

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0598.01 Chelsea Princell x4335

SENATE BILL 25-185

SENATE SPONSORSHIP

Rodriguez and Pelton B.,

HOUSE SPONSORSHIP

(None),

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING THE INAPPLICABILITY OF THE ECONOMIC LOSS RULE TO
102 CERTAIN CLAIMS BROUGHT BY A RESIDENTIAL PROPERTY
103 OWNER AGAINST A CONSTRUCTION PROFESSIONAL.

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 clarifies that construction professionals owe an independent tort duty of care to construct residential homes in a non-defective and reasonable manner, and that this duty is owed equally to original and subsequent residential home purchasers.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-20-806, **add** (8)
3 as follows:

4 **13-20-806. Limitation of damages.** (8) NOTWITHSTANDING ANY
5 PROVISION OF LAW TO THE CONTRARY, A CONSTRUCTION PROFESSIONAL
6 OWES AN INDEPENDENT TORT DUTY TO AN ORIGINAL RESIDENTIAL HOME
7 PURCHASER AND A SUBSEQUENT RESIDENTIAL HOME PURCHASER.

8 **SECTION 2. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly; except
11 that, if a referendum petition is filed pursuant to section 1 (3) of article V
12 of the state constitution against this act or an item, section, or part of this
13 act within such period, then the act, item, section, or part will not take
14 effect unless approved by the people at the general election to be held in
15 November 2026 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.