

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0333.01 Shelby Ross x4510

SENATE BILL 24-064

SENATE SPONSORSHIP

Mullica,

HOUSE SPONSORSHIP

Bird,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING REQUIRING THE JUDICIAL DEPARTMENT TO MAKE
102 RESIDENTIAL EVICTION-RELATED INFORMATION AVAILABLE TO
103 THE PUBLIC.

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>.)

The bill requires the judicial department to collect, compile, and publish online, on a monthly basis, aggregate residential eviction data for all forcible entry and detainer actions filed in each county in the immediately preceding month. The judicial department shall make individual case level residential eviction data available upon request. The

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.

bill requires the judicial department to publish online in a searchable format, and make available free of charge, every final order issued by Colorado district courts regarding residential eviction actions.

The bill requires the complaint for an eviction action to include the street address and the zip code.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 13-40-128 as
3 follows:

4 **13-40-128. Monthly residential eviction data - report -**
5 **definition.** (1) AS USED IN THIS SECTION, "RESIDENTIAL EVICTION DATA"
6 MEANS, FOR EACH RESIDENTIAL FORCIBLE ENTRY AND DETAINER ACTION
7 FILED PURSUANT TO THIS ARTICLE 40:

- 8 (a) THE DATE THE COMPLAINT WAS FILED;
- 9 (b) THE DATE AN INITIAL ANSWER IS REQUIRED TO BE SUBMITTED;
- 10 (c) THE DATE OF THE SCHEDULED HEARING;
- 11 (d) WHETHER THE PLAINTIFF WAS REPRESENTED BY LEGAL
12 COUNSEL;
- 13 (e) WHETHER THE TENANT WAS REPRESENTED BY LEGAL COUNSEL;
- 14 (f) WHETHER THE TENANT FILED AN ANSWER;
- 15 (g) ONE OF THE FOLLOWING CASE OUTCOMES:
- 16 (I) DEFAULT JUDGMENT;
- 17 (II) JUDGMENT FOR POSSESSION;
- 18 (III) WRIT OF RESTITUTION; OR
- 19 (IV) DISMISSAL;
- 20 (h) THE ZIP CODE OF THE PROPERTY AT ISSUE;
- 21 (i) WHETHER THE ACTION WAS FILED FOR:
- 22 (I) NONPAYMENT OF RENT OR UTILITIES; OR
- 23 (II) OTHER LEASE VIOLATIONS;

1 (j) THE TOTAL AMOUNT OF UNPAID RENT OR UTILITIES, AND ANY
2 LATE FEES THAT THE PLAINTIFF CLAIMS THE TENANT OWES;

3 (k) WHETHER THE TENANT ELECTED TO PARTICIPATE IN PERSON OR
4 REMOTELY; AND

5 (l) WHETHER THE PLAINTIFF ELECTED TO PARTICIPATE IN PERSON
6 OR REMOTELY.

7 (2) (a) BEGINNING JULY 1, 2024, THE JUDICIAL DEPARTMENT
8 SHALL ELECTRONICALLY COLLECT RESIDENTIAL EVICTION DATA FOR ALL
9 ACTIONS FILED IN EACH COUNTY, INCLUDING DENVER COUNTY COURT,
10 PURSUANT TO THIS ARTICLE 40.

11 (b) BEGINNING JANUARY 1, 2025, THE JUDICIAL DEPARTMENT
12 SHALL, ON A MONTHLY BASIS, COMPILE AND PUBLISH ONLINE IN A
13 SEARCHABLE FORMAT, AND MAKE AVAILABLE FREE OF CHARGE,
14 AGGREGATE RESIDENTIAL EVICTION DATA FOR ALL ACTIONS FILED IN EACH
15 COUNTY, INCLUDING DENVER COUNTY COURT, PURSUANT TO THIS ARTICLE
16 40 THAT CONCLUDED IN THE IMMEDIATELY PRECEDING MONTH; EXCEPT
17 THAT ON JANUARY 1, 2025, THE JUDICIAL DEPARTMENT SHALL COMPILE
18 AND PUBLISH ONLINE THE AGGREGATE RESIDENTIAL EVICTION DATA FOR
19 JULY 1, 2024, THROUGH DECEMBER 31, 2024. THE JUDICIAL DEPARTMENT
20 SHALL POST THE RESIDENTIAL EVICTION DATA IN A CONSPICUOUS PLACE
21 ON THE JUDICIAL DEPARTMENT'S WEBSITE.

