

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE McKean

1 Strike the Transportation & Local Government Committee Report, dated
2 February 27, 2019, and substitute:

3 "Amend printed bill, page 2, strike line 3, and substitute "(1)(d) as
4 follows:"

5 Page 2 of the printed bill, line 6, after "(d)" insert "(I)".

6 Page 2 of the printed bill, line 9, strike "~~three~~ FOURTEEN" and substitute
7 "three".

8 Page 2 of the printed bill, line 11, after "rent" insert "PURSUANT TO
9 SUBSECTION (1)(d)(II) OF THIS SECTION".

10 Page 2 of the printed bill, line 12, strike "~~three~~ FOURTEEN days" and
11 substitute "~~three days~~".

12 Page 2 of the printed bill, after line 17 insert:

13 "(II) EXCEPT FOR A SECOND OR SUBSEQUENT DEFAULT IN THE
14 PAYMENT OF RENT PURSUANT TO THE RESIDENTIAL AGREEMENT UNDER
15 WHICH THE TENANT HOLDS WITHIN SIX MONTHS OF A PREVIOUS VIOLATION
16 OF THE SAME AGREEMENT, THE NOTICE REQUIRED BY THIS SUBSECTION
17 (1)(d) MUST ALLOW A TENANT THE OPPORTUNITY TO CURE ANY DEFAULT
18 IN THE PAYMENT OF RENT WITHIN FOURTEEN DAYS AFTER THE NOTICE OR
19 BY THE DATE AT WHICH AN ANSWER IS DUE PURSUANT TO SECTION
20 13-40-113 IN AN ACTION ARISING FROM THE DEFAULT IN THE PAYMENT OF
21 RENT, WHICHEVER IS SOONER. NOTHING IN THIS SUBSECTION (1)(d)(II)
22 PROHIBITS A LANDLORD FROM INITIATING AN ACTION PURSUANT TO THIS
23 ARTICLE 40 FOLLOWING THE EXPIRATION OF THE THREE DAYS' NOTICE
24 PERIOD DESCRIBED IN SUBSECTION (1)(d)(I) OF THIS SECTION. FOR A
25 SECOND OR SUBSEQUENT DEFAULT IN THE PAYMENT OF RENT PURSUANT
26 TO THE AGREEMENT UNDER WHICH THE TENANT HOLDS WITHIN SIX
27 MONTHS OF A PREVIOUS VIOLATION OF THE SAME AGREEMENT, THE NOTICE
28 REQUIRED BY THIS SUBSECTION (1)(d) MAY REQUIRE PAYMENT WITHIN
29 THREE DAYS. THIS SUBSECTION (1)(d)(II) DOES NOT APPLY TO A DEFAULT
30 IN THE PAYMENT OF RENT FOR A NONRESIDENTIAL AGREEMENT."

31 Page 2 of the printed bill, strike lines 18 through 22.

32 Page 3 of the printed bill, strike lines 1 through 6."

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