

CHAPTER 358

GOVERNMENT - LOCAL

HOUSE BILL 19-1272

BY REPRESENTATIVE(S) Bird, Arndt, Buentello, Cutter, Exum, Garnett, Gray, Hooton, Jackson, Jaquez Lewis, Kennedy, Lontine, Michaelson Jenet, Mullica, Snyder, Valdez A., Weissman, Becker; also SENATOR(S) Winter and Priola, Moreno, Pettersen, Story, Todd.

AN ACT**CONCERNING HOUSING AUTHORITY PARTICIPATION IN THE COLORADO NEW ENERGY IMPROVEMENT DISTRICT PROGRAM.**

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

SECTION 1. In Colorado Revised Statutes, 29-1-204.5, **amend** (10) as follows:

29-1-204.5. Establishment of multijurisdictional housing authorities. (10) An authority and the property of an authority ~~shall be~~ is exempt from all taxes and special assessments on the same basis and subject to the same conditions as provided for city housing authorities in sections 29-4-226 and 29-4-227. LIKE A CITY HOUSING AUTHORITY, AN AUTHORITY MAY VOLUNTARILY APPLY TO INCLUDE ELIGIBLE REAL PROPERTY, AS DEFINED IN SECTION 32-20-103 (4), IN WHICH IT HAS AN INTEREST AS DESCRIBED IN SECTION 29-4-226 (2) INTO THE BOUNDARIES OF THE COLORADO NEW ENERGY IMPROVEMENT DISTRICT CREATED IN SECTION 32-20-104 (1) AND ACCEPT THE LEVYING BY THE DISTRICT OF A SPECIAL ASSESSMENT, AS DEFINED IN SECTION 32-20-103 (14), AGAINST THE ELIGIBLE REAL PROPERTY.

SECTION 2. In Colorado Revised Statutes, 29-4-226, **amend** (1) introductory portion; and **add** (2) as follows:

29-4-226. Exemption from special assessments. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, the following ~~shall be~~ ARE exempt from the payment of any special assessments to the state, any county, city and county, municipality, or other political subdivision of the state:

(2) THE EXEMPTIONS FROM THE PAYMENT OF SPECIAL ASSESSMENTS SET FORTH IN SUBSECTION (1) OF THIS SECTION DO NOT PRECLUDE A HOUSING AUTHORITY, THE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

OWNER OF PROPERTY THAT IS LEASED TO OR FROM A HOUSING AUTHORITY, OR AN ENTITY IN WHICH AN AUTHORITY HAS AN OWNERSHIP INTEREST FROM VOLUNTARILY APPLYING TO INCLUDE ITS ELIGIBLE REAL PROPERTY, AS DEFINED IN SECTION 32-20-103 (4), INTO THE BOUNDARIES OF THE COLORADO NEW ENERGY IMPROVEMENT DISTRICT CREATED IN SECTION 32-20-104 (1) AND ACCEPTING THE LEVYING BY THE DISTRICT OF A SPECIAL ASSESSMENT, AS DEFINED IN SECTION 32-20-103 (14), AGAINST THE ELIGIBLE REAL PROPERTY.

SECTION 3. In Colorado Revised Statutes, 29-4-227, **amend** (1)(a) as follows:

29-4-227. Tax exemptions. (1) (a) EXCEPT FOR THE ADMINISTRATIVE FEES COLLECTIBLE IN CONNECTION WITH THE INCLUSION OF PROPERTY WITHIN THE BOUNDARIES OF THE COLORADO NEW ENERGY IMPROVEMENT DISTRICT AS AUTHORIZED BY SECTION 29-4-226 (2), an authority is exempt from the payment of any taxes or fees to the state or any county, city and county, municipality, or other political subdivision of the state. All property of an authority is exempt from all local and municipal taxes. Bonds, notes, debentures, and other evidences of indebtedness of an authority are declared to be issued for a public purpose and to be public instruments, and, together with interest thereon, are exempt from taxes. All property leased to an authority for the purposes of a project is also exempt from taxation, as is the income derived from the authority by the lessor under the lease.

SECTION 4. In Colorado Revised Statutes, **amend** 29-4-507 as follows:

29-4-507. Exemption from special assessments - tax exemptions. The authority and the property of the authority ~~shall be~~ is exempt from all taxes and special assessments on the same basis and subject to the same conditions as provided for city housing authorities in sections 29-4-226 and 29-4-227. LIKE A CITY HOUSING AUTHORITY, AN AUTHORITY MAY VOLUNTARILY APPLY TO INCLUDE ELIGIBLE REAL PROPERTY, AS DEFINED IN SECTION 32-20-103 (4), IN WHICH IT HAS AN INTEREST AS DESCRIBED IN SECTION 29-4-226 (2) INTO THE BOUNDARIES OF THE COLORADO NEW ENERGY IMPROVEMENT DISTRICT CREATED IN SECTION 32-20-104 (1) AND MAY ACCEPT THE LEVYING BY THE DISTRICT OF A SPECIAL ASSESSMENT, AS DEFINED IN SECTION 32-20-103 (14), AGAINST THE ELIGIBLE REAL PROPERTY. In lieu of taxes on its property, the authority may agree to make such annual payments to the taxing bodies in which the projects are situated as it finds consistent with the maintenance of the low rent character of the projects or the achievement of the purposes of this part 5.

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 30, 2019