

OFFICE OF LEGISLATIVE LEGAL SERVICES

COLORADO GENERAL ASSEMBLY

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MINUTES

Colorado Commission on Uniform State Laws

Monday, July 13, 2015, 7:00 – 9:00 a.m.

Williamsburg Lodge, 310 S. England St., Williamsburg, VA

1. Roll was taken and Commissioner Grimshaw was excused. Commissioners Gardner, Keyser, Levy, Mielke, Morris, Pike, Shaffer, Steadman, and McGihon were present.
2. The commission decided to place the following acts on its preliminary 2016 legislative agenda:
 - a. **Uniform Law Commission's newly adopted acts:**
 - i. **Revised Uniform Athlete Agents Act.** (The original act was adopted in 2000, and has been enacted in 43 states. The revised act makes numerous changes to the act including expanding the definition of "athlete agent," providing registration alternatives, adding new requirements to agency contract signings, and expanding notification requirements.)
 - ii. **Uniform Home Foreclosure Procedures Act.** (The act provides rules and procedures to standardize and streamline the foreclosure process. It protects homeowners by requiring adequate notice and documentation prior to foreclosure actions and protects lenders by precluding contrary municipal ordinances and expediting foreclosure of abandoned properties.)
 - iii. **Uniform Commercial Real Estate Receivership Act.** (There is no standard set of receivership rules and the courts of different states have applied varying standards. This act applies to receiverships involving commercial real estate only and provides a standard set of rules for courts to apply.)
 - iv. **Revised Uniform Residential Landlord and Tenant Act.** (The original act was last amended in 1974. This updated version includes new articles covering the disposition of tenant property, lease termination in case of domestic violence or sexual assault, and security deposits. It also allows for notice by email and incorporates certain common law decisions that interpreted provisions of the 1974 act.)
 - v. **Uniform Trust Decanting Act.** (Decanting is the distribution of assets from one trust into a second trust. It can be a useful strategy for changing the outdated terms of an otherwise irrevocable trust, but it can also be abused to defeat the settlor's intent. This act includes a stricter set of rules that apply when the set-

tlor gave the trustee limited discretion over distributions, and a more liberal set of rules that apply when the trustee has expanded discretion.)

- vi. **Uniform Recognition and Enforcement of Canadian Domestic Violence Protection Orders Act.** (The act provides for the enforcement of domestic violence protection orders issued by Canadian courts. Canada has granted recognition to protection orders of the United States and other countries in the Uniform Enforcement of Canadian Judgments and Decrees Act. This act would allow similar recognition to protection orders from Canada.)

b. Acts previously adopted by the Uniform Law Commission:

- i. **Uniform Fiduciary Access to Digital Assets.** (The act allows account-holders to retain control of their digital property and plan for its disposition after their death. Unless the account-holder instructs otherwise, legally appointed fiduciaries will have the same access to digital assets as they have always had to tangible assets and the same duty to comply with the account-holder's instructions.)
 - ii. **Uniform Voidable Transactions Act Amendments (2014).** (The act strengthens creditor protections by providing remedies for certain transactions by a debtor that are unfair to the debtor's creditors. The 2014 amendments to the UVTA address a small number of narrowly-defined issues, and are not a comprehensive revision of the act.)
 - iii. **Uniform Recognition of Substitute Decision-Making Documents Act.** (The act promotes the portability and usefulness of substitute decision-making documents for property, health care, and personal care, without regard to whether the documents are created within or outside of the jurisdiction where a substitute decision is needed.)
3. The commission set its next meeting for Wednesday, August 5, 2015 from 9:00 -11:00 a.m. in House Committee Room 0112, State Capitol Building, Denver, Colorado.