

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0746.01 Ed DeCecco x4216

SENATE BILL 17-140

SENATE SPONSORSHIP

Sonnenberg,

HOUSE SPONSORSHIP

Arndt and Becker J.,

Senate Committees
Local Government

House Committees

A BILL FOR AN ACT

101 CONCERNING THE TORRENS TITLE REGISTRATION SYSTEM.

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>.)

Beginning January 1, 2018, the bill closes the Torrens title registration system to new applications to register land title in this state.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 38-36-101 as

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 follows:

2 **38-36-101. Application to register title - by whom made.**

3 (1) PRIOR TO JANUARY 1, 2018, the owner of any estate or interest in
4 land, whether legal or equitable, except unpatented land, may apply as
5 provided in this ~~article~~ ARTICLE 36 to have the title of said land registered.
6 The application may be made by the applicant personally, or by an agent
7 thereunto lawfully authorized in writing, which authority shall be
8 executed and acknowledged in the same manner and form as is now
9 required as to a deed, and shall be recorded in the office of the county
10 clerk and recorder in the county in which the land, or the major portion
11 thereof, is situated before the making of the application by such agent. A
12 corporation may apply by its authorized agent, and an infant or any other
13 person under disability by his legal guardian. Joint tenants and tenants in
14 common shall join in the application. The person in whose behalf the
15 application is made shall be named as applicant.

16 (2) ON OR AFTER JANUARY 1, 2018, NO MORE APPLICATIONS TO
17 REGISTER TITLES UNDER THIS ARTICLE 36 MAY BE MADE.

18 **SECTION 2. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly (August
21 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
22 referendum petition is filed pursuant to section 1 (3) of article V of the
23 state constitution against this act or an item, section, or part of this act
24 within such period, then the act, item, section, or part will not take effect
25 unless approved by the people at the general election to be held in
26 November 2018 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.