

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

February 22, 2023  
Date

Committee on Transportation, Housing & Local Government.

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

HB23-1068 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 4, line 11, strike "POLICY" and substitute  
2 "POLICY OR A DWELLING FIRE INSURANCE POLICY".

3 Page 4, line 16, strike "POLICY" and substitute "POLICY OR A DWELLING  
4 FIRE INSURANCE POLICY".

5 Page 4, after line 24, insert:  
6 "(d) FOR THE PURPOSES OF THIS SUBSECTION (16), "DWELLING"  
7 INCLUDES A DWELLING UNIT AS DEFINED IN SECTION 38-12-502 (3)".

8 Page 5, line 4, strike "IF THE TENANT IS PRESENT, THE OFFICER SHALL GIVE  
9 THE".

10 Page 5, strike lines 5 through 10 and substitute:

11 "(I) IF THE TENANT IS PRESENT ON THE PREMISES AT THE TIME THE  
12 WRIT OF RESTITUTION IS BEING EXECUTED, THE OFFICER SHALL GIVE ANY  
13 PET ANIMALS FOUND DURING THE INSPECTION REQUIRED BY SUBSECTION  
14 (2.5)(a) OF THIS SECTION TO THE TENANT.

15 (II) IF THE TENANT IS NOT PRESENT ON THE PREMISES AT THE TIME  
16 THE WRIT OF RESTITUTION IS BEING EXECUTED AND THERE ARE ANY PET  
17 ANIMALS FOUND DURING THE INSPECTION REQUIRED BY SUBSECTION  
18 (2.5)(a) OF THIS SECTION, THE OFFICER SHALL CONTACT THE LOCAL  
19 AUTHORITY IN CHARGE OF ANIMAL CONTROL TO TAKE CUSTODY OF THE  
20 PET ANIMALS. THE LANDLORD SHALL PROVIDE THE LOCAL AUTHORITY IN  
21 CHARGE OF ANIMAL CONTROL ACCESS TO THE PREMISES TO REMOVE OR  
22 SECURE THE PET ANIMALS IN A TIMELY MANNER AND PROVIDE THE NAME  
23 AND CONTACT INFORMATION OF THE TENANT, IF AVAILABLE. THE

- 1 LANDLORD SHALL POST NOTICE AT THE PREMISES IN A VISIBLE PLACE WITH  
2 THE NAME AND CONTACT INFORMATION OF THE ORGANIZATION WHERE  
3 THE PET ANIMALS HAVE BEEN TAKEN AND, UPON REQUEST OF THE TENANT,  
4 SHALL PROVIDE THE TENANT WITH THE NAME AND CONTACT INFORMATION  
5 OF THE ORGANIZATION WHERE THE PET ANIMALS HAVE BEEN TAKEN."
- 6 Page 5, line 13, strike "PROPERTY BY THE OFFICER" and substitute  
7 "PROPERTY."
- 8 Page 5, strike lines 14 and 15.
- 9 Page 5, strike lines 17 through 23 and substitute "REQUIRES, "PET  
10 ANIMAL" HAS THE SAME MEANING AS SET FORTH IN SECTION 35-80-102  
11 (10)."
- 12 Page 5, line 26, strike "**prohibition**" and substitute "**limitation**".
- 13 Page 5, line 27, strike "A" and substitute "(1) A".
- 14 Page 6, line 1, strike "OR RENT" and substitute "OF MORE THAN THREE  
15 HUNDRED DOLLARS".
- 16 Page 6, line 3, strike "TENANT. AS" and substitute "TENANT AND THE  
17 SECURITY DEPOSIT MUST BE REFUNDABLE TO THE TENANT."
- 18 Page, 6, after line 3 insert:  
19 "(2) A LANDLORD SHALL NOT DEMAND OR RECEIVE ADDITIONAL  
20 RENT FROM A TENANT AS A CONDITION OF PERMITTING THE TENANT'S PET  
21 ANIMAL TO RESIDE AT THE RESIDENTIAL PREMISES WITH THE TENANT IN AN  
22 AMOUNT THAT EXCEEDS TWENTY-FIVE DOLLARS PER MONTH OR ONE  
23 PERCENT PER MONTH OF THE TENANT'S MONTHLY RENT, WHICHEVER  
24 AMOUNT IS GREATER.  
25 (3) AS".
- 26 Page 6, strike lines 6 through 27.
- 27 Strike pages 7 and 8.
- 28 Page 9, strike lines 1 through 12.
- 29 Renumber succeeding sections accordingly.
- 30 Page 10, strike lines 3 through 27.

- 1 Renumber succeeding section accordingly.
- 2 Page 1, line 105, strike "PROHIBITING" and substitute "LIMITING".
- 3 Page 1, strike lines 106 through 111 and substitute "**DEPOSITS AND RENT**
- 4 **FOR PET ANIMALS AND EXCLUDING PET ANIMALS FROM PERSONAL**
- 5 **PROPERTY LIENS.**".

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