

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0822.01 Yelana Love x2295

HOUSE BILL 25-1236

HOUSE SPONSORSHIP

Lindsay,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE SCREENING OF A PROSPECTIVE RESIDENTIAL TENANT
102 BY A LANDLORD.

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 amends the definition of a "portable tenant screening report" (screening report) to specify that a prospective tenant using a housing subsidy is not required to include a credit history report, a credit score, or an adverse credit event with the tenant's screening report.

The bill repeals language allowing a landlord to require a tenant to make a screening report directly available to the landlord through a

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.

consumer reporting agency or third-party website.

Current law prohibits a landlord from inquiring into a prospective tenant's adverse credit event. The bill defines "adverse credit event" as an event that can be reflected in a consumer credit report or might negatively affect a person's credit score, including past due delinquent rent payments and collections.

The bill allows a landlord receiving a portable tenant screening report to require that the screening report was completed within the previous 60 days, which time period is increased from 30 days.

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-12-902, **amend**
3 (2.5)(e)(I) as follows:

4 **38-12-902. Definitions.** As used in this part 9, unless the context
5 otherwise requires:

6 (2.5) "Portable tenant screening report" or "screening report"
7 means a consumer report prepared at the request of a prospective tenant
8 that includes information provided by a consumer reporting agency,
9 which report includes the following information about a prospective
10 tenant and the date through which the information contained in the report
11 is current:

12 (e) For each jurisdiction indicated in the consumer report as a
13 prior residence of the prospective tenant, regardless of whether the
14 residence is reported by the prospective tenant or by the consumer
15 reporting agency preparing the consumer report:

16 (I) A rental and credit history report for the prospective tenant that
17 complies with section 38-12-904 ~~(1)(a)~~ concerning a landlord's
18 consideration of a prospective tenant's rental history; EXCEPT THAT A
19 CREDIT HISTORY REPORT, A CREDIT SCORE, OR AN ADVERSE CREDIT EVENT,
20 AS DEFINED IN SECTION 38-12-904 (1)(c)(II), IS NOT REQUIRED TO BE

1 INCLUDED IN A PORTABLE TENANT SCREENING REPORT CONCERNING A
2 PROSPECTIVE TENANT WHO IS SEEKING TO RENT WITH THE ASSISTANCE OF
3 A HOUSING SUBSIDY; and

4 **SECTION 2.** In Colorado Revised Statutes, 38-12-904, **amend**
5 (1)(c)(II) and (1.5)(b)(I); and **repeal** (1.5)(b)(II) as follows:

6 **38-12-904. Consideration of rental applications - limitations**
7 **- portable tenant screening report - notice to prospective tenants -**
8 **denial notice.** (1) (c) If a landlord uses financial information, including
9 rental history or credit history, as a criterion in consideration of a rental
10 application from a prospective tenant who is seeking to rent with the
11 assistance of a housing subsidy, the landlord shall not consider or inquire
12 about the prospective tenant's:

13 (II) Credit score, adverse credit event, or lack of credit score
14 unless the landlord is required by federal law to consider a credit score or
15 a lack of a credit score. AS USED IN THIS SUBSECTION (1)(c)(II), "ADVERSE
16 CREDIT EVENT" MEANS AN EVENT THAT CAN BE REFLECTED IN A
17 CONSUMER CREDIT REPORT OR MIGHT NEGATIVELY AFFECT A PERSON'S
18 CREDIT SCORE, INCLUDING PAST DUE DELINQUENT RENT PAYMENTS AND
19 COLLECTIONS.

20 (1.5) (b) A landlord receiving a portable tenant screening report
21 may require:

22 (I) That the screening report was completed within the previous
23 ~~thirty~~ SIXTY days;

24 (II) ~~That the screening report is made directly available to the~~
25 ~~landlord by the consumer reporting agency for use in the rental~~
26 ~~application process or provided through a third-party website that~~
27 ~~regularly engages in the business of providing consumer reports and~~

1 ~~complies with all state and federal laws pertaining to use and disclosure~~
2 ~~of information contained in a consumer report by a consumer reporting~~
3 ~~agency;~~

4 **SECTION 3. Act subject to petition - effective date -**
5 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
6 the expiration of the ninety-day period after final adjournment of the
7 general assembly; except that, if a referendum petition is filed pursuant
8 to section 1 (3) of article V of the state constitution against this act or an
9 item, section, or part of this act within such period, then the act, item,
10 section, or part will not take effect unless approved by the people at the
11 general election to be held in November 2026 and, in such case, will take
12 effect on the date of the official declaration of the vote thereon by the
13 governor.

14 (2) This act applies to rental applications submitted on or after the
15 applicable effective date of this act.