

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 21-1028.01 Pierce Lively x2059

SENATE BILL 21-279

SENATE SPONSORSHIP

Story and Simpson, Coram, Fenberg, Fields, Gonzales, Jaquez Lewis, Moreno, Pettersen, Priola, Rankin, Sonnenberg

HOUSE SPONSORSHIP

Roberts and Valdez D.,

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 **CONCERNING DELINQUENT INTEREST PAYMENTS FOR PROPERTY TAX**
102 **PAYMENTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill allows a board of county commissioners or a city council of a city and county, upon approval of the county treasurer, to temporarily reduce, waive, or suspend delinquent interest payments for property tax payments for any period of time between June 16, 2021, and September 30, 2021.

The bill also requires a board of county commissioners or city

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
May 27, 2021

SENATE
2nd Reading Unamended
May 26, 2021

council to notify local taxing jurisdictions of the intent to reduce, waive, or suspend delinquent property tax interest payments. If a local taxing jurisdiction would be unable to meet its bond payment obligations after the proposed reduction, waiver, or suspension, the local taxing jurisdiction shall notify the board of county commissioners or city council.

If the local taxing jurisdiction submits a letter to the board of county commissioners of the county or city council of the city and county, the bill requires a treasurer, or other officer responsible for the collection of property taxes for a county or city and county, to advance property tax payments to local taxing jurisdictions to assist the local taxing jurisdictions in the payment of bonded indebtedness payments and monthly operation costs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-10-104.5, **add**
3 (14) as follows:

4 **39-10-104.5. Payment dates - optional payment dates - failure**
5 **to pay - delinquency - repeal.** (14) (a) FOR ANY SPECIFIED PERIOD OF
6 TIME BETWEEN JUNE 16, 2021, AND SEPTEMBER 30, 2021, THE BOARD OF
7 COUNTY COMMISSIONERS OF ANY COUNTY, OR THE CITY COUNCIL OF ANY
8 CITY AND COUNTY MAY, UPON APPROVAL OF THE COUNTY TREASURER, BY
9 RESOLUTION:

10 (I) TEMPORARILY REDUCE THE RATE AT WHICH DELINQUENT
11 INTEREST ACCRUES UNDER SUBSECTION (3) OF THIS SECTION;

12 (II) TEMPORARILY WAIVE DELINQUENT INTEREST THAT ACCRUES
13 UNDER SUBSECTION (3) OF THIS SECTION; OR

14 (III) TEMPORARILY SUSPEND THE ACCRUAL OF DELINQUENT
15 INTEREST UNDER SUBSECTION (3) OF THIS SECTION ENTIRELY.

16 (b) ANY BOARD OF COUNTY COMMISSIONERS OR CITY COUNCIL
17 THAT INTENDS TO REDUCE, WAIVE, OR SUSPEND DELINQUENT INTEREST IN
18 ACCORDANCE WITH THIS SUBSECTION (14) SHALL GIVE NOTICE OF ITS

1 INTENT TO AT LEAST THREE EXECUTIVES OR BOARD OFFICERS IN LOCAL
2 TAXING JURISDICTIONS.

3 (c) IF A LOCAL TAXING JURISDICTION WOULD BE UNABLE TO MEET
4 ITS BOND PAYMENT DUE TO, AND WITHIN THE PERIOD OF, THE PROPOSED
5 REDUCTION, WAIVER, OR SUSPENSION OF DELINQUENT INTEREST, THE
6 LOCAL TAXING JURISDICTION SHALL NOTIFY THE BOARD OF COUNTY
7 COMMISSIONERS OR CITY COUNCIL WITHIN THREE BUSINESS DAYS OF
8 RECEIVING THE NOTICE REQUIRED BY SUBSECTION (14)(b) OF THIS
9 SECTION.

10 (d) THIS SUBSECTION (14) IS REPEALED, EFFECTIVE DECEMBER 31,
11 2021.

12 **SECTION 2.** In Colorado Revised Statutes, 39-10-112, **add** (6)
13 as follows:

14 **39-10-112. Action to collect unpaid taxes.** (6) (a) THE COUNTY
15 TREASURER OR OTHER OFFICER RESPONSIBLE FOR THE COLLECTION OF
16 PROPERTY TAXES FOR A COUNTY OR CITY AND COUNTY THAT DECIDES TO
17 REDUCE, WAIVE, OR SUSPEND DELINQUENT INTEREST PAYMENTS IN
18 ACCORDANCE WITH SECTION 39-10-104.5 (14) SHALL ADVANCE PROPERTY
19 TAX AMOUNTS TO A LOCAL TAXING JURISDICTION IN THE COUNTY OR CITY
20 AND COUNTY TO HELP PAY THE LOCAL TAXING JURISDICTION'S BONDED
21 INDEBTEDNESS PAYMENTS OR MONTHLY OPERATIONAL COSTS.

22 (b) NO TREASURER, OR OTHER OFFICER RESPONSIBLE FOR THE
23 COLLECTION OF PROPERTY TAXES FOR A COUNTY OR CITY AND COUNTY,
24 SHALL ADVANCE PROPERTY TAX AMOUNTS TO A LOCAL TAXING
25 JURISDICTION FOR BONDED INDEBTEDNESS PAYMENTS UNLESS:

26 (I) THE LOCAL TAXING JURISDICTION GAVE NOTICE TO THE BOARD
27 OF COUNTY COMMISSIONERS OR CITY COUNCIL IN ACCORDANCE WITH

1 SECTION 39-10-104.5 (14)(c); AND

2 (II) THE LOCAL TAXING JURISDICTION HAS RECEIVED LESS THAN
3 NINETY PERCENT OF THE PROPERTY TAXES DUE AT THE TIME OF THE
4 REQUEST.

5 (c) NO TREASURER, OR OTHER OFFICER RESPONSIBLE FOR THE
6 COLLECTION OF PROPERTY TAXES FOR A COUNTY OR CITY AND COUNTY,
7 SHALL ADVANCE PROPERTY TAX AMOUNTS TO A LOCAL TAXING
8 JURISDICTION FOR BONDED INDEBTEDNESS PAYMENTS IN EXCESS OF
9 EITHER:

10 (I) NINETY PERCENT OF THE TOTAL PROPERTY TAX DUE TO THE
11 LOCAL TAXING JURISDICTION; OR

12 (II) THE REDUCTION IN THE LOCAL TAXING JURISDICTION'S
13 REVENUE DUE TO THE WAIVER, REDUCTION, OR SUSPENSION OF
14 DELINQUENT INTEREST PURSUANT TO SECTION 39-10-104.5 (14).

15 (d) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE DECEMBER 31,
16 2021.

17 **SECTION 3. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, or safety.