

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

INTRODUCED

LLS NO. 23-0305.01 Ed DeCecco x4216

SENATE BILL 23-303

SENATE SPONSORSHIP

Fenberg and Hansen,

HOUSE SPONSORSHIP

deGruy Kennedy and Weissman,

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A REDUCTION IN PROPERTY TAXES, AND, IN CONNECTION**
102 **THEREWITH, CREATING A LIMIT ON ANNUAL PROPERTY TAX**
103 **INCREASES FOR CERTAIN LOCAL GOVERNMENTS; TEMPORARILY**
104 **REDUCING THE VALUATION FOR ASSESSMENT OF CERTAIN**
105 **RESIDENTIAL AND NONRESIDENTIAL PROPERTY; CREATING NEW**
106 **SUBCLASSES OF PROPERTY; PERMITTING THE STATE TO RETAIN**
107 **AND SPEND REVENUE UP TO THE PROPOSITION HH CAP;**
108 **REQUIRING THE RETAINED REVENUE TO BE USED TO REIMBURSE**
109 **CERTAIN LOCAL GOVERNMENTS FOR LOST PROPERTY TAX**
110 **REVENUE AND TO BE DEPOSITED IN THE STATE EDUCATION FUND**
111 **TO BACKFILL THE REDUCTION IN SCHOOL DISTRICT PROPERTY**
112 **TAX REVENUE; TRANSFERRING GENERAL FUND MONEY TO A**
113 **CASH FUND TO ALSO BE USED FOR THE REIMBURSEMENTS;**

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

101 ELIMINATING THE CAP ON THE AMOUNT OF EXCESS STATE
102 REVENUES THAT MAY BE USED FOR THE REIMBURSEMENTS FOR
103 THE 2023 PROPERTY TAX YEAR; AND REFERRING A BALLOT
104 ISSUE.

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>.)

Section 3 of the bill requires the secretary of state to refer a ballot issue to voters at the November 2023 election that asks voters whether property taxes should be reduced and that seeks voter approval to retain and spend excess state revenues that will be used to backfill some of the reduced property tax revenue. Most of the bill only becomes effective if the voters approve the ballot issue.

Local government property tax revenue limit. Beginning with the 2023 property tax year, **section 6** establishes a limit on specified property tax revenue for local governments, excluding those that are home rule and school districts, that is equal to inflation above the property tax revenue from the prior property tax year (limit). A local government may establish a temporary property tax credit, which does not change the gross mill levy, that is up to the number of mills necessary to prevent the local government's property tax revenue from exceeding the limit. Alternatively, the governing board may approve a mill levy that would cause the local government to exceed the limit, if the governing board approves the mill levy at a public meeting that meets certain criteria.

Valuation changes. The valuation for assessment (valuation) of nonresidential real and personal property, excluding producing mines and lands or leaseholds producing oil or gas, is based on an assessment rate of 29% of actual value, but currently, there are temporary reductions in the valuation for certain subclasses of property. **Section 8** creates the additional temporary reductions. For the 2023 property tax year:

- For lodging property, property listed under any improved commercial subclass code, and all other nonresidential property, excluding agricultural property and renewable energy production property, the assessment rate is reduced from 27.9% to 27.85%;
- For renewable energy agricultural land, which is a newly created subclass of agricultural property that is valued under **section 7**, the assessment rate is reduced from 26.4%

to 21.9%.

Thereafter, the assessment rate for lodging property and all nonresidential property, excluding agricultural property and renewable energy production property and property that is not under a vacant land subclass, is reduced from 29% to:

- 27.85% for the 2024 through 2026 property tax years;
- 27.65% for the 2027 and 2028 property tax years;
- 26.9% for the 2029 and 2030 property tax years; and
- 25.9% or 26.9% for the 2031 and 2032 property tax years, depending on the increase in the valuation in the 32 counties with the smallest increases from the 2030 to 2031 property tax years (revenue increases).

The assessment rate for agricultural property, excluding renewable energy agricultural land, and renewable energy property is reduced from 29% to:

- 26.4% for the 2025 through 2030 property tax years; and
- 25.9% or 26.4% for the 2031 and 2032 property tax years, depending on the increase in the valuation in the 32 counties with the smallest revenue increases.

The assessment rate for renewable energy agricultural land is reduced from 29% to 21.9% for the 2024 through 2032 property tax years.

Beginning with the 2033 property tax year, all of the temporary valuation reductions expire and the valuation of all nonresidential real property is 29% of the actual value of the property.

The valuation of residential real property is based on an assessment rate of 7.15% of actual value, but currently, there are temporary reductions in the valuation. **Section 9** further reduces the valuation of residential real property. For the 2023 property tax year, the valuation is reduced from 6.765% of the amount equal to the actual value minus the lesser of \$15,000 or the amount that causes the valuation to be \$1,000 (alternate amount) to 6.7% of the amount equal to the actual value minus the lesser of \$40,000 or the alternate amount.

For the 2024 property tax year, the valuation is reduced as follows:

- For multi-family residential real property, the valuation is reduced from 6.8% of the actual value to 6.7% of the amount equal to the actual value minus the lesser of \$40,000 or the alternate amount; and
- For all other residential real property, the valuation is reduced from an estimate of 6.98% of the actual value to 6.7% of the amount equal to the actual value minus the lesser of \$40,000 or the alternate amount.

For the 2025 through 2032 property tax years:

- For multi-family residential real property and primary residence real property, including multi-family primary

residence real property, the valuation is reduced from 7.15% of the actual value to 6.7% of the actual value minus the lesser of \$40,000 or the alternate amount;

- For qualified-senior primary residence real property, including multi-family qualified-senior primary residence real property, the valuation is reduced from 7.15% of the actual value to 6.7% of the amount equal to the actual value minus \$140,000 or the alternate amount; and
- For all other residential real property, the assessment rate is reduced from 7.15% to 7.1%.

Beginning with the 2033 property tax year, all of the temporary valuation reductions expire and the valuation of all residential real property is 7.15% of the actual value of the property.

The bill also establishes that all of the temporary reductions in valuation for residential and nonresidential property created in the bill are contingent on the state's ability to retain and spend state surplus up to the proposition HH cap. If, for any reason, excluding a legislative enactment by the general assembly, the state is not permitted to retain and spend this money, then the temporary reductions in the bill do not apply.

Section 11 creates the residential subclass of primary residence real property for owner-occupiers and establishes administrative procedures related to the classification that are based on the procedures for the homestead exemption, with those procedures expanded to treat civil union partners like spouses. **Section 11** also creates the residential subclass of qualified-senior primary residence real property, which is a property with an owner-occupier who previously qualified for the senior homestead exemption for a different property and who does not qualify for the exemption for the current property tax year.

Sections 1, 12, 13, 15, and 16 delay deadlines as necessary due to the valuation changes for the 2023 property tax year.

The state is currently required to reimburse local governmental entities for property tax revenue lost as a result of the reductions in valuation enacted in Senate Bill 22-238. **Section 14** modifies this backfill mechanism by:

- Specifying that the amount of revenue lost for a property tax year is based on a local governmental entity's mill levy for the 2022 property tax year, excluding specified mills;
- Including the additional property tax revenue reductions that result from the bill in the backfill for the 2023 property tax year;
- Eliminating the maximum amount of the backfill for the 2023 property tax year that is a refund of excess state revenues;
- Extending the backfill for the 2024 through 2032 property tax years for the valuation reductions in the bill, but making

- a local governmental entity that has an increase in real property total valuation of 20% or more from the 2022 property tax year ineligible for the backfill;
- Creating the local government backfill cash fund, which includes a \$128 million general fund transfer, and requiring the money from the fund to be used to backfill revenue to local governments beginning with the 2024 property tax year; and
 - Beginning with the 2024 property tax year, proportionally reducing the amount that each eligible local government receives, if necessary to avoid exceeding the total amount that is available for the backfills statewide.

Section 14 also modifies the backfill mechanism to treat cities and counties as counties instead of municipalities, and this change is not contingent on voter-approval of the ballot issue. **Section 18** requires the department of revenue to calculate the amount of excess state revenues that will be refunded for the fiscal year 2022-23 with and without the changes from the bill.

Voter-approved revenue change. If the voters approve the referred ballot issue, then the state will be authorized to retain and spend revenues up to the proposition HH cap, created in **section 3**. For the 2023-24 fiscal year, the proposition HH cap is equal to the excess state revenues cap for the prior fiscal year, adjusted for inflation plus 1% and population changes. Thereafter, the proposition HH cap is equal to the proposition HH cap for the prior fiscal year, adjusted for inflation plus 1% and population changes. The proposition HH cap is also annually adjusted for the qualification or disqualification of enterprises and debt service changes.

If the general assembly does not enact assessment rates for the 2033 property tax year that are the same or lower than the assessment rates for the 2032 property tax year described above, then the proposition HH cap is reduced to be equal to the excess state revenues cap, and the state will retain \$0 under this authority beginning with the 2031-32 fiscal year. Thereafter, the general assembly may partially or wholly restore the proposition HH cap without additional voter approval if the general assembly enacts valuation reductions equal to or greater than those for the 2032 property tax year.

The amount retained under this authority is first used in the following fiscal year to backfill certain local governments for the reduced property tax revenue as a result of the property tax changes in the bill and Senate Bill 22-238, and the remainder is transferred to the state education fund to offset the revenue that school districts lose as a result of the property tax changes. **Section 5** requires the state controller to include the new voter-approved revenue change in the annual report on TABOR revenues.

Sections 2, 4, 10, and 17 make conforming amendments related to the valuation changes and related procedures and the voter-approved revenue changes.

