

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0793.01 Duane Gall x4335

SENATE BILL 14-140

SENATE SPONSORSHIP

Hill,

HOUSE SPONSORSHIP

(None),

Senate Committees
State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING A PROHIBITION ON THE EXERCISE OF LIEN RIGHTS UNDER
102 THE "COLORADO COMMON INTEREST OWNERSHIP ACT" BY
103 UNIT OWNERS' ASSOCIATIONS THAT DO NOT ELECT TO BE
104 COVERED BY THE ENTIRE ACT.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill requires that, in order to establish or foreclose a lien for assessments, a homeowners' association must be subject to the entire

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

"Colorado Common Interest Ownership Act".

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-33.3-116, **add** (4)
3 as follows:

4 **38-33.3-116. Exception for new small cooperatives and small**
5 **and limited expense planned communities.** (4) NOTWITHSTANDING
6 ANY OTHER PROVISION OF LAW, A COOPERATIVE, PLANNED COMMUNITY,
7 OR OTHER ENTITY, HOWEVER DESIGNATED, THAT PURPORTS TO COME
8 WITHIN THE EXCEPTION STATED IN THIS SECTION SHALL NOT IMPOSE OR
9 FORECLOSE A LIEN FOR ASSESSMENTS OR FOR ANY OTHER FEE, CHARGE,
10 LATE CHARGE, ATTORNEY FEE, FINE, OR INTEREST ALLEGEDLY DUE TO THE
11 ENTITY UNLESS THE DECLARATION PROVIDES THAT THIS ENTIRE ARTICLE
12 IS APPLICABLE. A LIEN IMPOSED IN VIOLATION OF THIS SUBSECTION (4),
13 REGARDLESS OF WHEN IT IS OR WAS IMPOSED, IS HEREBY DECLARED
14 CONTRARY TO PUBLIC POLICY AND IS VOID.

15 **SECTION 2. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.