

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 11-1022

BY REPRESENTATIVE(S) Scott, Massey, Holbert, Joshi, McNulty, Barker, Baumgardner, Beezley, Bradford, Brown, Conti, Court, Fields, Gardner B., Gerou, Kerr J., Lee, Liston, Looper, Nikkel, Pabon, Ramirez, Summers, Swerdfeger, Szabo, Waller, Williams A., Wilson;
also SENATOR(S) Morse, Harvey, Grantham, Steadman, Aguilar, Giron, Jahn, Newell, Scheffel, Williams S.

CONCERNING THE EXEMPTION FROM LAWS REGULATING MORTGAGE LOAN ORIGINATORS OF CERTAIN PERSONS PROVIDING SELLER FINANCING FOR THE SALE OF A LIMITED NUMBER OF RESIDENTIAL PROPERTIES.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds that:

- (a) Colorado is currently experiencing a deep economic recession;
- (b) The housing market is vital to any economic recovery in Colorado;
- (c) The recovery of housing markets in Colorado, much like other states, are impeded by tight credit market conditions and the inability of

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

borrowers to receive the financing necessary to purchase real property and thereby relieve the markets of excess inventory; and

(d) In order for excess inventory to be consumed, and thereby the housing market to recover, real property in Colorado must have the ability to be conveyed using all available means of financing.

SECTION 2. The introductory portion to 12-61-904 (1) and 12-61-904 (1) (b), Colorado Revised Statutes, are amended to read:

12-61-904. Exemptions. (1) Except as otherwise provided in section 12-61-911, this part 9 ~~shall~~ DOES not apply to the following:

(b) ~~An individual who only offers or negotiates terms of a residential mortgage loan secured by a dwelling that served as the individual's residence~~ WITH RESPECT TO A RESIDENTIAL MORTGAGE LOAN, A PERSON, ESTATE, OR TRUST THAT PROVIDES MORTGAGE FINANCING FOR THE SALE OF NO MORE THAN THREE PROPERTIES IN ANY TWELVE-MONTH PERIOD TO PURCHASERS OF SUCH PROPERTIES, EACH OF WHICH IS OWNED BY SUCH PERSON, ESTATE, OR TRUST AND SERVES AS SECURITY FOR THE LOAN;

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO