

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0409.01 Brita Darling x2241

SENATE BILL 25-184

SENATE SPONSORSHIP

Cutter and Weissman,

HOUSE SPONSORSHIP

Ricks,

Senate Committees

Local Government & Housing

House Committees

A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE HOA INFORMATION AND
102 RESOURCE CENTER, AND, IN CONNECTION THEREWITH,
103 IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE
104 2024 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY
105 AGENCIES.

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/>.)

Sunset Process - Senate Local Government and Housing Committee. The bill implements the recommendations of the department

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.

of regulatory agencies (department) in its sunset review and report on the HOA information and resource center (center). The center is scheduled to repeal on September 1, 2025.

The bill:

- Continues the center until September 1, 2038;
- Clarifies that the director of the division of real estate in the department is the appointing authority for the HOA information officer who is the head of the center; and
- Makes a technical change to refer to the HOA information officer by title, rather than by "he or she", to reflect gender-neutral language in statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (26)(a)(IX); and **add** (39) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (26) (a) The following agencies, functions, or both,
7 are scheduled for repeal on September 1, 2025:

8 (IX) ~~The HOA information and resource center created in section~~
9 ~~12-10-801;~~

10 (39) (a) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, ARE
11 SCHEDULED FOR REPEAL ON SEPTEMBER 1, 2038:

12 (I) THE HOA INFORMATION AND RESOURCE CENTER CREATED IN
13 SECTION 12-10-801.

14 (b) THIS SUBSECTION (39) IS REPEALED, EFFECTIVE SEPTEMBER 1,
15 2040.

16 **SECTION 2.** In Colorado Revised Statutes, 12-10-801, **amend**
17 (1), (2), (3)(b)(I), and (6) as follows:

18 **12-10-801. HOA information and resource center - creation -**
19 **duties - rules - subject to review - repeal.** (1) There is hereby created,

1 within the division, the HOA information and resource center, the head
2 of which ~~shall be~~ IS the HOA information officer. The HOA information
3 officer shall be appointed by the ~~executive director pursuant to section 13~~
4 ~~of article XII of the state constitution~~ DIRECTOR.

5 (2) The HOA information officer shall be familiar with the
6 "Colorado Common Interest Ownership Act", article 33.3 of title 38, also
7 referred to in this section as the "act". ~~NO~~ THE DIRECTOR SHALL NOT
8 APPOINT AS THE HOA INFORMATION OFFICER A person who is or, within
9 the immediately preceding ten years, has been licensed by or registered
10 with the division or who owns stocks, bonds, or any pecuniary interest in
11 a corporation subject in whole or in part to regulation by the division.
12 ~~shall be appointed as HOA information officer.~~ In addition, in conducting
13 the search for an appointee, the ~~executive director~~ DIRECTOR shall place
14 a high premium on candidates who are balanced, independent, unbiased,
15 and without any current financial ties to an HOA board or board member
16 or to ~~any~~ A person or entity that provides HOA management services.
17 After being appointed, the HOA information officer shall refrain from
18 engaging in ~~any~~ conduct or ~~relationship~~ RELATIONSHIPS that would create
19 a conflict of interest or the appearance of a conflict of interest.

20 (3) (b) The HOA information officer may:

21 (I) Employ one or more assistants as may be necessary to carry out
22 ~~his or her~~ THE HOA INFORMATION OFFICER'S duties; and

23 (6) This section is repealed, effective ~~September 1, 2025~~
24 SEPTEMBER 1, 2038. Before the repeal, the HOA information and resource
25 center and the HOA information officer's powers and duties under this
26 section are scheduled for review in accordance with section 24-34-104.

27 **SECTION 3. Safety clause.** The general assembly finds,

1 determines, and declares that this act is necessary for the immediate
2 preservation of the public peace, health, or safety or for appropriations for
3 the support and maintenance of the departments of the state and state
4 institutions.