

HB1090_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB25-1090 be amended as follows:

- 1 Amend printed bill, page 3, line 14, after "**remedies -**" insert "**rules -**".
- 2 Page 4, strike line 8 and substitute "NOTICEABLE, READABLE, AND
- 3 UNDERSTANDABLE TO ORDINARY PERSONS;".
- 4 Page 5, line 17, strike "DEPARTMENT." and substitute "DEPARTMENT,
- 5 INCLUDING TAXES OR FEES THAT ARE IMPOSED BY, PAID TO, OR PASSED ON
- 6 TO A GOVERNMENT, INCLUDING A LOCAL GOVERNMENT ENTITY OR OTHER
- 7 UNIT OF LOCAL GOVERNMENT, OR A POLITICAL SUBDIVISION OF THE
- 8 STATE, INCLUDING A GOVERNMENT-CREATED SPECIAL DISTRICT."
- 9 Page 5, line 22, strike "BILL TO" and substitute "BILL."
- 10 Page 5, strike lines 23 through 25.
- 11 Page 6, line 14, after "PROPERTY;" insert "OR".
- 12 Page 6, strike lines 15 and 16 and substitute:
- 13 "(B) A REASONABLE PERSON WOULD EXPECT TO BE INCLUDED IN".
- 14 Page 7, line 3, strike "SUBSECTION" and substitute "SUBSECTIONS" and
- 15 after "(2)(a)" insert "AND (3)(b)".
- 16 Page 7, strike lines 7 through 11 and substitute:
- 17 "(I) (A) IS A FOOD AND BEVERAGE SERVICE ESTABLISHMENT THAT,
- 18 IN EVERY OFFER, DISPLAY, OR ADVERTISEMENT FOR THE PURCHASE OF A
- 19 GOOD OR SERVICE, INCLUDES WITH THE PRICE OF THE GOOD OR SERVICE
- 20 OFFERED, DISPLAYED, OR ADVERTISED A CLEAR AND CONSPICUOUS
- 21 DISCLOSURE OF".
- 22 Page, 7, strike lines 14 through 19 and substitute "IS DISTRIBUTED;".
- 23 Page 7, lines 21 and 22, strike "LAW REGARDING PRICING
- 24 TRANSPARENCY" and substitute "LAW, RULE, OR REGULATION REGARDING
- 25 PRICE TRANSPARENCY FOR THE PURPOSES OF THE FINANCIAL
- 26 TRANSACTION AT ISSUE, INCLUDING:
- 27 (A) THE FEDERAL "TRUTH IN SAVINGS ACT", 12 U.S.C. SEC. 4301
- 28 ET SEQ.;
- 29 (B) THE FEDERAL "ELECTRONIC FUND TRANSFER ACT", 15 U.S.C.

1 SEC. 1693 ET SEQ.;

2 (C) SECTION 19 OF THE "FEDERAL RESERVE ACT", 12 U.S.C. SEC.

3 461 ET SEQ., AS AMENDED;

4 (D) THE FEDERAL "TRUTH IN LENDING ACT", 15 U.S.C. SEC. 1601

5 ET SEQ.; OR

6 (E) THE FEDERAL "HOME OWNERSHIP AND EQUITY PROTECTION

7 ACT", 15 U.S.C. SEC. 1639;

8 (F) THE FEDERAL "INVESTMENT COMPANY ACT OF 1940", 15

9 U.S.C. 80a-1 ET SEQ.;

10 (G) THE FEDERAL "INVESTMENT ADVISERS ACT OF 1940", 15

11 U.S.C. SEC. 80b-1 ET SEQ.; OR

12 (H) THE FEDERAL REGULATION BEST INTEREST REGULATION IN 17

13 CFR 240.151-1 PURSUANT TO THE FEDERAL "SECURITIES EXCHANGE ACT

14 OF 1934", 15 U.S.C. 78a ET SEQ.;

15 (III) CAN DEMONSTRATE THAT ANY FEES, COSTS, OR AMOUNTS

16 CHARGED IN ADDITION TO THE TOTAL PRICE WERE:

17 (A) ASSOCIATED WITH SETTLEMENT SERVICES, AS DEFINED BY THE

18 FEDERAL "REAL ESTATE SETTLEMENT PROCEDURES ACT", 12 U.S.C. SEC.

19 2602 (3); AND

20 (B) NOT REAL ESTATE BROKER COMMISSIONS OR FEES;

