



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Final Fiscal Note

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<b>Drafting Number:</b>	LLS 23-0848	<b>Date:</b>	August 10, 2023
<b>Prime Sponsors:</b>	Rep. Brown; Mabrey Sen. Cutter	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:**                    **HABITABILITY OF RESIDENTIAL PREMISES**

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**Summary of Fiscal Impact:**

<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill creates habitability standards for rental units following environmental events. It may increase state revenue and expenditures beginning in FY 2023-24.

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**Appropriation Summary:**                    No appropriation is required.

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**Fiscal Note Status:**                    This fiscal note reflects the enacted bill.

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## Summary of Legislation

A landlord violates the warranty of habitability if any environmental contaminants are at unsafe levels following an environmental public health event, as determined by certain national standards. The bill updates the methods a tenant may use to notify their landlord of an unsafe condition and requires the landlord to remediate any habitability issues. A tenant may terminate the lease if they have notified the landlord of a habitability issue, the landlord fails to remediate the issue, and the landlord cannot provide adequate alternative housing during the remediation.

## State Revenue and Expenditures

To the extent that habitability issues lead to disputes between landlords and tenants, state revenue and expenditures may increase in the Judicial Department as a result of increased civil case filings with the trial courts. The fiscal note assumes that the number of additional cases will be minimal and no change in appropriations is required. If an environmental public health event drives a significant number of cases, additional resources will be requested through the annual budget process. Filing fees are subject to TABOR.

## Effective Date

This bill was signed into law by the Governor and took effect on May 12, 2023.

## State and Local Government Contacts

Information Technology  
Local Affairs

Judicial  
Public Health and Environment

Law