

CHAPTER 399

PROPERTY

HOUSE BILL 25-1236

BY REPRESENTATIVE(S) Lindsay and Zokaie, Boesenecker, Brown, Froelich, Garcia, Mabrey, Ricks, Rutinel, Sirota, Story, Velasco, Bacon, English;
also SENATOR(S) Weissman and Jodeh, Cutter, Exum, Gonzales J., Kipp, Michaelson Jenet, Rodriguez, Sullivan, Wallace, Winter F.

AN ACT**CONCERNING THE SCREENING OF A PROSPECTIVE RESIDENTIAL TENANT BY A LANDLORD.**

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

SECTION 1. In Colorado Revised Statutes, 38-12-902, **amend** (2.5)(e)(I) as follows:

38-12-902. Definitions. As used in this part 9, unless the context otherwise requires:

(2.5) "Portable tenant screening report" or "screening report" means a consumer report prepared at the request of a prospective tenant that includes information provided by a consumer reporting agency, which report includes the following information about a prospective tenant and the date through which the information contained in the report is current:

(e) For each jurisdiction indicated in the consumer report as a prior residence of the prospective tenant, regardless of whether the residence is reported by the prospective tenant or by the consumer reporting agency preparing the consumer report:

(I) A rental and credit history report for the prospective tenant that complies with section 38-12-904 ~~(1)(a)~~ concerning a landlord's consideration of a prospective tenant's rental history; EXCEPT THAT A CREDIT HISTORY REPORT, A CREDIT SCORE, OR AN ADVERSE CREDIT EVENT IS NOT REQUIRED TO BE INCLUDED IN A PORTABLE TENANT SCREENING REPORT CONCERNING A PROSPECTIVE TENANT WHO IS SEEKING TO RENT WITH THE ASSISTANCE OF A HOUSING SUBSIDY; **and**

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION 2. In Colorado Revised Statutes, 38-12-904, **repeal** (1.5)(b)(II) as follows:

38-12-904. Consideration of rental applications - limitations - portable tenant screening report - notice to prospective tenants - denial notice.

(1.5) (b) A landlord receiving a portable tenant screening report may require:

~~(II) That the screening report is made directly available to the landlord by the consumer reporting agency for use in the rental application process or provided through a third-party website that regularly engages in the business of providing consumer reports and complies with all state and federal laws pertaining to use and disclosure of information contained in a consumer report by a consumer reporting agency;~~

SECTION 3. Act subject to petition - effective date - applicability. (1) This act takes effect January 1, 2026; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to rental applications submitted on or after the applicable effective date of this act.

Approved: June 3, 2025