

HB19-1170

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Weissman

1 Amend printed bill, page 4, strike lines 13 through 20 and substitute:

2 "SECTION 3. In Colorado Revised Statutes, **amend** 38-12-502
3 as follows:

4 **38-12-502. Definitions.** As used in this part 5 and part 8 of this
5 article 12, unless the context otherwise requires:

6 (1) "APPLIANCE" MEANS A REFRIGERATOR, RANGE STOVE, OR OVEN
7 THAT IS INCLUDED WITHIN A RESIDENTIAL PREMISES BY A LANDLORD FOR
8 THE USE OF THE TENANT PURSUANT TO THE RENTAL AGREEMENT OR ANY
9 OTHER AGREEMENT BETWEEN THE LANDLORD AND THE TENANT. NOTHING
10 IN THIS SECTION REQUIRES A LANDLORD TO PROVIDE ANY APPLIANCE, AND
11 SECTION 38-12-505 APPLIES TO APPLIANCES SOLELY TO THE EXTENT THAT
12 APPLIANCES ARE PART OF A WRITTEN AGREEMENT BETWEEN THE
13 LANDLORD AND THE TENANT OR ARE OTHERWISE ACTUALLY PROVIDED TO
14 A TENANT BY THE LANDLORD AT THE INCEPTION OF THE TENANT'S
15 OCCUPANCY OF THE RESIDENTIAL PREMISES.

16 ~~(1)~~ (2) "Common areas" means the facilities and appurtenances to
17 a residential premises, including the grounds, areas, and facilities held out
18 for the use of tenants generally or whose use is promised to a tenant.

19 ~~(2)~~ (3) "Dwelling unit" means a structure or the part of a structure
20 that is used as a home, residence, or sleeping place by a tenant.

21 (4) "ELECTRONIC NOTICE" MEANS NOTICE BY ELECTRONIC MAIL OR
22 AN ELECTRONIC PORTAL OR MANAGEMENT COMMUNICATIONS SYSTEM
23 THAT IS AVAILABLE TO BOTH A LANDLORD AND A TENANT.

24 ~~(3)~~ (5) "Landlord" means the owner, manager, lessor, or sublessor
25 of a residential premises.

26 ~~(4)~~ (6) "Rental agreement" means the agreement, written or oral,
27 embodying the terms and conditions concerning the use and occupancy
28 of a residential premises.

29 ~~(5)~~ (7) "Residential premises" means a dwelling unit, the structure
30 of which the unit is a part, and the common areas.

31 ~~(6)~~ (8) "Tenant" means a person entitled under a rental agreement
32 to occupy a dwelling unit to the exclusion of others."

33 Page 6, strike lines 14 through 16 and substitute:

34 "(I) FUNCTIONING APPLIANCES THAT CONFORMED TO APPLICABLE
35 LAW AT THE TIME OF INSTALLATION AND THAT ARE MAINTAINED IN GOOD
36 WORKING ORDER;".

37 Page 10, line 2, strike "38-12-505 (1)" and substitute "38-12-503
38 (2)(a)(II)".

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