

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

March 16, 2015  
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

SB15-091 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, strike line 3 and substitute "(1) (a) and (2);  
2 and **add** (1.5) as follows:".

3 Page 2, line 6, strike "Notwithstanding" and substitute "~~Notwithstanding~~  
4 EXCEPT AS PROVIDED IN SUBSECTION (1.5) OF THIS SECTION,  
5 NOTWITHSTANDING".

6 Page 2, line 12, strike "six".

7 Page 2, line 13, strike "THREE" and substitute "six".

8 Page 2, strike lines 15 through 19 and substitute:

9 "(1.5) (a) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1)  
10 OF THIS SECTION TO THE CONTRARY, ALL ACTIONS AGAINST ANY  
11 ARCHITECT, CONTRACTOR, BUILDER OR BUILDER VENDOR, ENGINEER, OR  
12 INSPECTOR PERFORMING OR FURNISHING THE DESIGN, PLANNING,  
13 SUPERVISION, INSPECTION, CONSTRUCTION, OR OBSERVATION OF  
14 CONSTRUCTION OF ANY IMPROVEMENT TO SINGLE-FAMILY DETACHED  
15 RESIDENTIAL REAL PROPERTY SHALL BE BROUGHT WITHIN THE TIME  
16 PROVIDED IN SECTION 13-80-102 AFTER THE CLAIM FOR RELIEF ARISES,  
17 AND NOT THEREAFTER, BUT IN NO CASE SHALL SUCH AN ACTION BE  
18 BROUGHT MORE THAN FIVE YEARS AFTER THE SUBSTANTIAL COMPLETION  
19 OF THE IMPROVEMENT TO THE REAL PROPERTY, EXCEPT AS PROVIDED IN

1 SUBSECTION (2) OF THIS SECTION.  
2 (b) IF A CAUSE OF ACTION SUBJECT TO THIS SUBSECTION (1.5)  
3 ARISES DURING THE FOURTH OR FIFTH YEAR AFTER SUBSTANTIAL  
4 COMPLETION OF THE IMPROVEMENT TO SINGLE-FAMILY DETACHED  
5 RESIDENTIAL REAL PROPERTY, THE ACTION MUST BE BROUGHT WITHIN ONE  
6 YEAR AFTER THE DATE UPON WHICH THE CAUSE OF ACTION ARISES.  
7 (2) EXCEPT AS PROVIDED IN SUBSECTION (1.5) OF THIS SECTION, in  
8 case any such cause of action arises during the fifth or sixth year after  
9 substantial completion of the improvement to real property, said action  
10 shall be brought within one year after the date upon which the cause of  
11 action arises."

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