

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0428.01 Brita Darling x2241

HOUSE BILL 25-1108

HOUSE SPONSORSHIP

Weinberg,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING LIMITATIONS ON RESIDENTIAL RENTAL AGREEMENT
102 TERMS IN THE EVENT OF THE DEATH OF AN INDIVIDUAL WHO IS
103 RESPONSIBLE FOR THE PAYMENT OF RENT.

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 prohibits residential rental agreements from requiring acceleration of rent, liquidated damages, or other penalties, or from requiring a person to forgo a sum of money that would have otherwise been refunded, if the rental agreement is terminated before the end of its term due to the death of a tenant or other individual who is responsible

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.

for the payment of rent under the rental agreement.

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-12-801, **add** (3.5)
3 as follows:

4 **38-12-801. Written rental agreement - prohibited clauses -**
5 **copy - tenant - applicability - definitions.** (3.5) (a) IN ADDITION TO
6 OTHER PROHIBITED CLAUSES DESCRIBED IN SUBSECTION (3)(a) OF THIS
7 SECTION, IF A RENTAL AGREEMENT IS TERMINATED BEFORE THE END OF
8 THE TERM OF THE RENTAL AGREEMENT DUE TO THE DEATH OF A
9 RESPONSIBLE PARTY UNDER THE RENTAL AGREEMENT, A CLAUSE IN THE
10 RENTAL AGREEMENT THAT REQUIRES ANY OF THE FOLLOWING IS VOID AND
11 UNENFORCEABLE:

12 (I) THE PAYMENT OF LIQUIDATED DAMAGES;

13 (II) THE ACCELERATION OF RENT FOR A PERIOD THAT IS BEYOND
14 THE END OF THE MONTH IN WHICH THE LANDLORD IS NOTIFIED OF THE
15 DEATH OF A RESPONSIBLE PARTY UNDER THE RENTAL AGREEMENT, OR FOR
16 MORE THAN SEVEN BUSINESS DAYS AFTER THE DWELLING UNIT IS VACATED
17 AFTER NOTICE TO THE LANDLORD OF THE DEATH, WHICHEVER IS EARLIER;

18 (III) THE PAYMENT OR REFUND TO THE LANDLORD OF ANY
19 CONCESSIONS OR MOVE-IN DISCOUNTS;

20 (IV) THE PAYMENT OF ANY OTHER FEE, DAMAGES, OR PENALTY
21 ASSESSED AS A RESULT OF THE EARLY TERMINATION OF THE RENTAL
22 AGREEMENT; OR

23 (V) THAT A PERSON FORGO A SUM OF MONEY THAT WOULD HAVE
24 OTHERWISE BEEN REFUNDED BUT FOR THE EARLY TERMINATION OF THE
25 RENTAL AGREEMENT.

1 (b) AS USED IN THIS SUBSECTION (3.5), "RESPONSIBLE PARTY
2 UNDER THE RENTAL AGREEMENT" MEANS A TENANT WHO IS RESPONSIBLE
3 FOR THE PAYMENT OF RENT UNDER A RENTAL AGREEMENT OR ANOTHER
4 INDIVIDUAL WHO IS RESPONSIBLE FOR THE PAYMENT OF RENT UNDER THE
5 RENTAL AGREEMENT.

6 **SECTION 2. Act subject to petition - effective date -**
7 **applicability.** (1) This act takes effect September 1, 2025; except that,
8 if a referendum petition is filed pursuant to section 1 (3) of article V of
9 the state constitution against this act or an item, section, or part of this act
10 within the ninety-day period after final adjournment of the general
11 assembly, then the act, item, section, or part will not take effect unless
12 approved by the people at the general election to be held in November
13 2026 and, in such case, will take effect on the date of the official
14 declaration of the vote thereon by the governor.

15 (2) This act applies to rental agreements that are entered into on
16 or after the applicable effective date of this act.