

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 29, 2026  
Date

Committee on Judiciary.

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

SB26-177 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, after line 12 insert:
  - 2 "(3) BEFORE BRINGING AN ACTION PURSUANT SUBSECTION (2) OF
  - 3 THIS SECTION, THE REQUESTING OWNER IS ENCOURAGED TO ENGAGE IN
  - 4 ALTERNATIVE DISPUTE RESOLUTION, SUCH AS MEDIATION, WITH THE
  - 5 ADJOINING PROPERTY OWNER, TO ACCESS THE ADJOINING PROPERTY TO
  - 6 MAKE REPAIRS OR MAINTENANCE."
- 7 Renumber succeeding subsections accordingly.
- 8 Page 4, line 1, strike "PROPERTY," and substitute "PROPERTY AND WILL
- 9 NOT NEGATIVELY AFFECT ANY EASEMENT ON THE ADJOINING OWNER'S
- 10 PROPERTY,".
- 11 Page 4, after line 9 insert:
  - 12 "(6) THIS SECTION DOES NOT APPLY IF THE ADJOINING PROPERTY
  - 13 IS OWNED OR CONTROLLED BY THE FEDERAL GOVERNMENT, THE STATE, OR
  - 14 A POLITICAL SUBDIVISION OF THE STATE."

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