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

SECTION 1. In Colorado Revised Statutes, 22-40-102, **amend** (3) and (6) as follows:

22-40-102. Certification - tax revenues - repeal. (3) (a) The board of education of a school district which had an actual enrollment of more than fifty thousand pupils during the preceding school year may make the certification provided for in subsection (1) of this section no later than December 15.

(b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (3)(a) OF THIS SECTION IS POSTPONED FROM DECEMBER 15, 2023, TO JANUARY 5, 2024.

(II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

(6) (a) Each school district, with such assistance as may be required from the department of education, shall inform the county treasurer for each county within the district's boundaries no later than December 15 of each year of said district's general fund mill levy in the absence of funds estimated to be received by said district pursuant to the "Public School Finance Act of 1994", article 54 of this ~~title~~ TITLE 22, and the estimated funds to be received for the general fund of the district from the state.

(b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (6)(a) OF THIS SECTION IS POSTPONED FROM DECEMBER 15, 2023, TO JANUARY 5, 2024.

(II) THIS SUBSECTION (6)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

1 **SECTION 2.** In Colorado Revised Statutes, 25-2-103, **add** (4.7)
2 as follows:

3 **25-2-103. Centralized registration system for all vital statistics**
4 **- office of the state registrar of vital statistics created - appointment**
5 **of registrar - rules.** (4.7) NOTWITHSTANDING ANY OTHER PROVISION OF
6 LAW THAT LIMITS THE SHARING OF VITAL STATISTICS, AFTER RECEIVING
7 THE LIST OF NAMES AND SOCIAL SECURITY NUMBERS OF INDIVIDUALS WHO
8 HAD PROPERTY CLASSIFIED AS PRIMARY RESIDENCE REAL PROPERTY OR
9 QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY THAT IS
10 PROVIDED BY THE PROPERTY TAX ADMINISTRATOR PURSUANT TO SECTION
11 39-1-104.6 (5)(c), THE STATE REGISTRAR SHALL IDENTIFY ALL
12 INDIVIDUALS ON THE LIST WHO HAVE DIED AND TRANSMIT A LIST OF THE
13 NAMES AND SOCIAL SECURITY NUMBERS OF SUCH INDIVIDUALS TO THE
14 ADMINISTRATOR.

15 **SECTION 3.** In Colorado Revised Statutes, **add** part 2 to article
16 77 of title 24 as follows:

17 PART 2

18 SUBMISSION OF BALLOT ISSUE - VOTER-APPROVED
19 REVENUE CHANGE - PROPERTY TAX REDUCTION
20 BACKFILL

21 **24-77-201. Definitions.** AS USED IN THIS PART 2, UNLESS THE
22 CONTEXT OTHERWISE REQUIRES:

23 (1) "ACCOUNT" MEANS THE PROPOSITION HH GENERAL FUND
24 EXEMPT ACCOUNT IN THE GENERAL FUND CREATED IN SECTION 24-77-203
25 (3)(a).

26 (2) "BALLOT ISSUE" MEANS THE QUESTION REFERRED TO VOTERS
27 IN ACCORDANCE WITH SECTION 24-77-202 (1).

1 (3) "EXCESS STATE REVENUES CAP" HAS THE SAME MEANING AS
2 SET FORTH IN SECTION 24-77-103.6 (6)(b).

3 (4) "STATE REVENUES" MEANS STATE REVENUES NOT EXCLUDED
4 FROM STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION 24-77-102
5 (17).

6 (5) "STATE SURPLUS" MEANS THE AMOUNT OF STATE REVENUES
7 THAT EXCEED THE EXCESS STATE REVENUES CAP FOR A GIVEN STATE
8 FISCAL YEAR.

9 **24-77-202. Submission of ballot issue - voter-approved**
10 **revenue change.** (1) AT THE ELECTION HELD ON NOVEMBER 7, 2023, THE
11 SECRETARY OF STATE SHALL SUBMIT TO THE REGISTERED ELECTORS OF
12 THE STATE FOR THEIR APPROVAL OR REJECTION THE FOLLOWING BALLOT
13 ISSUE: "SHALL THE STATE REDUCE PROPERTY TAXES FOR HOMES AND
14 BUSINESSES, INCLUDING EXPANDING PROPERTY TAX RELIEF FOR SENIORS,
15 AND BACKFILL COUNTIES, SCHOOL DISTRICTS, WATER DISTRICTS, FIRE
16 DISTRICTS, AMBULANCE AND HOSPITAL DISTRICTS, AND OTHER LOCAL
17 GOVERNMENTS AND FUND SCHOOL DISTRICTS BY USING A PORTION OF THE
18 STATE SURPLUS UP TO THE PROPOSITION HH CAP AS DEFINED IN THIS
19 MEASURE?"

20 (2) FOR PURPOSES OF SECTION 1-5-407, THE BALLOT ISSUE IS A
21 PROPOSITION TO BE IDENTIFIED AS "PROPOSITION HH". SECTION 1-40-106
22 (3)(d) DOES NOT APPLY TO THE BALLOT ISSUE.

23 **24-77-203. Retention of excess state revenues - transfer to state**
24 **education fund - local government reimbursement - legislative**
25 **declaration.** (1) (a) IF A MAJORITY OF THE ELECTORS VOTING ON THE
26 BALLOT ISSUE VOTE "YES/FOR", THEN FOR EACH FISCAL YEAR
27 COMMENCING ON OR AFTER JULY 1, 2023, THE STATE IS AUTHORIZED TO

1 RETAIN AND SPEND ALL OF THE STATE SURPLUS THAT IS LESS THAN THE
2 PROPOSITION HH CAP, WHICH IS:

3 (I) FOR THE 2023-24 FISCAL YEAR, AN AMOUNT EQUAL TO THE
4 EXCESS STATE REVENUES CAP FOR THE 2022-23 FISCAL YEAR, ADJUSTED
5 FOR INFLATION PLUS ONE PERCENTAGE POINT, THE PERCENTAGE CHANGE
6 IN STATE POPULATION, THE QUALIFICATION OR DISQUALIFICATION OF
7 ENTERPRISES, AND DEBT SERVICE CHANGES; AND

8 (II) FOR THE FISCAL YEAR 2024-25 AND EACH SUCCEEDING FISCAL
9 YEAR, AN AMOUNT EQUAL TO THE PROPOSITION HH CAP FOR THE PRIOR
10 FISCAL YEAR, ADJUSTED FOR INFLATION PLUS ONE PERCENTAGE POINT, THE
11 PERCENTAGE CHANGE IN STATE POPULATION, THE QUALIFICATION OR
12 DISQUALIFICATION OF ENTERPRISES, AND DEBT SERVICE CHANGES.

13 (b) (I) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION
14 AND EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b)(II) OF THIS
15 SECTION, IF THE GENERAL ASSEMBLY DOES NOT ENACT LEGISLATION TO
16 ESTABLISH VALUATIONS FOR ASSESSMENT FOR THE PROPERTY TAX YEARS
17 COMMENCING ON AND AFTER JANUARY 1, 2033, THAT ARE LESS THAN OR
18 EQUAL TO THE TEMPORARILY REDUCED VALUATIONS FOR ASSESSMENT
19 ESTABLISHED IN SECTIONS 39-1-104 (1)(b)(V), (1.8)(a)(III), (1.8)(a)(IV),
20 AND (1.8)(b)(VI) AND 39-1-104.2 (3)(q)(II) AND (3)(r)(IV) IN THIS
21 SENATE BILL 23-____ FOR THE PROPERTY TAX YEAR COMMENCING ON
22 JANUARY 1, 2032, FOR THE SAME CLASSES OF PROPERTY, THEN, FOR THE
23 FISCAL YEAR COMMENCING ON JULY 1, 2032, AND EACH FISCAL YEAR
24 THEREAFTER, THE PROPOSITION HH CAP IS AN AMOUNT EQUAL TO THE
25 EXCESS STATE REVENUES CAP.

26 (II) IF THE PROPOSITION HH CAP IS REDUCED BY OPERATION OF
27 SUBSECTION (1)(b)(I) OF THIS SECTION, THE GENERAL ASSEMBLY MAY,

1 WITHOUT ADDITIONAL VOTER APPROVAL, ENACT LEGISLATION TO RESTORE
2 THE CAP FOR A FISCAL YEAR TO AN AMOUNT THAT IS LESS THAN OR EQUAL
3 TO THE AMOUNT THAT THE PROPOSITION HH CAP WOULD HAVE BEEN FOR
4 THE FISCAL YEAR UNDER SUBSECTION (1)(a)(II) OF THIS SECTION IF
5 SUBSECTION (1)(b)(I) OF THIS SECTION HAD NOT APPLIED IF, FOR THE
6 PROPERTY TAX YEAR THAT ENDS DURING THE FISCAL YEAR, THE GENERAL
7 ASSEMBLY:

8 (A) ESTABLISHES VALUATIONS FOR ASSESSMENT THAT ARE LESS
9 THAN OR EQUAL TO THE TEMPORARILY REDUCED VALUATIONS FOR
10 ASSESSMENT ESTABLISHED IN SECTIONS 39-1-104 (1)(b)(V), (1.8)(a)(III),
11 (1.8)(a)(IV), AND (1.8)(b)(VI) AND 39-1-104.2 (3)(q)(II) AND (3)(r)(IV)
12 IN THIS SENATE BILL 23-____ FOR THE PROPERTY TAX YEAR COMMENCING
13 ON JANUARY 1, 2032, FOR THE SAME CLASSES OF PROPERTY; OR

14 (B) REDUCES THE VALUATIONS FOR ASSESSMENT DIFFERENTLY
15 FROM THE VALUATIONS FOR ASSESSMENT ESTABLISHED IN THIS SENATE
16 BILL 23-____, BUT THE AGGREGATE REDUCTION IN THE VALUATION FOR
17 ASSESSMENT STATEWIDE FROM THE REDUCTIONS IS GREATER THAN OR
18 EQUAL TO THE ESTIMATED AGGREGATE REDUCTION IN THE VALUATION FOR
19 ASSESSMENTS FROM THE MINIMUM REDUCTIONS IN VALUATION FOR
20 ASSESSMENT NECESSARY TO MEET THE CONDITION SPECIFIED IN
21 SUBSECTION (1)(b)(II)(A) OF THIS SECTION.

