

First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0366.01 Renee Leone x2695

SENATE BILL 25-016

---

SENATE SPONSORSHIP

Snyder,

HOUSE SPONSORSHIP

Boesenecker,

---

Senate Committees

Finance

House Committees

---

A BILL FOR AN ACT

101 CONCERNING UPDATING THE FRAMEWORK GOVERNING ESCROW  
102 DISBURSEMENTS FOR REAL ESTATE TRANSACTIONS.

---

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 modifies the types of funds that are available for immediate withdrawal as a matter of right in real estate transactions by:

- Limiting wire transfer funds to only those funds that are wired through a funds-transfer system operated by the federal reserve; and
- Adding funds credited to an escrow account if the bank or

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

financial institution holding the account confirms that there has been final settlement of the credited funds.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-35-125, **amend**  
3 (1)(a) as follows:

4 **38-35-125. Closing and settlement services - disbursement of**  
5 **funds - deceptive trade practice - definitions.** (1) As used in this  
6 section, unless the context otherwise requires:

7 (a) "Available for immediate withdrawal as a matter of right"  
8 includes funds transferred by any of the following means:

9 (I) ~~Any~~ A wire transfer MADE THROUGH A FUNDS-TRANSFER  
10 SERVICE OPERATED BY THE FEDERAL RESERVE;

11 (II) ~~Any~~ A certified check, cashier's check, teller's check, or any  
12 other instrument as defined by federal regulation CC, 12 CFR 229.10 (c);  
13 AND

14 (III) A CREDIT TO AN ESCROW ACCOUNT, INCLUDING A REAL-TIME  
15 OR AN INSTANT PAYMENT MADE THROUGH A FUNDS-TRANSFER SERVICE  
16 OPERATED BY THE FEDERAL RESERVE OR THE CLEARING HOUSE PAYMENT  
17 COMPANY'S REAL-TIME PAYMENTS SYSTEM, IF THE BANK OR FINANCIAL  
18 INSTITUTION HOLDING THE ACCOUNT CONFIRMS TO THE INDIVIDUAL OR  
19 ENTITY DISBURSING THE FUNDS THAT THERE HAS BEEN FINAL SETTLEMENT  
20 OF THE CREDITED FUNDS.

21 **SECTION 2. Act subject to petition - effective date -**  
22 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
23 the expiration of the ninety-day period after final adjournment of the  
24 general assembly; except that, if a referendum petition is filed pursuant  
25 to section 1 (3) of article V of the state constitution against this act or an

1 item, section, or part of this act within such period, then the act, item,  
2 section, or part will not take effect unless approved by the people at the  
3 general election to be held in November 2026 and, in such case, will take  
4 effect on the date of the official declaration of the vote thereon by the  
5 governor.

6 (2) This act applies to real estate transactions occurring on or after  
7 the applicable effective date of this act.