



HB 1310 AND HB 1229
RECOMMENDED POLICY UPDATES AND REVISIONS

With the passage of [HB21-1310](#) and [HB21-1229](#), both of which went into effect on September 7, 2021, associations need to review and revise their existing rules, regulations and policies for inconsistency with the new law. Here are the specific changes that will need to be made:

1. Revise any policies, rules and regulations that prohibit or regulate signs located within the unit boundaries or window based on subject matter, message, or content (other than commercial messages). This would include any policies, rules and regulation that regulate political signs.
2. Revise any policies, rules and regulations that prohibit or regulate flags located within the unit boundaries, window, or balcony based on subject matter, message, or content. This would include any policies, rules and regulations that regulate American or service flags.
3. Revise your inspection of records policy to add to the list of records that must be open for inspection: a list of fees and expenses charged in connection with the transfer of units, including transfer fees, record change fees, and status letter costs, and the documents included in the annual disclosure requirements under C.R.S. §38-33.3-209.4.
4. Revise any policies, rules and regulations regarding renewable energy generation devices (i.e., solar panels and windmills) to state that: (i) the Association's regulation on the dimensions, placement or external appearance of such devices cannot increase the cost of such device by more than 10% or decrease the performance/efficiency of such device by more than 10%, and (ii) the Association's approval requirement for such devices cannot be more than 60 days from the date of application.
5. Revise any policies, rules and regulations regarding xeriscaping or landscaping, so that use of nonvegetative turf grass (i.e. artificial turf) is protected in the rear yards of homes.

To that end, Altitude Community Law is offering the following to assist you with such revisions:

1. Draft a combined sign and flag policy that is consistent with HB1310.
2. Draft a solar panel policy that is consistent with HB1229.
3. Draft a xeriscaping policy that is consistent with HB1229.
4. Draft a new inspection of records policy, which is up to date with numerous changes in the law imposed since 2013. Or, if you just need your existing policy revised to include the new records required under HB1229, we can do so on an hourly basis.
5. If you are signed on as one of our Retainer Plus clients, we can update the inspection of records policy as part of the Retainer Plus program at no cost.
6. We can also review and revise any of your policies, rules and regulations for compliance with the new laws on an hourly basis.

Please contact any of our attorneys at hoalaw@altitude.law or 303-432-9999 if you wish assistance with any of the above recommended policies, rules, and regulations.