

**House Judiciary**

**04/22/2025 01:30 PM**

**SB25-185 Claims Against Construction Professionals**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
<p>Michael Passas Against American Council of Engineering Companies of Colorado</p>	<p>I am Michael Passas, a professional engineer with a graduate degree in economics and president of MDP Engineering Group, a 35-person engineering company located a few blocks away from the state Capital. My company is a member of the American Council of Engineering Companies of Colorado, which represents more than 250 consulting engineering firms in the state.</p> <p>After reviewing Senate Bill 185, we are opposed to this bill. The only benefit this bill has to offer is protection against lower prices for homebuyers.</p> <p>As a medium-sized company, we have seen the expansion of the risks associated with residential projects, and, as a result, our prices and duration of services progressively increased. I was fortunate 30 years ago to afford to buy my first house at the age of 27 with an 8 percent interest rate, earning a modest salary.</p> <p>My two kids' current projection is that they will be able to afford their first house in Colorado at the age of 38. Their next option is to move out of state to a place with lower housing costs.</p> <p>Given that different states have the same labor and materials available, one can assume that the difference in costs is due to the regulations. An increase in regulations favors big corporations and attorneys while disadvantaging those without the financial resources or expertise to navigate such regulations. As a result, housing becomes less affordable. People vote with their feet and move to states that offer them the benefit of home ownership.</p> <p>I am writing you, today, because I want to give my kids the same opportunity I had when I was 27 years old.</p>



Dear Chairman Javier Mabrey and members of the House Judiciary Committee,

My name is Sarah Konradi, and I am a licensed Landscape Architect from Centennial, Colorado. I am writing on behalf of the American Society of Landscape Architects – Colorado Chapter (ASLA-CO) to provide our perspective on Senate Bill 185. ASLA-CO is a member-based organization representing over 500 licensed professionals across Colorado who are dedicated to advancing the health, safety, and welfare of the public through the design of the outdoor built environment. Landscape Architects work alongside architects, engineers, and other allied professionals to design high-quality spaces, including residential projects.

Our organization has been closely tracking Senate Bill 185, and I am writing to share the rationale for ASLA-CO's opposition to this bill. We oppose SB 185 for the following reasons:

**Increased Risk and Uncertainty for Landscape Architects:**

SB 185 would create a climate of heightened uncertainty and risk for landscape architects who engage as subconsultants on residential projects. Our work inherently carries exposure to risk and liability through the design and construction of spaces used by a diverse range of occupants. We manage these risks through carefully negotiated contracts with lead consultants (often architects) and comprehensive insurance coverage for potential damages resulting from design deficiencies. By opening up the possibility of liability to entities with whom we are not directly contracted, landscape architects would face greater difficulty obtaining professional liability insurance and would assume significantly greater professional risks when providing residential design services.

**Negative Impact on Affordable Housing Development:**

SB 185 would likely have an adverse impact on the development and construction of affordable housing units, particularly multi-family projects. At a time when Colorado faces a severe housing affordability and availability crisis, this bill would further exacerbate market challenges, making affordable and middle-market residential projects an even smaller portion of the overall housing supply. Should SB 185 be enacted, developers and



builders may seek to avoid the additional risks and uncertainties associated with multi-family projects—where profit margins are already narrow—and instead prioritize larger single-family homes with higher returns, particularly for small businesses for whom professional liability insurance represents a major cost.

ASLA-CO members are deeply invested in protecting the public, including homeowners, and we support measures that ensure accountability in design and construction. However, SB 185 has the potential to shift the legal balance and predictability of our currently enforceable contracts, potentially leading to increased and unpredictable litigation. We believe this would pose a significant challenge to our profession and share our opposition to SB 185.

Thank you for your consideration.

Sincerely,

Sarah Konradi, PLA

Vice President, Government Affairs, American Society of Landscape Architects –  
Colorado/Wyoming Chapter

Executive Director, Design Workshop Foundation, Denver, CO



April 22, 2025

**RE: SB25-185 Claims Against Construction Professionals—SUPPORT**

Dear Members of the House Judiciary Committee:

My name is Kate van Houten, and I am a Volunteer Lobbyist with the League of Women Voters of Colorado's Legislative Action Committee. **I am writing in support of Sb25-185, on behalf of the League of Women Voters of Colorado.**

The League of Women Voters of Colorado (LWVCO) has been a nonpartisan organization for 105 years, encourages informed and active participation in government, and influences public policy through education and advocacy. Our membership spans the state of Colorado with 19 local leagues operating in several regions around the state.

The LWVCO supports policies to provide a decent home and a suitable living environment for every person, and equal rights and equal opportunity for all.

The LWVCO supports policies to provide a decent home and a suitable living environment for every person, with equal rights and equal opportunity for all. SB25-185 Claims Against Construction Professionals entitles the original owner of a home to the same duty care from a construction professional as subsequent owners – it extends equal protection to an original home owner.

**We urge the committee members to vote YES on SB25-185.** Thank you for your consideration of this important bill.

Respectfully,  
Kate van Houten, Volunteer Lobbyist, Housing  
League of Women Voters of Colorado  
110 16th Street Mall Suite 1326  
Denver, CO 80202  
303-863-0437