

CLSB015.003

FIRST REPORT OF SECOND CONFERENCE COMMITTEE
ON SB18-015

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your second conference committee appointed on SB18-015,
concerning the "Protecting Homeowners and Deployed Military
Personnel Act", has met and reports that it has agreed upon the following:

1. That the Senate accede to the House amendments made to the
bill, as the amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 2, strike lines 15 through 17 and substitute:

"(b) (I) "UNAUTHORIZED PERSON" MEANS A PERSON WHO
OCCUPIES AN UNINHABITED OR VACANT RESIDENTIAL PREMISES WITHOUT
ANY CURRENT OR PRIOR AGREEMENT OR CONSENT OF THE OWNER OR AN
AUTHORIZED AGENT OF THE OWNER, WHETHER WRITTEN OR ORAL,
CONCERNING THE USE OF THE RESIDENTIAL PREMISES.

(II) "UNAUTHORIZED PERSON" DOES NOT INCLUDE:

(A) A RELATIVE OF THE PROPERTY OWNER OR A RELATIVE OF AN
AUTHORIZED AGENT OF THE PROPERTY OWNER, INCLUDING A SPOUSE,
DESCENDANT, STEPCHILD, PARENT, STEPPARENT, GRANDPARENT,
BROTHER, SISTER, UNCLE, OR AUNT, WHETHER RELATED BY WHOLE OR
HALF BLOOD OR BY ADOPTION;

(B) A PERSON OR PERSONS FROM WHICH THE OWNER OR AN
AUTHORIZED AGENT OF THE OWNER HAS ACCEPTED MONEY OR ANYTHING
OF VALUE; OR

(C) A PERSON WHO WAS PREVIOUSLY GIVEN PERMISSION TO ENTER
AND REMAIN ON THE PREMISES."

Page 3, strike lines 1 and 2.

Page 3, line 9, strike the first "THE" and substitute "TO THE EXTENT KNOWN OR REASONABLY ASCERTAINABLE, THE".

Page 3, lines 16 and 17, strike "AS SOON AS PRACTICABLE" and substitute "WITHIN ONE COURT DAY".

Page 3, line 19, strike "EXECUTION" and substitute "RESTITUTION".

Page 5, line 5, strike "TWO COURT DAYS" and substitute "THE NEXT COURT DAY".

Page 5, line 6, strike "MOTION." and substitute "MOTION, UNLESS A LATER DATE IS REQUESTED BY THE MOVING PARTY.".

Page 6, line 2, strike "EXECUTION" and substitute "RESTITUTION".

Page 7, line 10, strike "EXECUTION" and substitute "RESTITUTION".

Page 7, line 22, strike "MOTION, UNLESS IT APPEARS FROM" and substitute "MOTION.".

Page 7, strike lines 23 through 27.

Page 8, strike line 1.

Reletter succeeding paragraph accordingly.

Page 8, line 3, strike "EXECUTION" and substitute "RESTITUTION".

Page 8, line 8, strike "EXECUTION" and substitute "RESTITUTION".

Page 8, line 10, strike "WITHIN" and substitute "NO LATER THAN" and strike "HOURS, OR AS SOON AS POSSIBLE," and substitute "HOURS".

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend rerevised bill, page 4, after line 4 insert:

"3. [] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF

THE OWNER HAS EVER GIVEN PERMISSION FOR THE UNAUTHORIZED PERSON OR PERSONS TO ENTER AND REMAIN ON THE PREMISES;

4. [] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER HAS EVER HAD A WRITTEN OR ORAL AGREEMENT WITH THE UNAUTHORIZED PERSON OR PERSONS REGARDING THE USE OF THE PREMISES;

5. [] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER IS RELATED TO THE UNAUTHORIZED PERSON OR PERSONS;

6. [] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER HAS EVER ACCEPTED MONEY OR ANYTHING OF VALUE FROM THE UNAUTHORIZED PERSON OR PERSONS REGARDING THE USE OF THE PREMISES;"

- Page 4, line 6, strike "3." and substitute "7."

Page 4, line 9, strike "4." and substitute "8."

Page 4, strike lines 16 through 19.

Page 4, line 20, strike "6." and substitute "9."

Page 4, strike line 25 and substitute "THE COUNTY COURT PURSUANT TO THIS SECTION MAY BE:

(a) SUBJECT TO SANCTIONS UNDER THE COLORADO RULES OF COUNTY COURT CIVIL PROCEDURE;

(b) HELD IN CONTEMPT OF COURT; OR

(c) PROSECUTED FOR".

Page 6, lines 11 and 12, strike "**OR OTHER LAW ENFORCEMENT OFFICER**".

Page 8, lines 5 and 6, strike "ANY LAW ENFORCEMENT AGENCY" and substitute "THE SHERIFF".

Page 8, lines 11 and 12, strike "PEACE OFFICER" and substitute "SHERIFF, UNDERSHERIFF, OR DEPUTY SHERIFF, AS DESCRIBED IN SECTION 16-2.5-103 (1) OR (2), WHILE OFF DUTY OR ON DUTY AT RATES CHARGED BY THE EMPLOYING SHERIFF'S OFFICE IN ACCORDANCE WITH SECTION 30-1-104 (1)(gg)".

Page 8, line 20, strike "PEACE OFFICER" and substitute "SHERIFF, UNDERSHERIFF, OR DEPUTY SHERIFF".

Page 8, line 21, strike "PEACE OFFICER" and substitute "SHERIFF, UNDERSHERIFF, OR DEPUTY SHERIFF".