



**Colorado  
Legislative  
Council  
Staff**

**HB17-1310**

**REVISED  
FISCAL NOTE**

(replaces fiscal note dated April 10, 2017)

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

**Drafting Number:** LLS 17-0915 **Date:** April 25, 2017  
**Prime Sponsor(s):** Rep. Kennedy; Jackson **Bill Status:** Senate SVMA  
 Sen. Fenberg **Fiscal Analyst:** Erin Reynolds (303-866-4146)

**BILL TOPIC:** RESIDENTIAL LANDLORD APPLICATION SCREENING FEE

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

**Summary of Legislation**

The *reengrossed* bill limits the application screening fee that a landlord can charge to a prospective tenant to a fee that covers only the landlord's actual costs.

Landlords must provide prospective tenants who have paid the fee with either a disclosure of anticipated expenses or an itemized receipt of actual expenses. If the fee exceeded the actual screening costs, the landlord must return the overage amount 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