22 (c) FOR PURPOSES OF THE CALCULATION SET FORTH IN THIS
23 SUBSECTION (1):

24 (I) INFLATION AND THE PERCENTAGE CHANGE IN STATE
25 POPULATION ARE THE SAME RATES THAT ARE USED IN CALCULATING THE
26 MAXIMUM ANNUAL PERCENTAGE CHANGE IN STATE FISCAL YEAR SPENDING
27 PURSUANT TO SECTION 24-77-103; AND

1 (II) THE QUALIFICATION OR DISQUALIFICATION OF AN ENTERPRISE
2 OR A DEBT SERVICE CHANGE AFFECTS THE PROPOSITION HH CAP IN THE
3 SAME MANNER AS THE CHANGE AFFECTS THE LIMITATION ON STATE FISCAL
4 YEAR SPENDING.

5 (2) THIS SECTION DOES NOT AFFECT THE AMOUNT THAT THE STATE
6 IS PERMITTED TO RETAIN AND SPEND UNDER THE AUTHORITY CONFERRED
7 BY THE VOTERS' APPROVAL OF SECTION 24-77-103.6.

8 (3) (a) THE PROPOSITION HH GENERAL FUND EXEMPT ACCOUNT IS
9 HEREBY CREATED IN THE GENERAL FUND. THE ACCOUNT CONSISTS OF AN
10 AMOUNT EQUAL TO THE AMOUNT OF STATE SURPLUS THAT THE STATE IS
11 AUTHORIZED TO RETAIN AND SPEND UNDER THIS PART 2 FOR THE PRIOR
12 FISCAL YEAR, IF ANY. THE STATE TREASURER SHALL CREDIT ALL INTEREST
13 AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN
14 THE PROPOSITION HH GENERAL FUND EXEMPT ACCOUNT TO THE ACCOUNT.

15 (b) THE MONEY IN THE ACCOUNT FOR EACH FISCAL YEAR
16 BEGINNING WITH THE 2023-24 FISCAL YEAR MUST BE USED AS FOLLOWS:

17 (I) THE MONEY IS FIRST USED TO PROVIDE REIMBURSEMENTS TO
18 LOCAL GOVERNMENTS UNDER SECTION 39-3-210 (4)(a)(II); AND

19 (II) AS SOON AS POSSIBLE AFTER RECEIVING THE REPORT FROM THE
20 PROPERTY TAX ADMINISTRATOR IN ACCORDANCE WITH SECTION 39-3-210
21 (3), THE STATE TREASURER SHALL TRANSFER THE AMOUNT, IF ANY, IN THE
22 ACCOUNT THAT IS IN EXCESS OF THE AMOUNT THAT WILL BE USED IN
23 ACCORDANCE WITH SUBSECTION (3)(b)(I) OF THIS SECTION TO THE STATE
24 EDUCATION FUND CREATED IN SECTION 17 OF ARTICLE IX OF THE STATE
25 CONSTITUTION.

26 (4) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

27 (a) PUBLIC SCHOOL FUNDING CONSISTS OF A COMBINATION OF

1 STATE AND LOCAL SCHOOL DISTRICT REVENUE;

2 (b) UNDER THE CURRENT SCHOOL FINANCE FORMULA, AN
3 INCREASE IN STATE FUNDING CAN BACKFILL A DECREASE IN LOCAL
4 PROPERTY TAX REVENUE;

5 (c) REDUCTIONS IN PROPERTY TAX VALUATIONS REDUCE THE
6 LOCAL PROPERTY TAX REVENUE COLLECTED FOR LOCAL GOVERNMENTS,
7 INCLUDING SCHOOL DISTRICTS;

8 (d) MONEY IN THE STATE EDUCATION FUND IS USED TO PROVIDE
9 FUNDING FOR LOCAL SCHOOL DISTRICTS; AND

10 (e) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT
11 TRANSFERRING A PORTION OF THE MONEY FROM THE ACCOUNT TO THE
12 STATE EDUCATION FUND IN ACCORDANCE WITH SUBSECTION (3) OF THIS
13 SECTION PROVIDES ADDITIONAL FUNDING TO LOCAL SCHOOL DISTRICTS IN
14 ORDER TO BACKFILL PROPERTY TAX REVENUE REDUCTIONS RESULTING
15 FROM PROPERTY TAX CHANGES ENACTED IN THIS SENATE BILL 23-____.

16 **24-77-204. Repeal.** (1) IF A MAJORITY OF THE ELECTORS VOTING
17 ON THE BALLOT ISSUE VOTE "No/AGAINST", THEN THIS PART 2 IS
18 REPEALED, EFFECTIVE JULY 1, 2024.

19 (2) IF A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE
20 VOTE "YES/FOR", THEN THIS SECTION IS REPEALED, EFFECTIVE JULY 1,
21 2024.

22 **SECTION 4.** In Colorado Revised Statutes, 22-55-103, **amend**
23 (1) as follows:

24 **22-55-103. State education fund - creation - transfers to fund**
25 **- use of money in fund - permitted investments - exempt from**
26 **spending limitations.** (1) In accordance with section 17 (4) of article IX
27 of the state constitution, there is hereby created in the state treasury the

1 state education fund. The fund ~~shall consist~~ CONSISTS of state education
2 fund revenues, MONEY TRANSFERRED TO THE FUND IN ACCORDANCE WITH
3 SECTION 24-77-203 (3)(b)(II), all interest and income earned on the
4 deposit and investment of ~~moneys~~ MONEY in the fund, and any gifts or
5 other ~~moneys~~ MONEY that are exempt from the limitation on state fiscal
6 year spending set forth in section 20 (7)(a) of article X of the state
7 constitution and section 24-77-103 ~~C.R.S.~~, that may be credited to the
8 fund. All interest and income derived from the deposit and investment of
9 ~~moneys~~ MONEY in the fund ~~shall be~~ ARE credited to the fund. At the end
10 of any state fiscal year, all unexpended and unencumbered ~~moneys~~
11 MONEY in the fund ~~shall remain~~ REMAINS in the fund and shall not revert
12 to the general fund or any other fund.

13 **SECTION 5.** In Colorado Revised Statutes, 24-77-106.5, **amend**
14 (1) as follows:

15 **24-77-106.5. Annual financial report - certification of excess**
16 **state revenues.** (1) (a) For each fiscal year, the controller shall prepare
17 a financial report for the state for purposes of ascertaining compliance
18 with the provisions of this article. Any financial report prepared pursuant
19 to this section shall include, but shall not be limited to, state fiscal year
20 spending, reserves, revenues, revenues that the state is authorized to
21 retain and spend pursuant to voter approval of section 24-77-103.6 OR
22 PURSUANT TO PART 2 OF THIS ARTICLE 77, and debt. ~~Such~~ THE financial
23 report shall be audited by the state auditor.

24 (b) Notwithstanding section 24-1-136 (11)(a)(I), based upon the
25 financial report prepared in accordance with subsection (1)(a) of this
26 section for any given fiscal year, the controller shall certify to the
27 governor, the general assembly, and the executive director of the

1 department of revenue no later than September 1 following the end of a
2 fiscal year the amount of state revenues in excess of the limitation on
3 state fiscal year spending imposed by section 20 (7)(a) of article X of the
4 state constitution, if any, for such fiscal year and the state revenues in
5 excess of such limitation that the state is authorized to retain and spend
6 pursuant to voter approval of section 24-77-103.6 OR PURSUANT TO PART
7 2 OF THIS ARTICLE 77.

8 **SECTION 6.** In Colorado Revised Statutes, **add** 29-1-306 as
9 follows:

10 **29-1-306. Limitation on property tax revenue - temporary**
11 **property tax credit - governing body override - notice - definitions.**

12 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
13 REQUIRES:

14 (a) "INFLATION" MEANS THE ANNUAL PERCENTAGE CHANGE IN THE
15 UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS
16 CONSUMER PRICE INDEX FOR DENVER-AURORA-LAKEWOOD FOR ALL
17 ITEMS PAID BY ALL URBAN CONSUMERS, OR ITS APPLICABLE SUCCESSOR
18 INDEX.

19 (b) "LOCAL GOVERNMENT" MEANS A GOVERNMENTAL ENTITY
20 AUTHORIZED BY LAW TO IMPOSE AD VALOREM TAXES ON TAXABLE
21 PROPERTY LOCATED WITHIN ITS TERRITORIAL LIMITS; EXCEPT THAT THE
22 TERM EXCLUDES SCHOOL DISTRICTS AND ANY COUNTY, CITY AND COUNTY,
23 CITY, OR TOWN THAT HAS ADOPTED A HOME RULE CHARTER.

24 (c) "PROPERTY TAX LIMIT" MEANS THE LIMIT ESTABLISHED IN
25 SUBSECTION (2) OF THIS SECTION ON A LOCAL GOVERNMENT'S PROPERTY
26 TAX REVENUE FOR A PROPERTY TAX YEAR.