22 (c) THE JUDICIAL DEPARTMENT SHALL, UPON REQUEST, MAKE
23 AVAILABLE RESIDENTIAL EVICTION DATA ON AN INDIVIDUAL CASE LEVEL.
24 ANY INDIVIDUAL CASE LEVEL RESIDENTIAL EVICTION DATA MADE
25 AVAILABLE PURSUANT TO THIS SUBSECTION (2)(c) MUST COMPLY WITH
26 CONFIDENTIALITY REQUIREMENTS AND ALL RELEVANT STATE AND
27 JUDICIAL DATA GOVERNANCE STANDARDS AND MUST ENSURE THE

1 REQUESTING ENTITY WILL NEITHER DISCLOSE ANY PERSONALLY
2 IDENTIFIABLE INFORMATION ABOUT THE PROPERTY OWNER, LANDLORD, OR
3 TENANT NOR MAKE THE DATA PUBLICLY ACCESSIBLE IN ANY WAY THAT
4 WOULD ENABLE A THIRD PARTY TO DISCERN THE IDENTITY OF AN
5 INDIVIDUAL PROPERTY OWNER, LANDLORD, OR TENANT.

6 (3) BEGINNING JANUARY 1, 2025, THE JUDICIAL DEPARTMENT
7 SHALL PUBLISH ONLINE IN A SEARCHABLE FORMAT, AND MAKE AVAILABLE
8 FREE OF CHARGE, EVERY FINAL ORDER ISSUED BY COLORADO DISTRICT
9 COURTS IN AN APPEAL FROM COUNTY COURT PURSUANT TO SECTION
10 13-6-310 FOR RESIDENTIAL EVICTION ACTIONS FILED PURSUANT TO THIS
11 ARTICLE 40. THE PLAINTIFF'S AND TENANT'S PERSONALLY IDENTIFYING
12 INFORMATION THAT APPEARS IN THE PUBLISHED FINAL ORDER ON APPEAL
13 MUST BE REDACTED AND THE PLAINTIFF'S AND TENANT'S NAMES MUST BE
14 REPLACED WITH THE PLAINTIFF'S AND TENANT'S INITIALS.

15 (4) BEGINNING JANUARY 2025 AND EACH JANUARY THEREAFTER
16 UNTIL JANUARY 2035, THE JUDICIAL DEPARTMENT SHALL REPORT TO THE
17 HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE AND THE SENATE
18 JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, DURING THE
19 JUDICIAL DEPARTMENT'S "SMART ACT" HEARING PURSUANT TO PART 2
20 OF ARTICLE 7 OF TITLE 2, ON THE COMPILED RESIDENTIAL EVICTION DATA
21 COLLECTED AND PUBLISHED PURSUANT TO THIS SECTION IN THE
22 AGGREGATE FOR THE PREVIOUS CALENDAR YEAR. AT A MINIMUM, THE
23 REPORT MUST INCLUDE THE NUMBER OF REQUESTS FOR INDIVIDUAL CASE
24 LEVEL RESIDENTIAL EVICTION DATA PURSUANT TO SUBSECTION (2)(c) OF
25 THIS SECTION AND THE NAMES OF THE REQUESTING ENTITIES.

26 **SECTION 2.** In Colorado Revised Statutes, 13-40-110, **amend**
27 (1)(a) introductory portion as follows:

1 **13-40-110. Action - how commenced - report.** (1) (a) An action
2 ~~under~~ PURSUANT TO this article 40 is commenced by filing with the court
3 a complaint in writing describing the property with reasonable certainty;
4 THE STREET ADDRESS AND THE ZIP CODE, LISTED SEPARATELY; the grounds
5 for ~~the~~ recovery; ~~thereof~~; the name of the person in possession or
6 occupancy; a prayer for recovery of possession; and a signed affidavit that
7 states:

8 **SECTION 3. Safety clause.** The general assembly finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety or for appropriations for
11 the support and maintenance of the departments of the state and state
12 institutions.