

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 23-0543.02 Alison Killen x4350

HOUSE BILL 23-1115

HOUSE SPONSORSHIP

Mabrey and Velasco, Bacon, Boesenecker, deGruy Kennedy, Duran, English, Epps, Garcia, Gonzales-Gutierrez, Jodeh, Kipp, Lindsay, Martinez, Ortiz, Parenti, Sharbini, Sirota, Story, Vigil, Willford, Woodrow

SENATE SPONSORSHIP

Rodriguez,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REPEAL OF STATUTORY PROVISIONS PROHIBITING**
102 **LOCAL GOVERNMENTS FROM ENACTING RENT CONTROL ON**
103 **PRIVATE RESIDENTIAL PROPERTY OR A PRIVATE RESIDENTIAL**
104 **HOUSING UNIT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill repeals statutory provisions prohibiting counties and municipalities from enacting any ordinance or resolution that would control rent on private residential property or a private residential housing

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

unit. The bill also makes a conforming amendment.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** part 3 of
3 article 12 of title 38.

4 **SECTION 2.** In Colorado Revised Statutes, 29-20-104, **amend**
5 (1)(e.5) as follows:

6 **29-20-104. Powers of local governments - definition.**

7 (1) Except as expressly provided in section 29-20-104.5, the power and
8 authority granted by this section does not limit any power or authority
9 presently exercised or previously granted. Each local government within
10 its respective jurisdiction has the authority to plan for and regulate the use
11 of land by:

12 (e.5) Regulating development or redevelopment in order to
13 promote the construction of new affordable housing units. ~~The provisions~~
14 ~~of section 38-12-301 shall not apply to any land use regulation adopted~~
15 ~~pursuant to this section that restricts rents on newly constructed or~~
16 ~~redeveloped housing units as long as the regulation provides a choice of~~
17 ~~options to the property owner or land developer and creates one or more~~
18 ~~alternatives to the construction of new affordable housing units on the~~
19 ~~building site. Nothing in this subsection (1)(e.5) is construed to authorize~~
20 ~~a local government to adopt or enforce any ordinance or regulation that~~
21 ~~would have the effect of controlling rent on any existing private~~
22 ~~residential housing unit in violation of section 38-12-301.~~

23 **SECTION 3. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V
2 of the state constitution against this act or an item, section, or part of this
3 act within such period, then the act, item, section, or part will not take
4 effect unless approved by the people at the general election to be held in
5 November 2024 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.