27 (2) (a) FOR PROPERTY TAX YEARS COMMENCING ON AND AFTER

1 JANUARY 1, 2023, A LOCAL GOVERNMENT'S PROPERTY TAX REVENUE FOR
2 A PROPERTY TAX YEAR SHALL NOT INCREASE BY MORE THAN INFLATION
3 FROM THE LOCAL GOVERNMENT'S PROPERTY TAX REVENUE FOR THE PRIOR
4 PROPERTY TAX YEAR, UNLESS THE GOVERNING BODY OF THE LOCAL
5 GOVERNMENT APPROVES THE INCREASE IN ACCORDANCE WITH
6 SUBSECTION (4) OF THIS SECTION. THE GOVERNING BODY MAY ENACT A
7 TEMPORARY PROPERTY TAX CREDIT THAT IS UP TO THE NUMBER OF MILLS
8 NECESSARY TO PREVENT THE LOCAL GOVERNMENT'S PROPERTY TAX
9 REVENUE FROM EXCEEDING THIS PROPERTY TAX LIMIT.

10 (b) THE LIMIT SET FORTH IN SUBSECTION (2)(a) OF THIS SECTION
11 IS BASED ON THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF
12 LABOR STATISTICS MOST RECENTLY PUBLISHED ESTIMATE OF INFLATION
13 FOR THE PRIOR CALENDAR YEAR THAT IS AVAILABLE AS OF DECEMBER 15
14 OF THE PROPERTY TAX YEAR FOR WHICH THE LIMIT IS BEING CALCULATED.

15 (3) (a) FOR PURPOSES OF CALCULATING THE PROPERTY TAX LIMIT,
16 PROPERTY TAX REVENUE THAT IS FROM THE FOLLOWING SOURCES OR IS
17 USED FOR THE FOLLOWING PURPOSES IS EXCLUDED FROM PROPERTY TAX
18 REVENUE FOR THE PROPERTY TAX YEAR:

19 (I) PROPERTY TAX REVENUE FROM THE INCREASED VALUATION FOR
20 ASSESSMENT WITHIN THE TAXING ENTITY FOR THE PRECEDING YEAR THAT
21 IS ATTRIBUTABLE TO NEW CONSTRUCTION AND PERSONAL PROPERTY
22 CONNECTED THEREWITH, AS DEFINED BY THE PROPERTY TAX
23 ADMINISTRATOR IN MANUALS PREPARED PURSUANT TO SECTION 39-2-109
24 (1)(e);

25 (II) PROPERTY TAX REVENUE FROM THE INCREASED VALUATION
26 FOR ASSESSMENT ATTRIBUTABLE TO A CHANGE IN LAW FOR A PROPERTY
27 TAX CLASSIFICATION OR TO THE ANNEXATION OR INCLUSION OF

1 ADDITIONAL LAND, THE IMPROVEMENTS THEREON, AND PERSONAL
2 PROPERTY CONNECTED THEREWITH WITHIN THE TAXING ENTITY FOR THE
3 PRECEDING YEAR;

4 (III) PROPERTY TAX REVENUE FOR PROPERTY THAT HAD
5 PREVIOUSLY BEEN OMITTED FROM THE ASSESSMENT ROLL;

6 (IV) PROPERTY TAX REVENUE ABATED OR REFUNDED BY THE
7 LOCAL GOVERNMENT DURING THE PROPERTY TAX YEAR;

8 (V) PROPERTY TAX REVENUE ATTRIBUTABLE TO PREVIOUSLY
9 LEGALLY EXEMPT FEDERAL PROPERTY THAT BECOMES TAXABLE IF SUCH
10 PROPERTY CAUSES AN INCREASE IN THE LEVEL OF SERVICES PROVIDED BY
11 THE LOCAL GOVERNMENT; AND

12 (VI) ANY AMOUNT FOR THE PAYMENT OF EXPENSES INCURRED IN
13 THE REAPPRAISAL OF CLASSES OR SUBCLASSES ORDERED OR CONDUCTED
14 BY THE STATE BOARD OF EQUALIZATION FOR THE PAYMENT TO THE STATE
15 OF EXCESS STATE EQUALIZATION PAYMENTS TO SCHOOL DISTRICTS, WHICH
16 EXCESS IS DUE TO THE UNDERVALUATION OF TAXABLE PROPERTY.

17 (b) FOR PURPOSES OF CALCULATING THE PROPERTY TAX LIMIT,
18 PROPERTY TAX REVENUE THAT IS FROM THE FOLLOWING SOURCES OR IS
19 USED FOR THE FOLLOWING PURPOSES IS EXCLUDED FROM PROPERTY TAX
20 REVENUE FOR THE PROPERTY TAX YEAR AND THE PRIOR PROPERTY TAX
21 YEAR:

22 (I) PROPERTY TAX REVENUE FROM PRODUCING MINES OR LANDS OR
23 LEASEHOLDS PRODUCING OIL OR GAS; AND

24 (II) AN AMOUNT TO PROVIDE FOR THE PAYMENT OF BONDS AND
25 INTEREST THEREON, OR FOR THE PAYMENT OF ANY OTHER CONTRACTUAL
26 OBLIGATION THAT HAS BEEN APPROVED BY A MAJORITY OF THE LOCAL
27 GOVERNMENT'S VOTERS VOTING THEREON; AND

1 (III) ANY REVENUE FROM A MILL LEVY THAT HAS BEEN APPROVED
2 BY VOTERS OF THE LOCAL GOVERNMENT.

3 (c) A TEMPORARY PROPERTY TAX CREDIT CREATED UNDER
4 SUBSECTION (2) OF THIS SECTION DOES NOT CHANGE THE UNDERLYING
5 MILL LEVY IMPOSED BY A LOCAL GOVERNMENT. REDUCING OR
6 ELIMINATING A TEMPORARY PROPERTY TAX CREDIT DOES NOT REQUIRE
7 PRIOR VOTER APPROVAL UNDER SECTION 20 (4)(a) OF ARTICLE X OF THE
8 STATE CONSTITUTION.

9 (4) A LOCAL GOVERNMENT MAY IMPOSE A MILL LEVY THAT WOULD
10 EXCEED THE PROPERTY TAX LIMIT IF THE FOLLOWING PROCEDURES ARE
11 FOLLOWED:

12 (a) THE GOVERNING BODY OF THE LOCAL GOVERNMENT MUST
13 PUBLISH NOTICE OF ITS PROPOSED INTENT TO EXCEED THE PROPERTY TAX
14 LIMIT IN A NEWSPAPER IN EACH COUNTY IN WHICH THE LOCAL
15 GOVERNMENT IS LOCATED AND ON THE WEBSITE OF THE GOVERNING BODY,
16 IF THE GOVERNING BODY MAINTAINS A WEBSITE, AT LEAST TEN DAYS IN
17 ADVANCE OF THE PUBLIC HEARING AT WHICH THE MILL LEVY IS TO BE
18 APPROVED;

19 (b) THE NOTICE MUST INCLUDE:

20 (I) THE PROPOSED MILL LEVY IF THE GOVERNING BODY APPROVES
21 A MILL LEVY THAT WOULD EXCEED THE PROPERTY TAX LIMIT;

22 (II) ANY TEMPORARY PROPERTY TAX CREDITS; AND

23 (III) THE DATE, TIME, AND LOCATION OF THE PUBLIC HEARING;

24 (c) THE GOVERNING BODY OF THE LOCAL GOVERNMENT MUST
25 PROVIDE THE PUBLIC AN OPPORTUNITY TO PRESENT ORAL TESTIMONY AT
26 AN OPEN MEETING WITHIN REASONABLE TIME LIMITS AND WITHOUT AN
27 UNREASONABLE RESTRICTION ON THE NUMBER OF INDIVIDUALS ALLOWED

1 TO MAKE PUBLIC COMMENT; AND

2 (d) THE GOVERNING BODY OF THE LOCAL GOVERNMENT MUST
3 ADOPT A RESOLUTION OR ORDINANCE TO APPROVE A MILL LEVY THAT
4 EXCEEDS THE PROPERTY TAX LIMIT AT THE PUBLIC HEARING AFTER THE
5 GOVERNING BODY HAS HEARD FROM INTERESTED TAXPAYERS.

6 (5) IF A LOCAL GOVERNMENT EXCEEDS THE PROPERTY TAX LIMIT
7 FOR A PROPERTY TAX YEAR AND DOES NOT COMPLY WITH SUBSECTION (4)
8 OF THIS SECTION, THEN THE LOCAL GOVERNMENT SHALL REFUND TO
9 TAXPAYERS ANY PROPERTY TAXES COLLECTED ABOVE THE PROPERTY TAX
10 LIMIT.

11 **SECTION 7.** In Colorado Revised Statutes, 39-1-103, **add** (5)(g)
12 as follows:

13 **39-1-103. Actual value determined - when - legislative**
14 **declaration.** (5) (g) THE ACTUAL VALUE OF RENEWABLE ENERGY
15 AGRICULTURAL LAND IS BASED ON THE WASTE LAND SUBCLASS
16 VALUATION FORMULA PROVIDED BY THE ADMINISTRATOR. IF ANY PORTION
17 OF THE LAND IS USED FOR NONAGRICULTURAL COMMERCIAL OR
18 NONAGRICULTURAL RESIDENTIAL PURPOSES, THAT PORTION IS VALUED
19 ACCORDING TO THE USE, AS REQUIRED BY SUBSECTION (5)(a) OF THIS
20 SECTION.

