

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

HB25-1272 be amended as follows:

- 1 Amend reengrossed bill, page 11, strike lines 6 through 14.
- 2 Page 11, line 15, strike "(b)" and substitute "(7) (a)".
- 3 Page 12, line 3, strike "(c)" and substitute "(b)".
- 4 Page 12, line 4, strike "(7)(b)" and substitute "(7)(a)".
- 5 Page 12, line 5, after "ALL" insert "REASONABLE".
- 6 Page 12, line 6, after "DAMAGES." insert "THE STATUTE OF LIMITATIONS
- 7 AND REPOSE SHALL BE TOLLED FROM THE DATE THE CLAIMANT FIRST
- 8 PURSUED A REMEDY AVAILABLE UNDER THE WARRANTY FOR NO MORE
- 9 THAN ONE YEAR OR UNTIL THE COMPLETION OF THE WARRANTY PROCESS,
- 10 WHICHEVER IS LONGER."
- 11 Page 12, line 7, strike "(d)" and substitute "(c)".
- 12 Page 12, strike lines 19 and 20 and substitute:
- 13 "(b) A CONSTRUCTION PROFESSIONAL IS NOT LIABLE".
- 14 Page 14, after line 10 insert:
- 15 "(d) THE AFFIRMATIVE DEFENSES SET FORTH IN THIS SUBSECTION
- 16 (8) ARE IN ADDITION TO, AND SHALL NOT LIMIT, IMPAIR, REPLACE, OR
- 17 OTHERWISE AFFECT, ANY OTHER DEFENSE AVAILABLE TO A CONSTRUCTION
- 18 PROFESSIONAL UNDER STATUTE OR COMMON LAW."
- 19 Page 15, after line 9 insert:
- 20 "(c) THE CONSTRUCTION PROFESSIONAL SHALL PROVIDE AN OFFER
- 21 PURSUANT TO SUBSECTION (9)(a)(I) OF THIS SECTION WITHIN NINETY DAYS
- 22 AFTER THE DEADLINE TO INSPECT THE PROPERTY AND CLAIMED DEFECT
- 23 PURSUANT TO SECTION 13-20-803.5 OR A WRITTEN RESPONSE PURSUANT
- 24 TO SUBSECTION (9)(a)(II) OR (9)(a)(III) OF THIS SECTION WITHIN THIRTY
- 25 DAYS AFTER THE DEADLINE TO INSPECT THE PROPERTY AND CLAIMED
- 26 DEFECT PURSUANT TO SECTION 13-20-803.5."

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