



Colorado Legislative Council Staff Fiscal Note

NO FISCAL IMPACT

Drafting Number: LLS 10-0232**Date:** January 15, 2010**Prime Sponsor(s):** Rep. Kagan
Sen. Boyd**Bill Status:** House Local Government**Fiscal Analyst:** Harry Zeid (303-866-4753)

TITLE: CONCERNING AUTHORIZATION FOR CERTAIN PUBLIC ENTITIES TO ENTER INTO VOLUNTARY AGREEMENTS AFFECTING RENT ON PRIVATE RESIDENTIAL PROPERTY.

Summary of Legislation

This bill, recommended by the Economic Opportunity Poverty Reduction Task Force, authorizes certain public entities to enter into voluntary agreements affecting rent on private residential property. Current law prohibits counties and municipalities from enacting any ordinance or resolution that would control rent on private residential property. The bill clarifies that the rent control statute applies only to private residential housing units.

The bill also affirms that current law does not prohibit or restrict the right of a property owner and a public entity from voluntarily entering into an agreement that controls rent on a private residential housing unit. Any agreement between a property owner and public entity may specify how long a unit is subject to its terms, whether or not subsequent property owners are subject to the agreement, and may also include remedies for early termination. Finally, the bill does not preclude public entities from cooperatively entering into an agreement, nor does it preclude the assignment of rights and remedies to any party to the agreement.

The bill takes effect on September 1, 2010, assuming no referendum petition is filed. The bill applies to agreements entered into before, on, or after the applicable effective date of the bill.

Assessment

The bill is assessed as having no fiscal impact. The bill does not affect state or local revenue or expenditures, but rather allows certain public entities to enter into voluntary agreements with private property owners to provide affordable housing units in return for variations from applicable zoning and planning requirements.

Departments Contacted

Local Affairs