21 **SECTION 8.** In Colorado Revised Statutes, 39-1-104, **amend** (1),
22 (1.6)(c), and (1.8); and **add** (1.9) as follows:

23 **39-1-104. Valuation for assessment - definitions.**
24 (1) (a) EXCEPT AS SET FORTH IN SUBSECTION (1)(b) OF THIS SECTION, the
25 valuation for assessment of ~~all taxable property~~ REAL AND PERSONAL
26 PROPERTY THAT IS CLASSIFIED AS LODGING PROPERTY in the state ~~shall be~~
27 IS twenty-nine percent of the actual value thereof. ~~as determined by the~~

1 ~~assessor and the administrator in the manner prescribed by law, and that~~
2 ~~percentage shall be uniformly applied, without exception, to the actual~~
3 ~~value, so determined, of the real and personal property located within the~~
4 ~~territorial limits of the authority levying a property tax, and all property~~
5 ~~taxes shall be levied against the aggregate valuation for assessment~~
6 ~~resulting from the application of that percentage.~~

7 (b) (I) ~~Notwithstanding subsection (1)(a) of this section,~~ For the
8 property tax year commencing on January 1, 2023, the valuation for
9 assessment of nonresidential property that is classified as lodging
10 property is temporarily reduced to ~~twenty-seven and nine-tenths~~
11 TWENTY-SEVEN AND EIGHTY-FIVE ONE-HUNDREDTHS percent of an
12 amount equal to the actual value minus the lesser of thirty thousand
13 dollars or the amount that ~~reduces~~ CAUSES the valuation for assessment
14 to BE one thousand dollars.

15 (II) FOR THE PROPERTY TAX YEARS COMMENCING ON AND AFTER
16 JANUARY 1, 2024, BUT BEFORE JANUARY 1, 2027, THE VALUATION FOR
17 ASSESSMENT OF REAL AND PERSONAL PROPERTY THAT IS CLASSIFIED AS
18 LODGING PROPERTY IS TEMPORARILY REDUCED TO TWENTY-SEVEN AND
19 EIGHTY-FIVE ONE-HUNDREDTHS PERCENT OF THE ACTUAL VALUE THEREOF.

20 (III) FOR THE PROPERTY TAX YEARS COMMENCING ON JANUARY 1,
21 2027, AND JANUARY 1, 2028, THE VALUATION FOR ASSESSMENT OF REAL
22 AND PERSONAL PROPERTY THAT IS CLASSIFIED AS LODGING PROPERTY IS
23 TEMPORARILY REDUCED TO TWENTY-SEVEN AND SIXTY-FIVE
24 ONE-HUNDREDTHS PERCENT OF THE ACTUAL VALUE THEREOF.

25 (IV) FOR THE PROPERTY TAX YEARS COMMENCING ON JANUARY 1,
26 2029, AND JANUARY 1, 2030, THE VALUATION FOR ASSESSMENT OF REAL
27 AND PERSONAL PROPERTY THAT IS CLASSIFIED AS LODGING PROPERTY IS

1 TEMPORARILY REDUCED TO TWENTY-SIX AND NINE-TENTHS PERCENT OF
2 THE ACTUAL VALUE THEREOF.

3 (V) FOR THE PROPERTY TAX YEARS COMMENCING ON JANUARY 1,
4 2031, AND JANUARY 1, 2032, THE VALUATION FOR ASSESSMENT OF REAL
5 AND PERSONAL PROPERTY THAT IS CLASSIFIED AS LODGING PROPERTY IS
6 TEMPORARILY REDUCED TO:

7 (A) TWENTY-FIVE AND NINE-TENTHS PERCENT OF THE ACTUAL
8 VALUE THEREOF, IF, FOR THE PROPERTY TAX YEAR COMMENCING ON
9 JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR
10 ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO
11 COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS
12 GREATER THAN OR EQUAL TO THREE AND SEVEN-TENTHS PERCENT FROM
13 THE PRIOR PROPERTY TAX YEAR; OR

14 (B) TWENTY-SIX AND NINE-TENTHS PERCENT OF THE ACTUAL
15 VALUE THEREOF, IF, FOR THE PROPERTY TAX YEAR COMMENCING ON
16 JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR
17 ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO
18 COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS LESS
19 THAN THREE AND SEVEN-TENTHS PERCENT FROM THE PRIOR PROPERTY TAX
20 YEAR.

21 (c) ~~This subsection (1) only applies to nonresidential property that~~
22 ~~is classified as lodging property.~~

23 (1.6) (c) Real and personal agricultural property is a subclass of
24 nonresidential property for purposes of the valuation for assessment.
25 REAL PROPERTY THAT IS CLASSIFIED AS AGRICULTURAL LAND THAT
26 CONTAINS A RENEWABLE ENERGY FACILITY, AS DESCRIBED IN SECTION
27 39-4-102 (1.5), IF THE LAND WAS CLASSIFIED BY THE ASSESSOR AS

1 AGRICULTURAL LAND AT THE TIME THE FACILITY WAS CONSTRUCTED
2 UNDER SECTION 39-1-102 (1.6)(a), IS CLASSIFIED AS RENEWABLE ENERGY
3 AGRICULTURAL PROPERTY, WHICH IS A SUBCLASS OF AGRICULTURAL
4 PROPERTY FOR PURPOSES OF THE VALUATION FOR ASSESSMENT. THIS
5 CLASSIFICATION APPLIES TO THE PORTION OF THE LAND THAT IS
6 ATTRIBUTABLE TO OR USED IN CONJUNCTION WITH THE RENEWABLE
7 ENERGY FACILITY.

8 (1.8) (a) The valuation for assessment of real and personal
9 property that is classified as agricultural property or renewable energy
10 production property is twenty-nine percent of the actual value thereof;
11 except that THE VALUATION FOR ASSESSMENT OF THIS PROPERTY IS
12 TEMPORARILY REDUCED AS FOLLOWS:

13 (I) For THE property tax ~~years~~ YEAR commencing on January 1,
14 2022, ~~January 1, 2023, and January 1, 2024,~~ the valuation for assessment
15 of this property is ~~temporarily reduced to~~ twenty-six and four-tenths
16 percent of the actual value thereof;

17 (II) FOR THE PROPERTY TAX YEARS COMMENCING ON AND AFTER
18 JANUARY 1, 2023, BUT BEFORE JANUARY 1, 2031, THE VALUATION FOR
19 ASSESSMENT OF THIS PROPERTY, EXCLUDING RENEWABLE ENERGY
20 AGRICULTURAL LAND, IS TWENTY-SIX AND FOUR-TENTHS PERCENT OF THE
21 ACTUAL VALUE THEREOF;

22 (III) FOR THE PROPERTY TAX YEARS COMMENCING ON JANUARY 1,
23 2031, AND JANUARY 1, 2032, THE VALUATION FOR ASSESSMENT OF THIS
24 PROPERTY, EXCLUDING RENEWABLE ENERGY AGRICULTURAL LAND, IS:

25 (A) TWENTY-FIVE AND NINE-TENTHS PERCENT OF THE ACTUAL
26 VALUE THEREOF, IF, FOR THE PROPERTY TAX YEAR COMMENCING ON
27 JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR

1 ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO
2 COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS
3 GREATER THAN OR EQUAL TO THREE AND SEVEN-TENTHS PERCENT FROM
4 THE PRIOR PROPERTY TAX YEAR; OR

5 (B) TWENTY-SIX AND FOUR-TENTHS PERCENT OF THE ACTUAL
6 VALUE THEREOF, IF, FOR THE PROPERTY TAX YEAR COMMENCING ON
7 JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR
8 ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO
9 COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS LESS
10 THAN THREE AND SEVEN-TENTHS PERCENT FROM THE PRIOR PROPERTY TAX
11 YEAR; AND

12 (IV) FOR THE PROPERTY TAX YEARS COMMENCING ON AND AFTER
13 JANUARY 1, 2023, BUT BEFORE JANUARY 1, 2033, THE VALUATION FOR
14 ASSESSMENT OF RENEWABLE ENERGY AGRICULTURAL LAND IS
15 TWENTY-ONE AND NINE-TENTHS PERCENT OF THE ACTUAL VALUE
16 THEREOF.

17 (b) The valuation for assessment of all nonresidential property that
18 is not specified in subsection (1) or (1.8)(a) of this section is twenty-nine
19 percent of the actual value thereof; except that ~~for the property tax year~~
20 ~~commencing on January 1, 2023~~, the valuation for assessment of this
21 property is temporarily reduced to:

22 (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1,
23 2023, for all of the property listed by the assessor under any improved
24 commercial subclass codes, twenty-seven and ~~nine-tenths~~ EIGHTY-FIVE
25 ONE-HUNDREDTHS percent of an amount equal to the actual value minus
26 the lesser of thirty thousand dollars or the amount that ~~reduces~~ CAUSES the
27 valuation for assessment to BE one thousand dollars; ~~and~~

1 (II) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1,
2 2023, twenty-seven and ~~nine-tenths~~ EIGHTY-FIVE ONE-HUNDREDTHS
3 percent of the actual value of all other nonresidential property that is not
4 specified in ~~subsections~~ SUBSECTION (1), (1.8)(a), ~~and~~ OR (1.8)(b)(I) of
5 this section;

6 (III) FOR THE PROPERTY TAX YEARS COMMENCING ON AND AFTER
7 JANUARY 1, 2024, BUT BEFORE JANUARY 1, 2027, TWENTY-SEVEN AND
8 EIGHTY-FIVE ONE-HUNDREDTHS PERCENT OF THE ACTUAL VALUE OF ALL
9 OTHER NONRESIDENTIAL PROPERTY THAT IS NOT SPECIFIED IN SUBSECTION
10 (1) OR (1.8)(a) OF THIS SECTION OR THAT IS NOT UNDER A VACANT LAND
11 SUBCLASS;

