

HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on Transportation, Housing & Local Government.
HB23-1171 be amended as follows:

1 Amend printed bill, page 9, after line 17 insert:

2 "SECTION 3. In Colorado Revised Statutes, 13-40-104, **amend**
3 (1)(e); and **add** (1)(e.7) as follows:

4 **13-40-104. Unlawful detention defined.** (1) Any person is guilty
5 of an unlawful detention of real property in the following cases:

6 (e) (I) EXCEPT AS DESCRIBED IN SUBSECTION (1)(e)(II) OF THIS
7 SECTION, when:

8 (A) ~~such~~ A tenant or lessee holds over, without ~~such~~ permission,
9 contrary to any other MATERIAL condition or covenant of the agreement
10 under which ~~such~~ THE tenant or lessee holds; OR A TENANT DENIES THE
11 LANDLORD ENTRY TO A RESIDENTIAL PREMISES AFTER THE LANDLORD
12 PROVIDES THE TENANT WRITTEN NOTICE OF THE ENTRY IN ENGLISH AND
13 SPANISH AT LEAST SEVENTY-TWO HOURS BEFORE ATTEMPTING THE ENTRY,
14 UNLESS THE RENTAL AGREEMENT SPECIFIES A GREATER TIME PERIOD; and

15 (B) Ten days' notice in writing has been duly served upon ~~such~~
16 THE tenant or lessee requiring ~~in the alternative the~~ EITHER compliance
17 with such MATERIAL condition or covenant or the delivery of the
18 possession of the premises. ~~so held;~~

19 (II) ~~except that,~~ For a nonresidential RENTAL agreement or an
20 employer-provided housing agreement, three days' ADVANCE notice is
21 required, ~~pursuant to this section,~~ and for an exempt residential
22 agreement, five days' ADVANCE notice is required. ~~pursuant to this~~
23 ~~section.~~

24 (e.7) WHEN:

25 (I) A TENANT OR LESSEE HOLDS OVER UPON THE EXPIRATION OF A
26 RESIDENTIAL RENTAL AGREEMENT AFTER REFUSING TO SIGN A NEW
27 RESIDENTIAL RENTAL AGREEMENT WITH TERMS THAT ARE SUBSTANTIALLY
28 IDENTICAL TO THE TENANT'S CURRENT RESIDENTIAL RENTAL AGREEMENT,
29 INCLUDING TERMS ESTABLISHING RENT IN THE SAME AMOUNT OR IN A
30 REASONABLY INCREASED AMOUNT; AND

31 (II) THE LANDLORD HAS PROVIDED THE TENANT OR LESSEE TEN
32 DAYS' ADVANCE WRITTEN NOTICE IN ENGLISH AND SPANISH, WHICH
33 NOTICE REQUIRES THE TENANT TO EITHER SIGN THE NEW RESIDENTIAL
34 RENTAL AGREEMENT OR DELIVER POSSESSION OF THE PREMISES TO THE
35 LANDLORD; EXCEPT THAT, FOR AN EMPLOYER-PROVIDED HOUSING
36 AGREEMENT, THREE DAYS' ADVANCE NOTICE IS REQUIRED, AND FOR AN
37 EXEMPT RESIDENTIAL AGREEMENT, FIVE DAYS' ADVANCE NOTICE IS
38 REQUIRED.".

39 Renumber succeeding sections accordingly.

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