21 (IV) IS PROVIDING BROADBAND INTERNET ACCESS SERVICE ON

22 THEIR OWN OR AS PART OF A BUNDLE, AS DEFINED IN 47 CFR 8.1 (b), AND

23 IS COMPLIANT WITH THE BROADBAND CONSUMER LABEL REQUIREMENTS

24 ADOPTED BY THE FEDERAL COMMUNICATIONS COMMISSION IN FCC 22-86

25 ON NOVEMBER 14, 2022; OR

26 (V) CAN DEMONSTRATE THAT THEY ARE AN AIR CARRIER

27 PROVIDING TRANSPORTATION AS DEFINED AND REGULATED BY THE

28 FEDERAL "AVIATION ACT OF 1958", PUB.L. 85-726, AND PURSUANT TO

29 THE FEDERAL "AIRLINE DEREGULATION ACT OF 1978", 49 U.S.C. SEC.

30 41712."

31 Page 8, line 4, strike "COST OF THE".

32 Page 8, line 6, after "ADVERTISING" insert "AN AMOUNT A PERSON MAY

33 PAY FOR".

34 Page 8, line 23, strike "UNIT;" and substitute "UNIT, EXCEPT IN

35 ACCORDANCE WITH SECTION 38-12-801 (3)(a)(VI);".

36 Page 8, line 27, strike "TAXES OR OTHER".

37 Page 9, strike line 1 and substitute "TAXES;".

38 Page 9, line 2, strike "PAYMENTS;" and substitute "PAYMENTS IF A MEANS

39 OF PAYMENT THAT IS COST-FREE TO THE TENANT IS NOT REASONABLY

40 ACCESSIBLE BY THE TENANT;".

1 Page 9, line 11, strike "CHARGED;" and substitute "CHARGED, EXCEPT AS
2 PROVIDED IN SECTION 38-12-801 (3)(a)(VI);".

3 Page 9, lines 15 and 16, strike "SECTION OR IS OTHERWISE
4 UNENFORCEABLE." and substitute "SECTION."

5 Page 9, line 27, strike "OCCURRED," and substitute "OCCURRED IN A
6 DISPUTE BETWEEN A LANDLORD AND A TENANT OVER A RESIDENTIAL
7 PROPERTY OR A LESSOR AND A LESSEE OF A COMMERCIAL PROPERTY,".

8 Page 10, line 9, strike "A PERSON" and substitute "AN ALLEGED
9 VIOLATOR".

10 Page 10, strike line 16 and substitute "THE PERSON IS LIABLE FOR ACTUAL
11 DAMAGES PLUS AN INTEREST RATE OF EIGHTEEN PERCENT PER ANNUM
12 COMPOUNDED ANNUALLY."

13 Page 10, strike lines 17 through 19.

14 Page 10, after line 25 insert:

15 "(6) THE ATTORNEY GENERAL MAY ADOPT RULES TO IMPLEMENT
16 THIS SECTION.

17 **SECTION 3.** In Colorado Revised Statutes, 6-1-720, **amend** (1)
18 introductory portion, as follows:

19 **6-1-720. Ticket sales - deceptive trade practice - definitions.**

20 (1) NOTWITHSTANDING SECTION 6-1-737, a person engages in a
21 deceptive trade practice when, in the course of the person's business,
22 vocation, or occupation, the person:".

23 Renumber succeeding section accordingly.

24 Page 11, line 13, strike lines 4 through 12 and substitute:

25 "(VI) A provision that requires a tenant to pay a:

26 (A) Markup or fee for a service for which the landlord is billed by
27 a third party; except that a written rental agreement may include a
28 provision that requires a tenant to pay either a markup or fee in an amount
29 that does not exceed two percent of the amount that the landlord was
30 billed or a markup or fee in an amount that does not exceed a total of ten
31 dollars per month, but not both. This subsection (3)(a)(VI) does not
32 preclude a prevailing party from recovering an amount equal to any
33 reasonable attorney fees awarded by a court pursuant to subsection
34 (3)(a)(II) of this section; OR

35 (B) FEE, CHARGE, OR".

1 Page 11, strike lines 14 through 23 and substitute:

2 **"SECTION 5. Act subject to petition - effective date -**
3 **applicability.** (1) This act takes effect January 1, 2026; except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within the ninety-day period after final adjournment of the general
7 assembly, then the act, item, section, or part will not take effect unless
8 approved by the people at the general election to be held in November
9 2026 and, in such case, will take effect on the date of the official
10 declaration of the vote thereon by the governor."

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