12 (IV) FOR THE PROPERTY TAX YEARS COMMENCING ON JANUARY 1,
13 2027, AND JANUARY 1, 2028, TWENTY-SEVEN AND SIXTY-FIVE
14 ONE-HUNDREDTHS PERCENT OF THE ACTUAL VALUE OF ALL OTHER
15 NONRESIDENTIAL PROPERTY THAT IS NOT SPECIFIED IN SUBSECTION (1) OR
16 (1.8)(a) OF THIS SECTION OR THAT IS NOT UNDER A VACANT LAND
17 SUBCLASS;

18 (V) FOR THE PROPERTY TAX YEARS COMMENCING ON JANUARY 1,
19 2029, AND JANUARY 1, 2030, TWENTY-SIX AND NINE-TENTHS PERCENT OF
20 THE ACTUAL VALUE OF ALL OTHER NONRESIDENTIAL PROPERTY THAT IS
21 NOT SPECIFIED IN SUBSECTION (1) OR (1.8)(a) OF THIS SECTION OR THAT IS
22 NOT UNDER A VACANT LAND SUBCLASS; AND

23 (VI) FOR THE PROPERTY TAX YEARS COMMENCING ON JANUARY 1,
24 2031, AND JANUARY 1, 2032:

25 (A) TWENTY-FIVE AND NINE-TENTHS PERCENT OF THE ACTUAL
26 VALUE OF ALL OTHER NONRESIDENTIAL PROPERTY THAT IS NOT SPECIFIED
27 IN SUBSECTION (1) OR (1.8)(a) OF THIS SECTION OR THAT IS NOT UNDER A

1 VACANT LAND SUBCLASS, IF, FOR THE PROPERTY TAX YEAR COMMENCING
2 ON JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR
3 ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO
4 COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS
5 GREATER THAN OR EQUAL TO THREE AND SEVEN-TENTHS PERCENT FROM
6 THE PRIOR PROPERTY TAX YEAR; OR

7 (B) TWENTY-SIX AND NINE-TENTHS PERCENT OF THE ACTUAL
8 VALUE OF ALL OTHER NONRESIDENTIAL PROPERTY THAT IS NOT SPECIFIED
9 IN SUBSECTION (1) OR (1.8)(a) OF THIS SECTION OR THAT IS NOT UNDER A
10 VACANT LAND SUBCLASS, IF, FOR THE PROPERTY TAX YEAR COMMENCING
11 ON JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR
12 ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO
13 COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS LESS
14 THAN THREE AND SEVEN-TENTHS PERCENT FROM THE PRIOR PROPERTY TAX
15 YEAR.

16 (b.5) (I) FOR PURPOSES OF SUBSECTIONS (1)(b)(V), (1.8)(a)(III),
17 AND (1.8)(b)(VI) OF THIS SECTION, THE TOTAL VALUATION FOR
18 ASSESSMENT OF TAXABLE REAL PROPERTY FOR ASSESSMENT EXCLUDES
19 THE VALUATION FOR ASSESSMENT FROM PRODUCING MINES AND LANDS OR
20 LEASEHOLDS PRODUCING OIL OR GAS.

21 (II) THE ADMINISTRATOR SHALL CALCULATE THE AVERAGE
22 INCREASE IN TOTAL VALUATION FOR ASSESSMENT OF TAXABLE REAL
23 PROPERTY WITHIN THE THIRTY-TWO COUNTIES WITH THE SMALLEST
24 INCREASES FOR PURPOSES OF SUBSECTIONS (1)(b)(V), (1.8)(a)(III), AND
25 (1.8)(b)(VI) OF THIS SECTION BASED ON INFORMATION PROVIDED BY
26 COUNTY ASSESSORS IN ACCORDANCE WITH SUBSECTION (1.8)(b.5)(III) OF
27 THIS SECTION AND THE ABSTRACT OF ASSESSMENT FOR THE PROPERTY TAX

1 YEAR COMMENCING ON JANUARY 1, 2030.

2 (III) NO LATER THAN MAY 5, 2031, EACH ASSESSOR SHALL
3 PROVIDE THE ADMINISTRATOR WITH AN ESTIMATE OF THE TOTAL
4 VALUATION FOR ASSESSMENT OF TAXABLE REAL PROPERTY LOCATED
5 WITHIN THE COUNTY BASED ON THE NOTICES OF VALUATION FOR THE
6 PROPERTY TAX YEAR.

7 (IV) ON OR BEFORE JULY 1, 2031, THE ADMINISTRATOR SHALL
8 PUBLISH ON THE WEBSITE MAINTAINED BY THE DIVISION OF PROPERTY
9 TAXATION IN THE DEPARTMENT OF LOCAL AFFAIRS WHETHER THE RATES
10 SET FORTH IN SUBSECTIONS (1)(b)(V)(A), (1.8)(a)(III)(A), AND
11 (1.8)(b)(VI)(A) OF THIS SECTION OR WHETHER THE RATES SET FORTH IN
12 SUBSECTIONS (1)(b)(V)(B), (1.8)(a)(III)(B), AND (1.8)(b)(VI)(B) OF THIS
13 SECTION APPLY FOR PROPERTY TAX YEARS COMMENCING ON JANUARY 1,
14 2031, AND JANUARY 1, 2032.

15 (c) The actual value of real and personal property specified in
16 ~~subsection (1.8)(a) or (1.8)(b)~~ SUBSECTION (1), (1.8)(a), OR (1.8)(b) of this
17 section is determined by the assessor and the administrator in the manner
18 prescribed by law, and a valuation for assessment percentage is uniformly
19 applied, without exception, to the actual value, AS SO DETERMINED OR AS SO
20 DETERMINED AND THEN REDUCED, of the various classes and subclasses
21 of real and personal property located within the territorial limits of the
22 authority levying a property tax, and all property taxes are levied against
23 the aggregate valuation for assessment resulting from the application of
24 the percentage.

25 (d) As used in this section, unless the context otherwise requires,
26 "nonresidential property" means all taxable real and personal property in
27 the state other than residential real property, producing mines, or lands or

1 leaseholds producing oil or gas. Nonresidential property includes the
2 subclasses of agricultural property, lodging property, and renewable
3 energy production property, for purposes of the ~~ratio~~ of valuation for
4 assessment.

5 (1.9) (a) THE TEMPORARY REDUCTIONS IN THE VALUATIONS FOR
6 ASSESSMENT SET FORTH IN SUBSECTIONS (1)(b) AND (1.8) OF THIS SECTION
7 MADE IN THIS SENATE BILL 23-____ ARE CONTINGENT ON THE STATE'S
8 AUTHORITY TO RETAIN AND SPEND STATE SURPLUS UP TO THE PROPOSITION
9 HH CAP UNDER PART 2 OF ARTICLE 77 OF TITLE 24. NOTWITHSTANDING
10 ANY PROVISION OF SUBSECTIONS (1)(b) AND (1.8) OF THIS SECTION TO THE
11 CONTRARY, IF, FOR A FISCAL YEAR COMMENCING ON OR AFTER JULY 1,
12 2023, THE STATE IS NOT PERMITTED TO RETAIN AND SPEND STATE SURPLUS
13 UP TO THE PROPOSITION HH CAP FOR THE FISCAL YEAR FOR ANY REASON,
14 EXCLUDING A LEGISLATIVE ENACTMENT BY THE GENERAL ASSEMBLY,
15 THEN FOR THE PROPERTY TAX YEAR THAT BEGINS DURING THE FISCAL
16 YEAR AND ALL PROPERTY TAX YEARS THEREAFTER, THE TEMPORARY
17 REDUCTIONS IN THE VALUATION FOR ASSESSMENT SET FORTH IN
18 SUBSECTIONS (1)(b) AND (1.8) OF THIS SECTION MADE IN THIS SENATE
19 BILL 23-____ DO NOT APPLY.

20 (b) THE STATE CONTROLLER SHALL NOTIFY THE ADMINISTRATOR
21 IF SUBSECTION (1.9)(a) OF THIS SECTION APPLIES, AND THE
22 ADMINISTRATOR SHALL PUBLISH NOTICE ON THE WEBSITE MAINTAINED BY
23 THE DIVISION OF PROPERTY TAXATION IN THE DEPARTMENT OF LOCAL
24 AFFAIRS THAT THE APPLICABLE TEMPORARY REDUCTIONS SET FORTH IN
25 SUBSECTIONS (1)(b) AND (1.8) OF THIS SECTION MADE IN THIS SENATE
26 BILL 23-____ DO NOT APPLY.

27 **SECTION 9.** In Colorado Revised Statutes, 39-1-104.2, **amend**

1 (3)(q) and (3)(r); and **add** (1)(a.3), (1)(a.7), and (3.5) as follows:

2 **39-1-104.2. Residential real property - valuation for**
3 **assessment - legislative declaration - definitions.** (1) As used in this
4 section, unless the context otherwise requires:

5 (a.3) "PRIMARY RESIDENCE REAL PROPERTY" MEANS PROPERTY
6 THAT IS CLASSIFIED AS SUCH UNDER SECTION 39-1-104.6.

7 (a.7) "QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY"
8 MEANS PROPERTY THAT IS CLASSIFIED AS SUCH UNDER SECTION 39-1-104.7
9 (2).

