

HB1095_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.HB17-1095 be amended as follows:

1 Amend printed bill, page 2, strike lines 2 through 26 and substitute:
 2 "SECTION 1. In Colorado Revised Statutes, add 12-61-1015 as
 3 follows:

4 **12-61-1015. Service of process to residents by private**
 5 **investigators.** (1) A PRIVATE INVESTIGATOR WHO IS LICENSED PURSUANT
 6 TO SECTION 12-58.5-106 IS AUTHORIZED TO SERVE PROCESS TO A
 7 RESIDENT OF A COMMON INTEREST COMMUNITY AND MAY ENTER THE
 8 COMMON INTEREST COMMUNITY FOR A REASONABLE PERIOD OF TIME FOR
 9 THE SOLE PURPOSE OF SERVING PROCESS AFTER HE OR SHE PRESENTS A
 10 COPY OF HIS OR HER PRIVATE INVESTIGATOR'S LICENSE AND A COPY OF THE
 11 DOCUMENTS TO BE SERVED.

12 (2) THIS SECTION APPLIES ONLY TO COMMON INTEREST
 13 COMMUNITIES THAT ARE STAFFED BY ONE OR MORE SECURITY PERSONNEL
 14 AT THE TIME THAT A LICENSED PRIVATE INVESTIGATOR ATTEMPTS TO
 15 SERVE PROCESS TO A RESIDENT. A COMMON INTEREST COMMUNITY THAT
 16 IS NOT STAFFED SHALL ADOPT AND IMPLEMENT A PROCEDURE FOR
 17 ALLOWING LEGITIMATE SERVICE OF PROCESS TO RESIDENTS.

18 (3) A LICENSED PRIVATE INVESTIGATOR WHO IS ALLOWED ACCESS
 19 TO A COMMON INTEREST COMMUNITY TO SERVE PROCESS TO A RESIDENT
 20 PURSUANT TO THIS SECTION SHALL NOT USE SUCH ACCESS TO PERFORM
 21 ANY INVESTIGATIVE ACTIVITIES.

22 **SECTION 2.** In Colorado Revised Statutes, 13-1-125, add (4) as
 23 follows:

24 **13-1-125. Service of process - service of process in multi-unit**
 25 **residential communities.** (4) (a) ON AND AFTER THE EFFECTIVE DATE OF
 26 THIS SUBSECTION (4), A PROPERTY MANAGER OR PROPERTY MANAGEMENT
 27 COMPANY THAT MANAGES A MULTI-UNIT RESIDENTIAL COMMUNITY AND
 28 THAT RESTRICTS ACCESS TO THE COMMUNITY BY NONRESIDENTS SHALL
 29 ESTABLISH AND MAINTAIN A POLICY TO FACILITATE THE SERVICE OF
 30 PROCESS TO RESIDENTS OF THE COMMUNITY.

31 (b) AS USED IN THIS SECTION, "PROPERTY MANAGER" INCLUDES,
 32 BUT IS NOT LIMITED TO, A COMMUNITY ASSOCIATION MANAGER, AS
 33 DEFINED IN SECTION 12-61-1001 (5), AND A DESIGNATED MANAGER, AS
 34 DEFINED IN SECTION 12-61-1001 (5.5), OF A MULTI-UNIT RESIDENTIAL
 35 COMMUNITY."

36 Page 3, strike lines 1 through 24.

37 Renumber succeeding section accordingly.

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