more opportunities to buy a home, start a business, access education, and
6 participate fully in economic life, while landlords and lenders are better
7 able to make informed, fair, and transparent decisions.

8 (2) Therefore, the general assembly finds and declares that
9 requiring covered landlords to provide transparency in tenant screening
10 and to notify tenants regarding whether or not the covered landlord offers
11 positive rent reporting:

12 (a) Supports a renter's ability to find housing that will help the
13 renter build credit, achieve long-term financial stability, and access
14 opportunity; and

15 (b) Is essential to protecting and promoting the rights, financial
16 well-being, and dignity of all renters in Colorado.

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

19 **13-40-110.2. Personal identifying information in eviction court**
20 **filings - landlord's duties - definition.**

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

24 (2) A LANDLORD SHALL REDACT PERSONAL IDENTIFYING
25 INFORMATION FROM ANY SUPPORTING DOCUMENTS SUBMITTED TO A
26 COURT THAT MAY BECOME PUBLICLY ACCESSIBLE. A LANDLORD MAY
27 SUBMIT PERSONAL IDENTIFYING INFORMATION IN A CONFIDENTIAL
28 MANNER CONSISTENT WITH JUDICIAL DEPARTMENT PROCEDURES IF A
29 COURT REQUIRES SUCH INFORMATION.

30 (3) NOTHING IN THIS SECTION PROHIBITS A LANDLORD FROM
31 INCLUDING PERSONAL IDENTIFYING INFORMATION EXPLICITLY REQUIRED
32 BY A COURT. ALL OTHER SUPPORTING DOCUMENTS SUBMITTED MUST
33 COMPLY WITH SUBSECTION (2) OF THIS SECTION.

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

- 36 (a) SOCIAL SECURITY NUMBER;
- 37 (b) BIRTH DATE;
- 38 (c) DRIVER'S LICENSE NUMBER;
- 39 (d) STATE IDENTIFICATION NUMBER;
- 40 (e) BANK ACCOUNT NUMBER;
- 41 (f) CREDIT CARD NUMBER; AND
- 42 (g) DEBIT CARD NUMBER.

43 **SECTION 3.** In Colorado Revised Statutes, 38-12-904, **add** (1.7)

1 as follows:
2 **38-12-904. Consideration of rental applications - limitations**
3 **- portable tenant screening report - notice to prospective tenants -**
4 **denial notice.**
5 (1.7) A LANDLORD SHALL INCLUDE IN ALL RENTAL APPLICATIONS
6 A NOTICE TO PROSPECTIVE TENANTS REGARDING THE INFORMATION AND
7 DATA THE LANDLORD WILL ATTEMPT TO ACCESS WHEN CONDUCTING A
8 TENANT SCREENING AND THE SPECIFIC CRITERIA THAT WOULD RESULT IN
9 THE LANDLORD'S DENIAL OF A PROSPECTIVE TENANT'S APPLICATION.
10 **SECTION 4.** In Colorado Revised Statutes, **add** part 16 to article
11 12 of title 38 as follows:
12 **PART 16**
13 **RENT REPORTING REQUIRED BY COVERED LANDLORDS**
14 **38-12-1601. Positive rent reporting disclosure required by**
15 **covered landlords - definitions.**
16 (1) AS USED IN THIS SECTION:
17 (a) "CONSUMER REPORTING AGENCY" HAS THE MEANING SET
18 FORTH IN SECTION 5-18-103 (4).
19 (b) "COVERED LANDLORD" MEANS A PERSON WHO IS AN OWNER,
20 MANAGER, LESSOR, SUBLESSOR, SUCCESSOR IN INTEREST, OR AGENT OF
21 THE OWNER OF A DWELLING UNIT AND WHO IS RESPONSIBLE FOR FIVE OR
22 MORE DWELLING UNITS IN THE PERSON'S CAPACITY AS A LANDLORD OR
23 WHO RECEIVES LOANS, GRANTS, OR EQUITY PROVIDED FROM PUBLIC FUNDS
24 OF THE STATE TO SUPPORT THE CREATION OR PRESERVATION OF
25 AFFORDABLE HOUSING UNITS IN THE PERSON'S CAPACITY AS A LANDLORD.
26 A "COVERED LANDLORD" DOES NOT INCLUDE A PERSON WHO IS AN OWNER,
27 MANAGER, LESSOR, SUBLESSOR, SUCCESSOR IN INTEREST, OR AGENT OF
28 THE OWNER OF DWELLING UNITS THAT ARE RENTED EXCLUSIVELY BY
29 TENANTS WHO ARE SIXTY YEARS OLD OR OLDER.
30 (c) "DWELLING UNIT" HAS THE MEANING SET FORTH IN SECTION
31 38-12-502 (3).
32 (d) "EXACT COST" MEANS THE COST A COVERED LANDLORD PAYS
33 TO A CONSUMER REPORTING AGENCY OR A THIRD-PARTY SERVICE TO
34 REPORT A TENANT'S RENTAL PAYMENT INFORMATION.
35 (e) "POSITIVE RENT REPORTING" MEANS THE TRANSMITTAL OF
36 INFORMATION RELATING TO A TENANT'S TIMELY PAYMENT OF RENT
37 ACCORDING TO A LEASE AGREEMENT AND DOES NOT INCLUDE
38 TRANSMITTAL OF INFORMATION RELATING TO LATE PAYMENTS OR
39 NONPAYMENTS.
40 (2) (a) BEFORE ENTERING INTO A LEASE AGREEMENT WITH A
41 PROSPECTIVE TENANT, THE COVERED LANDLORD SHALL DISCLOSE IN
42 WRITING WHETHER THE COVERED LANDLORD OFFERS POSITIVE RENT
43 REPORTING, AND, IF THE COVERED LANDLORD DOES OFFER POSITIVE RENT