10 (3) (q) The ~~ratio of~~ valuation for assessment for multi-family
11 residential real property is 7.15 percent of THE actual value THEREOF for
12 property tax years commencing on or after January 1, 2019; except that
13 THE VALUATION FOR ASSESSMENT IS TEMPORARILY REDUCED AS FOLLOWS:

14 (I) For the property tax ~~years~~ YEAR commencing on January 1,
15 2022, ~~and January 1, 2024~~, the ~~ratio of~~ valuation for assessment for
16 multi-family residential real property is ~~temporarily reduced to~~ 6.8
17 percent of THE actual value THEREOF; AND

18 (II) For the property tax ~~year~~ YEARS commencing on January 1,
19 2023, BUT BEFORE JANUARY 1, 2033, the ~~ratio of~~ valuation for assessment
20 for multi-family residential real property is ~~temporarily reduced to 6.765~~
21 ~~percent~~ 6.7 PERCENT of THE AMOUNT EQUAL TO THE actual value OF THE
22 PROPERTY MINUS THE LESSER OF FORTY THOUSAND DOLLARS OR THE
23 AMOUNT THAT CAUSES THE VALUATION FOR ASSESSMENT OF THE
24 PROPERTY TO BE ONE THOUSAND DOLLARS.

25 (r) The ~~ratio of~~ valuation for assessment for all residential real
26 property other than multi-family residential real property is 7.15 percent
27 of THE actual value THEREOF; except that THE VALUATION FOR

1 ASSESSMENT IS TEMPORARILY REDUCED AS FOLLOWS:

2 (I) For the property tax year commencing on January 1, 2022, the
3 ~~ratio of~~ valuation for assessment for all residential real property other
4 than multi-family residential real property is ~~temporarily reduced to~~ 6.95
5 percent of THE actual value THEREOF;

6 (II) For the property tax year commencing on January 1, 2023, the
7 ~~ratio of~~ valuation for assessment for all residential real property other
8 than multi-family residential real property is ~~6.765 percent~~ 6.7 PERCENT
9 of THE AMOUNT EQUAL TO THE actual value ~~and~~ OF THE PROPERTY MINUS
10 THE LESSER OF FORTY THOUSAND DOLLARS OR THE AMOUNT THAT CAUSES
11 THE VALUATION FOR ASSESSMENT OF THE PROPERTY TO BE ONE THOUSAND
12 DOLLARS;

13 (III) For the property tax year commencing on January 1, 2024,
14 the ~~ratio of~~ valuation for assessment for all residential real property other
15 than multi-family residential real property is ~~temporarily established as~~
16 ~~the percentage calculated in accordance with section 39-1-104.4~~ 6.7
17 PERCENT OF THE AMOUNT EQUAL TO THE ACTUAL VALUE OF THE PROPERTY
18 MINUS THE LESSER OF FORTY THOUSAND DOLLARS OR THE AMOUNT THAT
19 CAUSES THE VALUATION FOR ASSESSMENT OF THE PROPERTY TO BE ONE
20 THOUSAND DOLLARS; AND

21 (IV) FOR PROPERTY TAX YEARS COMMENCING ON OR AFTER
22 JANUARY 1, 2025, BUT BEFORE JANUARY 1, 2033:

23 (A) THE VALUATION FOR ASSESSMENT FOR PRIMARY RESIDENCE
24 REAL PROPERTY, INCLUDING MULTI-FAMILY PRIMARY RESIDENCE REAL
25 PROPERTY, IS 6.7 PERCENT OF THE AMOUNT EQUAL TO THE ACTUAL VALUE
26 OF THE PROPERTY MINUS THE LESSER OF FORTY THOUSAND DOLLARS OR
27 THE AMOUNT THAT CAUSES THE VALUATION FOR ASSESSMENT OF THE

1 PROPERTY TO BE ONE THOUSAND DOLLARS;

2 (B) THE VALUATION FOR ASSESSMENT FOR QUALIFIED-SENIOR
3 PRIMARY RESIDENCE REAL PROPERTY, INCLUDING MULTI-FAMILY
4 QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY, IS 6.7 PERCENT
5 OF THE AMOUNT EQUAL TO THE ACTUAL VALUE OF THE PROPERTY MINUS
6 THE LESSER OF ONE HUNDRED FORTY THOUSAND DOLLARS OR THE
7 AMOUNT THAT CAUSES THE VALUATION FOR ASSESSMENT OF THE
8 PROPERTY TO BE ONE THOUSAND DOLLARS; AND

9 (C) THE VALUATION FOR ASSESSMENT FOR ALL RESIDENTIAL REAL
10 PROPERTY THAT IS NOT SPECIFIED IN SUBSECTION (3)(q)(II), (3)(r)(IV)(A),
11 OR (3)(r)(IV)(B) OF THIS SECTION IS 7.1 PERCENT OF THE ACTUAL VALUE
12 THEREOF.

13 (3.5) (a) THE TEMPORARY REDUCTIONS IN THE VALUATIONS FOR
14 ASSESSMENT SET FORTH IN SUBSECTION (3) OF THIS SECTION MADE IN THIS
15 SENATE BILL 23-____ ARE CONTINGENT ON THE STATE'S AUTHORITY TO
16 RETAIN AND SPEND STATE SURPLUS UP TO THE PROPOSITION HH CAP
17 UNDER PART 2 OF ARTICLE 77 OF TITLE 24. NOTWITHSTANDING ANY
18 PROVISION OF SUBSECTION (3) OF THIS SECTION TO THE CONTRARY, IF, FOR
19 A FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2023, THE STATE IS
20 NOT PERMITTED TO RETAIN AND SPEND STATE SURPLUS UP TO THE
21 PROPOSITION HH CAP FOR THE FISCAL YEAR FOR ANY REASON, EXCLUDING
22 A LEGISLATIVE ENACTMENT BY THE GENERAL ASSEMBLY, THEN FOR THE
23 PROPERTY TAX YEAR THAT BEGINS DURING THE FISCAL YEAR AND ALL
24 PROPERTY TAX YEARS THEREAFTER, THE TEMPORARY REDUCTIONS IN THE
25 VALUATION FOR ASSESSMENT SET FORTH IN SUBSECTION (3) OF THIS
26 SECTION MADE IN THIS SENATE BILL 23-____ DO NOT APPLY.

27 (b) THE STATE CONTROLLER SHALL NOTIFY THE ADMINISTRATOR

1 IF SUBSECTION (3.5)(a) OF THIS SECTION APPLIES, AND THE
2 ADMINISTRATOR SHALL PUBLISH NOTICE ON THE WEBSITE MAINTAINED BY
3 THE DIVISION OF PROPERTY TAXATION IN THE DEPARTMENT OF LOCAL
4 AFFAIRS THAT THE APPLICABLE TEMPORARY REDUCTIONS SET FORTH IN
5 SUBSECTION (3) OF THIS SECTION MADE IN THIS SENATE BILL 23-____ DO
6 NOT APPLY.

7 **SECTION 10.** In Colorado Revised Statutes, **repeal** 39-1-104.3
8 and 39-1-104.4 as follows:

9 **39-1-104.3. Partial real property tax reductions - residential**
10 **property - definitions - repeal.** ~~(1) As used in this section, unless the~~
11 ~~context otherwise requires, "residential real property" means property~~
12 ~~listed by the assessor under any residential real property classification~~
13 ~~code.~~

14 ~~(2) For the property tax year commencing on January 1, 2023, the~~
15 ~~valuation for assessment for residential real property is six and seven~~
16 ~~hundred sixty-five thousandths percent, as set forth in section 39-1-104.2~~
17 ~~(3)(q)(II) and (3)(r)(II), of the amount equal to the actual value,~~
18 ~~determined pursuant to section 39-1-103, minus the lesser of fifteen~~
19 ~~thousand dollars or the amount that reduces the valuation for assessment~~
20 ~~to one thousand dollars.~~

21 ~~(3) This adjustment does not apply to any other class of property.~~

22 ~~(4) This section is repealed, effective July 1, 2025.~~

23 **39-1-104.4. Adjustment of residential rate.** ~~(1) The ratio of~~
24 ~~valuation for assessment for residential real property other than~~
25 ~~multi-family residential real property for the property tax year~~
26 ~~commencing on January 1, 2024, is equal to the percentage necessary for~~
27 ~~the following to equal a total of seven hundred million dollars:~~

1 ~~(a) The aggregate reduction of local government property tax~~
2 ~~revenue during the property tax year commencing on January 1, 2023, as~~
3 ~~a result of the changes made in Senate Bill 22-238, enacted in 2022, that~~
4 ~~reduced valuations for assessment set forth pursuant to sections 39-1-104~~
5 ~~(1)(b) and (1.8)(b), 39-1-104.2 (3)(q)(II) and (3)(r)(II), and 39-3-104.3~~
6 ~~(2); and~~

7 ~~(b) The aggregate reduction of local government property tax~~
8 ~~revenue during the property tax year commencing on January 1, 2024, as~~
9 ~~a result of the reduced valuations for assessment set forth pursuant to~~
10 ~~sections 39-1-104 (1.8)(a) and 39-1-104.2 (3)(q)(I) and (3)(r)(III) for the~~
11 ~~property tax year commencing on January 1, 2024.~~

12 ~~(2) On or before March 21, 2024, based on the information~~
13 ~~available on that date, the property tax administrator shall submit a report~~
14 ~~to the general assembly calculating the ratio of valuation for assessment~~
15 ~~specified in subsection (1) of this section.~~

16 **SECTION 11.** In Colorado Revised Statutes, **add** 39-1-104.6 and
17 39-1-104.7 as follows:

