

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0511.01 Bart Miller x2173

SENATE BILL 13-118

SENATE SPONSORSHIP

Hodge,

HOUSE SPONSORSHIP

Pabon,

Senate Committees
Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING CLARIFICATION OF THE EXEMPTIONS FROM THE LAWS**
102 **REGULATING MORTGAGE LOAN ORIGINATORS, AND, IN**
103 **CONNECTION THEREWITH, EXEMPTING REAL ESTATE LICENSEES**
104 **REPRESENTING PERSONS PROVIDING SELLER FINANCING FOR**
105 **THE SALE OF A LIMITED NUMBER OF RESIDENTIAL PROPERTIES**
106 **ANNUALLY AS ALLOWED BY LAW.**

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>.)

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.

In the "Mortgage Loan Originator Licensing and Mortgage Company Registration Act" (act), the bill clarifies the exemption for a person, estate, or trust providing seller financing for no more than 5 residential properties in a 12-month period by specifying that seller financing continues to be subject to provisions of the law prohibiting fraudulent and deceptive practices. The bill also exempts a real estate licensee representing a person that qualifies for this exemption.

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

2 **SECTION 1. In Colorado Revised Statutes, 12-61-904, add (1)**

3 **(1) as follows:**

4 **12-61-904. Exemptions - rules. (1) Except as otherwise provided**
5 **in section 12-61-911, this part 9 does not apply to the following, unless**
6 otherwise determined by the federal bureau of consumer financial
7 protection or the United States department of housing and urban
8 development:

9

10 (1) A PERSON LICENSED UNDER PART 1 OF THIS ARTICLE WHO
11 REPRESENTS A PERSON, ESTATE, OR TRUST PROVIDING MORTGAGE
12 FINANCING UNDER PARAGRAPH (b) OF THIS SUBSECTION (1).

13

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