

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.** (1) A PERSON WHO
5 IS AUTHORIZED TO SERVE PROCESS TO A RESIDENT OF A COMMON INTEREST
6 COMMUNITY MAY ENTER THE COMMON INTEREST COMMUNITY FOR A
7 REASONABLE PERIOD OF TIME FOR THE SOLE PURPOSE OF SERVING PROCESS
8 OR SERVING A SUBPOENA AFTER HE OR SHE PRESENTS PHOTO
9 IDENTIFICATION IN THE FORM OF A DRIVER'S LICENSE OR OTHER
10 GOVERNMENT-ISSUED DOCUMENT AND PRESENTS PROOF THAT HE OR SHE
11 IS AUTHORIZED BY LAW OR BY A COURT ORDER TO SERVE PROCESS.

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 PROCESS SERVER ATTEMPTS TO SERVE PROCESS TO A
15 RESIDENT. A COMMON INTEREST COMMUNITY THAT IS NOT STAFFED SHALL
16 ADOPT AND IMPLEMENT A PROCEDURE FOR ALLOWING LEGITIMATE
17 SERVICE OF PROCESS TO RESIDENTS."

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

20 **13-1-125. Service of process.** (4) (a) ON AND AFTER THE
21 EFFECTIVE DATE OF THIS SUBSECTION (4), A PROPERTY MANAGER OR
22 PROPERTY MANAGEMENT COMPANY THAT MANAGES A MULTI-UNIT
23 RESIDENTIAL COMMUNITY AND THAT RESTRICTS ACCESS TO THE
24 COMMUNITY BY NONRESIDENTS SHALL ESTABLISH AND MAINTAIN A POLICY
25 TO FACILITATE THE SERVICE OF PROCESS TO RESIDENTS OF THE
26 COMMUNITY BY PROCESS SERVERS.

27 (b) AS USED IN THIS SECTION, "PROPERTY MANAGER" INCLUDES,
28 BUT IS NOT LIMITED TO, A COMMUNITY ASSOCIATION MANAGER, AS
29 DEFINED IN SECTION 12-61-1001 (5), AND A DESIGNATED MANAGER, AS
30 DEFINED IN SECTION 12-61-1001 (5.5), OF A RESIDENTIAL COMMON
31 INTEREST COMMUNITY.

32 **SECTION 3.** In Colorado Revised Statutes, **add** part 7 of article
33 12 of title 38 as follows:

34 PART 7

35 SERVICE OF PROCESS TO RESIDENTS

36 **38-12-701. Service of process to residents.** (1) A PERSON WHO IS
37 AUTHORIZED TO SERVE PROCESS TO A RESIDENT OF A SECURED, MULTI-
38 UNIT RESIDENTIAL BUILDING OR COMPLEX MAY ENTER THE BUILDING OR

1 COMPLEX FOR A REASONABLE PERIOD OF TIME FOR THE SOLE PURPOSE OF
2 SERVING PROCESS OR SERVING A SUBPOENA AFTER HE OR SHE PRESENTS
3 PHOTO IDENTIFICATION IN THE FORM OF A DRIVER'S LICENSE OR OTHER
4 GOVERNMENT-ISSUED DOCUMENT AND PRESENTS PROOF THAT HE OR SHE
5 IS AUTHORIZED BY LAW OR BY A COURT ORDER TO SERVE PROCESS.

6 (2) THIS SECTION APPLIES ONLY TO SECURED, MULTI-UNIT
7 RESIDENTIAL BUILDINGS AND COMPLEXES THAT ARE STAFFED BY ONE OR
8 MORE SECURITY PERSONNEL AT THE TIME THAT A PROCESS SERVER
9 ATTEMPTS TO SERVE PROCESS TO A RESIDENT. THE OWNER OF A SECURED,
10 MULTI-UNIT RESIDENTIAL BUILDING OR COMPLEX THAT IS NOT STAFFED
11 SHALL ADOPT AND IMPLEMENT A PROCEDURE FOR ALLOWING LEGITIMATE
12 SERVICE OF PROCESS TO RESIDENTS."

13 Page 3, strike lines 1 through 24.

14 Renumber succeeding section accordingly.

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