1 REPORTING, THE COVERED LANDLORD SHALL PROVIDE THE TENANT THE
2 OPTION TO PARTICIPATE WITH AT LEAST ONE CONSUMER REPORTING
3 AGENCY AVAILABLE TO THE COVERED LANDLORD IN THE STATE.

4 (b) IF A COVERED LANDLORD OFFERS POSITIVE RENT REPORTING,
5 THE COVERED LANDLORD SHALL PROVIDE WRITTEN NOTICE TO A
6 PROSPECTIVE TENANT REGARDING WHETHER THE COVERED LANDLORD
7 OFFERS POSITIVE RENT REPORTING AT A COST TO THE TENANT. A COVERED
8 LANDLORD MAY CHARGE A TENANT A FEE OR OTHER CHARGE THAT IS
9 EQUAL TO THE COVERED LANDLORD'S EXACT COST OF POSITIVE RENT
10 REPORTING FOR THE TENANT.

11 (3) IF A COVERED LANDLORD OFFERS POSITIVE RENT REPORTING AT
12 NO COST TO A TENANT, THE COVERED LANDLORD SHALL REPORT A
13 TENANT'S RENTAL PAYMENT INFORMATION TO AT LEAST ONE CONSUMER
14 REPORTING AGENCY UNLESS THE TENANT OPTS OUT OF POSITIVE RENT
15 REPORTING.

16 (4) IF A COVERED LANDLORD OFFERS POSITIVE RENT REPORTING AT
17 A COST TO A TENANT, THE COVERED LANDLORD SHALL OBTAIN THE
18 TENANT'S AFFIRMATIVE CONSENT BEFORE REPORTING THE TENANT'S
19 RENTAL INFORMATION OR CHARGING THE TENANT A FEE OR CHARGE
20 ASSOCIATED WITH POSITIVE RENT REPORTING.

21 (5) A TENANT MAY OPT OUT OF POSITIVE RENT REPORTING AT ANY
22 TIME BY NOTIFYING THE TENANT'S COVERED LANDLORD IN WRITING.

23 **SECTION 5. Effective date.** This act takes effect January 1,
24 2027.

25 **SECTION 6. Safety clause.** The general assembly finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, or safety or for appropriations for
28 the support and maintenance of the departments of the state and state
29 institutions."

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