

CHAPTER 145

COURTS

HOUSE BILL 98-1141

BY REPRESENTATIVES Allen, Arrington, Epps, Paschall, Tool, and Young.
also SENATORS Lacy and Schroeder.

AN ACT

CONCERNING TERMINATION OF A TENANCY ON THE BASIS OF ACTS THAT CONSTITUTE A PUBLIC
NUISANCE.

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

SECTION 1. The introductory portion to 13-40-107.5 (3) and 13-40-107.5 (3) (b), Colorado Revised Statutes, are amended, and the said 13-40-107.5 (3) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

13-40-107.5. Termination of tenancy for substantial violation - definition - legislative declaration. (3) As used in this section, "substantial violation" means any act or series of acts by the tenant or any guest or invitee of the tenant ~~which~~ THAT, when considered together:

(b) Occurs on or near the premises and constitutes a violent or drug-related felony prohibited under article 3, 4, 6, 7, 9, 10, 12, or 18 of title 18, C.R.S.; OR

(c) OCCURS ON THE TENANT'S LEASED PREMISES OR THE COMMON AREAS, HALLWAY, GROUNDS, PARKING LOT, OR OTHER AREA LOCATED IN THE SAME BUILDING OR COMPLEX IN WHICH THE TENANT'S LEASED PREMISES ARE LOCATED AND CONSTITUTES A CRIMINAL ACT IN VIOLATION OF FEDERAL OR STATE LAW OR LOCAL ORDINANCE THAT:

(I) CARRIES A POTENTIAL SENTENCE OF INCARCERATION OF ONE HUNDRED EIGHTY DAYS OR MORE; AND

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(II) HAS BEEN DECLARED TO BE A PUBLIC NUISANCE UNDER STATE LAW OR LOCAL ORDINANCE BASED ON A STATE STATUTE.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 21, 1998