

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1272.01 Megan Waples x4348

HOUSE BILL 18-1432

HOUSE SPONSORSHIP

Herod,

SENATE SPONSORSHIP

(None),

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING PROHIBITIONS ON DISCRIMINATION IN HOUSING BASED
102 ON SOURCE OF INCOME.

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>.)

The bill adds discrimination based on source of income as a type of unfair housing practice. "Source of income" is defined to include any source of money paid directly, indirectly, or on behalf of a person, including income from any lawful profession or from any government or private assistance, grant, or loan program.

A person is prohibited from refusing to show, rent, lease, or

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

transmit an offer to rent or lease housing based on a person's source of income. In addition, a person cannot discriminate in the terms or conditions of a rental agreement against another person based on source of income, or based upon the person's participation in a third-party contract required as a condition of receiving public housing assistance. A person cannot include in any advertisement for the rent or lease of housing any limitation or preference based on source of income, or to use representations related to a person's source of income to induce another person to rent or lease property.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-501, **amend**
3 (4); and **add** (4.5) as follows:

4 **24-34-501. Definitions.** As used in this part 5, unless the context
5 otherwise requires:

6 (4) "Restrictive covenant" means any specification limiting the
7 transfer, rental, or lease of any housing because of disability, race, creed,
8 color, religion, sex, sexual orientation, marital status, familial status,
9 national origin, or ancestry, OR LIMITING THE RENTAL OR LEASE OF ANY
10 HOUSING BECAUSE OF SOURCE OF INCOME.

11 (4.5) "SOURCE OF INCOME" MEANS ANY LAWFUL SOURCE OF
12 MONEY PAID DIRECTLY, INDIRECTLY, OR ON BEHALF OF A PERSON,
13 INCLUDING:

14 (a) INCOME DERIVED FROM ANY LAWFUL PROFESSION OR
15 OCCUPATION; AND

16 (b) INCOME OR RENTAL PAYMENTS DERIVED FROM ANY
17 GOVERNMENT OR PRIVATE ASSISTANCE, GRANT, OR LOAN PROGRAM.

18 **SECTION 2.** In Colorado Revised Statutes, 24-34-502, **amend**
19 (1)(h); and **add** (1)(l), (1)(m), (1)(n), (1)(o), (1)(p), and (1)(q) as follows:

20 **24-34-502. Unfair housing practices prohibited.** (1) It shall be

1 an unfair housing practice and unlawful and hereby prohibited:

2 (h) For any person to deny another person access to or
3 membership or participation in any multiple-listing service, real estate
4 brokers' organization or other service, organization, or facility related to
5 the business of selling or renting dwellings or to discriminate against such
6 person in the terms or conditions of such access, membership, or
7 participation on account of race, creed, color, religion, sex, sexual
8 orientation, disability, marital status, familial status, ~~or~~ national origin or
9 ancestry, OR SOURCE OF INCOME;

10 (l) FOR ANY PERSON TO REFUSE TO SHOW, RENT, OR LEASE; TO
11 REFUSE TO RECEIVE AND TRANSMIT ANY BONA FIDE OFFER TO RENT OR
12 LEASE; OR TO OTHERWISE MAKE UNAVAILABLE OR DENY OR WITHHOLD
13 FROM ANOTHER PERSON ANY HOUSING FOR RENT OR LEASE BECAUSE OF
14 THE PERSON'S SOURCE OF INCOME;

15 (m) FOR ANY PERSON TO DISCRIMINATE IN THE TERMS,
16 CONDITIONS, OR PRIVILEGES PERTAINING TO THE RENTAL OR LEASE OF ANY
17 HOUSING, OR IN THE FURNISHING OF FACILITIES OR SERVICES IN
18 CONNECTION THEREWITH, BECAUSE OF A PERSON'S SOURCE OF INCOME,
19 INCLUDING A PERSON'S RECEIPT OF PUBLIC HOUSING ASSISTANCE OR A
20 PERSON'S PARTICIPATION IN A THIRD-PARTY CONTRACT REQUIRED BY A
21 PUBLIC HOUSING ASSISTANCE PROGRAM;

22 (n) FOR ANY PERSON TO CAUSE TO BE MADE ANY WRITTEN OR
23 ORAL INQUIRY OR RECORD CONCERNING THE SOURCE OF INCOME OF A
24 PROSPECTIVE TENANT OR LESSOR;

25 (o) FOR ANY PERSON TO MAKE, PRINT, OR PUBLISH OR CAUSE TO BE
26 MADE, PRINTED, OR PUBLISHED ANY NOTICE OR ADVERTISEMENT RELATING
27 TO THE RENTAL OR LEASE OF ANY HOUSING THAT INDICATES ANY

1 LIMITATION, SPECIFICATION, OR DISCRIMINATION BASED ON A PERSON'S
2 SOURCE OF INCOME;

3 (p) FOR ANY PERSON TO REPRESENT TO ANOTHER PERSON THAT
4 ANY DWELLING IS NOT AVAILABLE FOR RENT OR LEASE, WHEN THE
5 DWELLING IS IN FACT AVAILABLE, FOR THE PURPOSE OF DISCRIMINATING
6 AGAINST THE PERSON ON THE BASIS OF THE PERSON'S SOURCE OF INCOME;
7 AND

8 (q) FOR ANY PERSON, FOR PROFIT, TO INDUCE OR ATTEMPT TO
9 INDUCE ANOTHER PERSON TO RENT ANY DWELLING BY REPRESENTATIONS
10 REGARDING THE ENTRY OR PROSPECTIVE ENTRY INTO THE NEIGHBORHOOD
11 OF A PERSON OR PERSONS WITH PARTICULAR SOURCES OF INCOME.

12 **SECTION 3. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2018 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.