

SENATE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chairman of Committee

\_\_\_\_\_  
Date

Committee on Judiciary.

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

SB06-089 be amended as follows:

1 Amend proposed amendment, (SB089\_L.004), page 1, strike lines 3 and  
2 4 and substitute the following:

3 "SECTION 4. 38-33.3-209.4 (2) (e) and (2) (f), Colorado Revised  
4 Statutes, are amended, and the said 38-33.3-209.4 (2) is further amended  
5 BY THE ADDITION OF A NEW PARAGRAPH, to read:";

6 Page 2, strike line 4, and substitute the following:

7 "CONTENTS.";

8 after line 4, insert the following:

9 "(j) A LIST OF THE ASSOCIATION'S MAINTENANCE RESPONSIBILITIES  
10 AS PROVIDED FOR IN THE COMMON INTEREST COMMUNITY'S DECLARATION  
11 RELATED TO THE COMMON ELEMENTS AND UNITS.

12 SECTION 5. 38-33.3-209.4, Colorado Revised Statutes, is  
13 amended BY THE ADDITION OF A NEW SUBSECTION to read:

14 38-33.3-209.4. Public disclosures required - identity of  
15 association - agent - manager - contact information. (2.5) IN  
16 ADDITION TO THE DISCLOSURES REQUIRED IN PARAGRAPHS (a) TO (j) OF  
17 SUBSECTION (2) OF THIS SECTION, EACH ASSOCIATION IS ENCOURAGED,  
18 BUT NOT REQUIRED, TO DISCLOSE A LIST OF THE ASSOCIATION'S INSURANCE  
19 RESPONSIBILITIES AS PROVIDED FOR IN THE COMMON INTEREST  
20 COMMUNITY'S DECLARATION RELATED TO THE COMMON ELEMENTS, UNITS,

1 OWNER'S PROPERTY, AND OWNER'S LIABILITY WITHIN UNITS. SUCH LIST  
2 SHALL STATE THAT UNIT OWNERS ARE RESPONSIBLE FOR DETERMINING  
3 WHAT ADDITIONAL INDIVIDUAL INSURANCE COVERAGE MUST BE CARRIED  
4 TO COVER INSURANCE RESPONSIBILITIES NOT ALLOCATED TO THE  
5 ASSOCIATION IN THE DECLARATION. IT SHALL BE IN THE EXECUTIVE  
6 BOARD'S SOLE DISCRETION TO DETERMINE THE SCOPE OF THE LIST, IF  
7 PROVIDED. NEITHER THE ASSOCIATION NOR ANY EXECUTIVE BOARD  
8 MEMBER SHALL BE LIABLE FOR THE CONTENTS OF THE LIST SO LONG AS  
9 PREPARATION OF THE LIST WAS NOT WILLFULLY OR GROSSLY NEGLIGENT.

10 Renumber succeeding sections accordingly."."

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