



TO: Alliant National Colorado Agents
DATE: June 11, 2025
SUBJECT: Underwriting Changes Required by the 2025 Colorado Legislative Session

2025 brought another active legislative season for real estate in Colorado! With affordable housing and environmental protection continuing to be the focus of many Colorado legislators, the Legislative Committee of the Land Title Association of Colorado (“LTAC”) stayed on its toes, reviewing 25 total bills this year, and taking an active position on six. Below you’ll find some more detailed information on two bills that you should be aware of, as they will have a direct impact on agency processes!

If you’d like a more robust review of some of the other legislation that LTAC engaged with this year, there is a webinar linked through LTAC’s website (www.ltac.org).

Predictable Fees

HB24-1269 – Concerning Recording Fees and Modifying Fees Collected by County Clerk and Recorders

The most urgent legislation for you to be aware of was signed into law during the 2024 legislative session, but it goes into effect in just a few weeks! Effective July 1, 2025, this bill increases the recording fee, statewide, to a \$40 flat fee for all documents except for death certificates and other death records, for which no recording fee will be charged at all. Please note that while the legislation increases the recording fee to \$40, the recording fee you’ll need to collect for will likely also include a \$3 surcharge, for a total recording fee of \$43. This replaces the recording fees of \$10 for the first page, and \$5 for each additional page, and is the first time the recording fee in Colorado will not be tied to the number of pages recorded.

This will certainly involve a change in title agency processes, but hopefully for the better. This bill was introduced by the Land Title Association of Colorado with the support of the Colorado Clerks Association, in an effort to simplify recording fees and thus eliminate the need to have a firm page count to determine how much to charge at closing. Additionally, because the recording fees will now be more straightforward and reliable, the bill should eliminate the bulk of the work associated with refunding over-collected recording fees.

Please reach out to your County Clerk and Recorder with any questions.

Good Funds

SB25-016 – Concerning Updating the Framework Governing Escrow Disbursements for Real Estate Transactions

This bill, which goes into effect on August 6, 2025, was sponsored by LTAC. Simply, it modifies the “good funds” statute to allow title companies to accept RTPs (Real Time Payments) as an alternative to wire transfers or other traditional payment rails. Specifically, “good funds” in Colorado, which are funds “available for immediate withdrawal as a matter

of right” will now include “[a] real-time or an instant payment made through a funds-transfer service operated by the federal reserve or the clearing house payments company’s real-time payments system.”

If you do not accept RTPs, then this legislation will have no impact on you whatsoever. However, if accepting RTPs is something you’ve considered, or that your customers have requested, you may now do so without having to worry about violating the good funds law.

If you’d like more information about RTPs and how they work, the American Land Title Association has some helpful information and documents on its website: (<https://www.alta.org/advocacy/advocacy-issues/good-funds>).

As always, please contact us with any questions or comments.