

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0472.01 Chelsea Princell x4335

HOUSE BILL 24-1085

HOUSE SPONSORSHIP

Frizell and Amabile,

SENATE SPONSORSHIP

Gardner,

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 CONCERNING ESTABLISHING A LIMITATION OF ACTIONS AGAINST AN
102 INDIVIDUAL PERFORMING A REAL ESTATE APPRAISAL PRACTICE.

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://leg.colorado.gov>.)

Under current law, the statute of limitation to bring a claim against a real estate appraiser does not commence until the party filing the claim discovers, or should discover, an alleged defect in the appraisal.

The bill requires a claimant to bring an action against a real estate appraiser or individual performing a real estate appraisal practice within 3 years after the date of report; except that, if a cause of action arises

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

during the third year after the date of report, the action must be brought within 2 years after the date the cause of action arose.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 13-80-105.5 as
3 follows:

4 **13-80-105.5. Limitation of actions against a real estate**
5 **appraiser - definitions.** (1) NOTWITHSTANDING ANY STATUTORY
6 PROVISION TO THE CONTRARY, AN ACTION AGAINST A REAL ESTATE
7 APPRAISER OR INDIVIDUAL PERFORMING A REAL ESTATE APPRAISAL
8 PRACTICE MUST BE BROUGHT WITHIN THREE YEARS AFTER THE DATE OF
9 REPORT; EXCEPT THAT, IF A CAUSE OF ACTION ARISES DURING THE THIRD
10 YEAR AFTER THE DATE OF REPORT, THE ACTION MUST BE BROUGHT WITHIN
11 TWO YEARS AFTER THE DATE THE CAUSE OF ACTION AROSE.

12 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
13 REQUIRES:

14 (a) "DATE OF REPORT" MEANS THE DATE WHEN AN APPRAISAL
15 REPORT IS COMPLETED AND TRANSMITTED TO THE CLIENT.

16 (b) "REAL ESTATE APPRAISAL PRACTICE" MEANS REAL ESTATE
17 VALUATION SERVICES PERFORMED BY AN INDIVIDUAL ACTING AS AN
18 APPRAISER, INCLUDING, BUT NOT LIMITED TO, APPRAISAL AND APPRAISAL
19 REVIEW.

20 **SECTION 2. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly; except
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V
24 of the state constitution against this act or an item, section, or part of this
25 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in
2 November 2024 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.