

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 11, 2015  
Date

Committee on State, Veterans, & Military Affairs.

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

HB15-1113 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 lines 13 through 22 and substitute  
2 "PERIOD AFTER WHICH A HOLDER OF AN EVIDENCE OF DEBT, IN RELATION  
3 TO A FORECLOSURE SALE, OR AN ATTORNEY FOR THE HOLDER HAS  
4 WITHDRAWN A NOTICE OF ELECTION AND DEMAND PURSUANT TO SECTION  
5 38-38-109 (3) AND REFILED THE NOTICE OF ELECTION AND DEMAND AFTER  
6 WITHDRAWAL."

7 Page 3, strike lines 1 through 22 and substitute:  
8 "SECTION 2. In Colorado Revised Statutes, 38-38-109, add  
9 (1.5) as follows:  
10 **38-38-109. Continuance of debt - effect of bankruptcy -**  
11 **withdrawal of sale. (1.5) Effect of withdrawal and refiling of sale.**  
12 (a) A HOLDER OF AN EVIDENCE OF DEBT IS LIABLE FOR ANY COMMON  
13 EXPENSE ASSESSMENTS MADE AGAINST THE PROPERTY PURSUANT TO  
14 SECTION 38-33.3-315 IF THE HOLDER OR AN ATTORNEY FOR THE HOLDER  
15 WITHDRAWS THE NOTICE OF ELECTION AND DEMAND AND REFILES THE  
16 NOTICE OF ELECTION AND DEMAND AFTER WITHDRAWAL.  
17 (b) THE COMMON EXPENSE ASSESSMENTS OWED BY THE HOLDER  
18 ACCUMULATE WITH EACH REILING OF THE NOTICE OF ELECTION AND  
19 DEMAND."

20 Page 1, strike lines 106 and 107 and substitute "**INTEREST OWNERSHIP**  
21 **ACT" FOR THE PERIOD AFTER THE WITHDRAWAL AND REILING OF THE**  
22 **FORECLOSURE SALE."**

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