

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Hill

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

3 Page 2, line 6, after "(d)" insert "(I)".

4 Page 2, line 9, strike "TEN" and substitute "SEVEN".

5 Page 2, strike lines 11 through 13, and substitute "of the rent PURSUANT
6 TO SUBSECTION (1)(d)(II) OF THIS SECTION or the possession of the
7 premises."

8 Page 2, line 14, strike "SECTION."

9 Page 2, after line 19 insert:

10 "(II) (A) THE NOTICE REQUIRED BY THIS SUBSECTION (1)(d) MUST
11 ALLOW A TENANT THE OPPORTUNITY TO CURE ANY DEFAULT IN THE
12 PAYMENT OF RENT WITHIN FOURTEEN DAYS AFTER THE NOTICE OR BY THE
13 DATE AT WHICH AN ANSWER IS DUE PURSUANT TO SECTION 13-40-113 IN
14 AN ACTION ARISING FROM THE DEFAULT IN THE PAYMENT OF RENT,
15 WHICHEVER IS SOONER. NOTHING IN THIS SUBSECTION (1)(d)(II) PROHIBITS
16 A LANDLORD FROM INITIATING AN ACTION PURSUANT TO THIS ARTICLE 40
17 FOLLOWING THE EXPIRATION OF THE SEVEN DAYS' NOTICE PERIOD
18 DESCRIBED IN SUBSECTION (1)(d)(I) OF THIS SECTION. THIS SUBSECTION
19 (1)(d)(II) DOES NOT APPLY TO A DEFAULT IN THE PAYMENT OF RENT FOR
20 A NONRESIDENTIAL AGREEMENT.

21 (B) A LANDLORD OR ANY OTHER PERSON SHALL NOT USE AN
22 ACTION BROUGHT BY A LANDLORD PURSUANT TO THIS ARTICLE 40 AS THE
23 BASIS TO MAKE HOUSING UNAVAILABLE TO THE TENANT OR TAKE ANY
24 OTHER ADVERSE CREDIT ACTION AGAINST THE TENANT IF THE TENANT
25 CURES THE LEASE VIOLATION SO THAT THERE IS NO JUDGMENT FOR
26 POSSESSION IN FAVOR OF THE LANDLORD IN THE ACTION."

27 Page 2, strike lines 20 through 22.

28 Page 3, strike lines 1 through 23.

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