

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Local Government & Housing.

HB23-1095 be amended as follows:

1 Amend reengrossed bill, page 4, strike lines 25 through 27.

2 Page 5, strike lines 1 through 3 and substitute:

3 "(4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
4 CONTRARY, SUBSECTIONS (3)(a)(III)(A), (3)(a)(III)(C), (3)(a)(III)(D),
5 (3)(a)(IV), (3)(a)(V), (3)(a)(VI), AND (3)(a)(VII) OF THIS SECTION DO NOT
6 APPLY TO A RENTAL AGREEMENT CONCERNING THE OCCUPANCY OF A
7 MOBILE HOME, AS DEFINED IN SECTION 38-12-201.5 (5), IN A MOBILE HOME
8 PARK, AS DEFINED IN SECTION 38-12-201.5 (6).

9 (5) NOTHING IN THIS SECTION LIMITS OR RESTRICTS ANY RIGHTS OR
10 REMEDIES THAT ARE AVAILABLE ELSEWHERE IN LAW, INCLUDING UNDER
11 THE "MOBILE HOME PARK ACT", PART 2 OF ARTICLE 12 OF THIS TITLE 38,
12 OR PURSUANT TO ANY JUDICIAL INTERPRETATIONS OF THE "MOBILE HOME
13 PARK ACT".

14 Renumber succeeding subsections accordingly.

15 Page 5, after line 9 insert:

16 "(a) "ACCESSORY DWELLING UNIT" MEANS AN INTERNAL,
17 ATTACHED, OR DETACHED RESIDENTIAL DWELLING UNIT THAT:

18 (I) PROVIDES COMPLETE INDEPENDENT LIVING FACILITIES FOR ONE
19 OR MORE PERSONS;

20 (II) IS LOCATED ON THE SAME LOT AS A PROPOSED OR EXISTING
21 PRIMARY RESIDENCE; AND

22 (III) INCLUDES PROVISIONS FOR LIVING, SLEEPING, EATING,
23 COOKING, AND SANITATION."

24 Reletter succeeding paragraphs accordingly.

25 Page 5, strike lines 22 through 25 and substitute "OR TO AN ACCESSORY
26 DWELLING UNIT OF A RESIDENTIAL PREMISES IF:

27 (a) THE OWNER OF THE DUPLEX, TRIPLEX, OR RESIDENTIAL
28 PREMISES USES THE RESIDENTIAL PREMISES OR AT LEAST ONE OF THE UNITS
29 OF THE DUPLEX OR TRIPLEX, AS APPLICABLE, AS THE OWNER'S PRIMARY
30 RESIDENCE; OR

31 (b) THE OWNER'S PRIMARY RESIDENCE IS ON THE SAME LOT AS THE
32 DUPLEX, TRIPLEX, OR RESIDENTIAL PREMISES."

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