



**Colorado
Legislative
Council
Staff**

HB17-1310

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 17-0915 **Date:** April 10, 2017
Prime Sponsor(s): Rep. Kennedy; Jackson **Bill Status:** House Finance
 Sen. Fenberg **Fiscal Analyst:** Erin Reynolds (303-866-4146)

BILL TOPIC: RESIDENTIAL LANDLORD APPLICATION SCREENING FEE

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue Cash Funds	Potential minimal increase.	
State Expenditures Cash Funds	Potential minimal workload increase.	
TABOR Impact	Potential minimal increase.	
Appropriation Required: None.		
Future Year Impacts: Ongoing potential minimal revenue and workload increase.		

Summary of Legislation

The bill limits the application screening fee that a landlord can charge to a prospective tenant. The fee may only cover the actual costs for:

- a personal reference check;
- a consumer credit report; or
- a tenant screening report.

Landlords must provide prospective tenants who have paid the fee with an itemized receipt of screening costs. If the fee exceeded the actual screening costs, the landlord must return the overage to the tenant.

A landlord that violates any of these provisions is liable to his or her tenant for two times the amount of the application screening fee, plus court costs and reasonable attorney fees.

State Revenue and Expenditures

The bill establishes a civil penalty for landlords. To the extent that civil cases are filed, revenue to and workload for the Judicial Department will increase. No change in appropriations is required.

TABOR Impact

To the extent that fines and fees are collected under the bill, there will be a minimal increase in the amount of money required to be refunded under TABOR for FY 2017-18 and FY 2018-19. TABOR refunds are paid out of the General Fund.

Local Government Impact

Similar to the state, to the extent that civil cases are filed, revenue to and workload for the Denver County Court, which is funded by the City and County of Denver, will increase.

Effective Date

The bill takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Judicial

Local Affairs

Regulatory Agencies