18 **39-1-104.6. Primary residence real property. (1) Definitions.**

19 AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- 20 (a) (I) "OWNER-OCCUPIER" MEANS AN INDIVIDUAL WHO:
- 21 (A) IS AN OWNER OF RECORD OF RESIDENTIAL REAL PROPERTY
- 22 THAT THE INDIVIDUAL OCCUPIES AS THE INDIVIDUAL'S PRIMARY
- 23 RESIDENCE;
- 24 (B) IS NOT AN OWNER OF RECORD OF THE RESIDENTIAL REAL
- 25 PROPERTY THAT THE INDIVIDUAL OCCUPIES AS THE INDIVIDUAL'S PRIMARY
- 26 RESIDENCE, BUT EITHER IS A SPOUSE OR CIVIL UNION PARTNER OF AN
- 27 OWNER OF RECORD OF THE RESIDENTIAL REAL PROPERTY AND WHO ALSO

1 OCCUPIES THE RESIDENTIAL REAL PROPERTY AS THE OWNER OF RECORD'S
2 PRIMARY RESIDENCE, OR IS THE SURVIVING SPOUSE OR PARTNER OF AN
3 INDIVIDUAL WHO WAS AN OWNER OF RECORD OF THE RESIDENTIAL REAL
4 PROPERTY AND WHO OCCUPIED THE RESIDENTIAL REAL PROPERTY WITH
5 THE SURVIVING SPOUSE OR PARTNER AS THEIR PRIMARY RESIDENCE UNTIL
6 THE OWNER OF RECORD'S DEATH; OR

7 (C) IS NOT AN OWNER OF RECORD OF THE RESIDENTIAL REAL
8 PROPERTY THAT THE INDIVIDUAL OCCUPIES AS THE INDIVIDUAL'S PRIMARY
9 RESIDENCE, ONLY BECAUSE THE PROPERTY HAS BEEN PURCHASED BY OR
10 TRANSFERRED TO A TRUST, A CORPORATE PARTNERSHIP, OR ANY OTHER
11 LEGAL ENTITY SOLELY FOR ESTATE PLANNING PURPOSES AND IS THE
12 MAKER OF THE TRUST OR A PRINCIPAL OF THE CORPORATE PARTNERSHIP OR
13 OTHER LEGAL ENTITY;

14 (D) OCCUPIES RESIDENTIAL REAL PROPERTY AS THE INDIVIDUAL'S
15 PRIMARY RESIDENCE AND IS THE SPOUSE OR CIVIL UNION PARTNER OF A
16 PERSON WHO ALSO OCCUPIES THE RESIDENTIAL REAL PROPERTY, WHO IS
17 NOT THE OWNER OF RECORD OF THE PROPERTY ONLY BECAUSE THE
18 PROPERTY HAS BEEN PURCHASED BY OR TRANSFERRED TO A TRUST, A
19 CORPORATE PARTNERSHIP, OR ANY OTHER LEGAL ENTITY SOLELY FOR
20 ESTATE PLANNING PURPOSES, AND WHO IS THE MAKER OF THE TRUST OR A
21 PRINCIPAL OF THE CORPORATE PARTNERSHIP OR OTHER LEGAL ENTITY; OR

22 (E) OCCUPIES RESIDENTIAL REAL PROPERTY AS THE INDIVIDUAL'S
23 PRIMARY RESIDENCE AND IS THE SURVIVING SPOUSE OR PARTNER OF A
24 PERSON WHO OCCUPIED THE RESIDENTIAL REAL PROPERTY WITH THE
25 SURVIVING SPOUSE OR PARTNER UNTIL THE PERSON'S DEATH, WHO WAS
26 NOT THE OWNER OF RECORD OF THE PROPERTY AT THE TIME OF THE
27 PERSON'S DEATH ONLY BECAUSE THE PROPERTY HAD BEEN PURCHASED BY

1 OR TRANSFERRED TO A TRUST, A CORPORATE PARTNERSHIP, OR ANY OTHER
2 LEGAL ENTITY SOLELY FOR ESTATE PLANNING PURPOSES PRIOR TO THE
3 PERSON'S DEATH, AND WHO WAS THE MAKER OF THE TRUST OR A PRINCIPAL
4 OF THE CORPORATE PARTNERSHIP OR OTHER LEGAL ENTITY PRIOR TO THE
5 PERSON'S DEATH.

6 (II) "OWNER-OCCUPIER" ALSO INCLUDES ANY INDIVIDUAL WHO,
7 BUT FOR THE CONFINEMENT OF THE INDIVIDUAL TO A HOSPITAL, NURSING
8 HOME, OR ASSISTED LIVING FACILITY, WOULD OCCUPY THE RESIDENTIAL
9 REAL PROPERTY AS THE INDIVIDUAL'S PRIMARY RESIDENCE AND WOULD
10 MEET ONE OR MORE OF THE OWNERSHIP CRITERIA SPECIFIED IN
11 SUBSECTION (1)(a)(I) OF THIS SECTION, IF THE RESIDENTIAL REAL
12 PROPERTY:

13 (A) IS TEMPORARILY UNOCCUPIED; OR

14 (B) IS OCCUPIED BY THE SPOUSE, CIVIL UNION PARTNER, OR A
15 FINANCIAL DEPENDENT OF THE INDIVIDUAL.

16 (b) "OWNER OF RECORD" MEANS AN INDIVIDUAL WHOSE NAME
17 APPEARS ON A VALID RECORDED DEED TO RESIDENTIAL REAL PROPERTY AS
18 AN OWNER OF THE PROPERTY.

19 (c) "QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY"
20 MEANS A PROPERTY THAT IS CLASSIFIED AS SUCH UNDER SECTION
21 39-1-104.7.

22 (d) "SURVIVING SPOUSE OR PARTNER" MEANS AN INDIVIDUAL WHO
23 WAS LEGALLY MARRIED TO ANOTHER INDIVIDUAL, OR WAS A PARTNER IN
24 A CIVIL UNION WITH ANOTHER INDIVIDUAL, AT THE TIME OF THE OTHER
25 INDIVIDUAL'S DEATH AND WHO HAS NOT REMARRIED OR ENTERED INTO
26 ANOTHER CIVIL UNION.

27 (2) **Classification.** (a) EXCEPT AS SET FORTH IN SECTION

1 39-1-104.7, FOR PROPERTY TAX YEARS COMMENCING ON OR AFTER
2 JANUARY 1, 2025, RESIDENTIAL REAL PROPERTY THAT AS OF THE
3 ASSESSMENT DATE IS USED AS THE PRIMARY RESIDENCE OF AN
4 OWNER-OCCUPIER IS CLASSIFIED AS PRIMARY RESIDENCE REAL PROPERTY,
5 WHICH IS A SUBCLASS OF RESIDENTIAL REAL PROPERTY, IF:

6 (I) THE OWNER-OCCUPIER COMPLETES AND FILES AN APPLICATION
7 IN THE MANNER REQUIRED BY SUBSECTION (3) OF THIS SECTION; AND

8 (II) THE CIRCUMSTANCES THAT QUALIFY THE PROPERTY FOR THE
9 CLASSIFICATION HAVE NOT CHANGED SINCE THE FILING OF THE
10 APPLICATION.

11 (b) UNDER NO CIRCUMSTANCES IS THE CLASSIFICATION ALLOWED
12 FOR PROPERTY TAXES ASSESSED DURING ANY PROPERTY TAX YEAR PRIOR
13 TO THE YEAR IN WHICH AN OWNER-OCCUPIER FIRST FILES AN APPLICATION
14 IN THE MANNER REQUIRED BY SUBSECTION (3) OF THIS SECTION. IF
15 OWNERSHIP OF RESIDENTIAL REAL PROPERTY THAT QUALIFIED AS PRIMARY
16 RESIDENCE REAL PROPERTY AS OF THE ASSESSMENT DATE CHANGES AFTER
17 THE ASSESSMENT DATE, THE CLASSIFICATION IS ALLOWED ONLY IF AN
18 OWNER-OCCUPIER WHOSE STATUS AS AN OWNER-OCCUPIER QUALIFIED THE
19 PROPERTY FOR THE CLASSIFICATION HAS FILED AN APPLICATION BY THE
20 DEADLINE SPECIFIED IN SUBSECTION (3)(a) OF THIS SECTION.

21 (c) IF AN INDIVIDUAL OWNS AND OCCUPIES A DWELLING UNIT IN A
22 COMMON INTEREST COMMUNITY, AS DEFINED IN SECTION 38-33.3-103 (8),
23 AS THE INDIVIDUAL'S PRIMARY RESIDENCE, ONLY THE DWELLING UNIT
24 THAT THE INDIVIDUAL OCCUPIES AS THE INDIVIDUAL'S PRIMARY
25 RESIDENCE MAY QUALIFY AS PRIMARY RESIDENCE REAL PROPERTY OR
26 QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY.

27 (d) FOR PURPOSES OF THIS SUBSECTION (2), TWO INDIVIDUALS WHO

1 ARE LEGALLY MARRIED OR ARE CIVIL UNION PARTNERS, BUT WHO OWN
2 MORE THAN ONE PARCEL OF RESIDENTIAL REAL PROPERTY, ARE DEEMED
3 TO OCCUPY THE SAME PRIMARY RESIDENCE AND ONLY THAT PROPERTY
4 MAY BE CLASSIFIED AS PRIMARY RESIDENCE REAL PROPERTY.

5 (e) REAL PROPERTY THAT MIGHT OTHERWISE BE CLASSIFIED AS
6 MULTI-FAMILY RESIDENTIAL REAL PROPERTY THAT CONTAINS A UNIT THAT
7 QUALIFIES AS PRIMARY RESIDENCE REAL PROPERTY UNDER THIS SECTION
8 IS CLASSIFIED AS MULTI-FAMILY PRIMARY RESIDENCE REAL PROPERTY.

9 (3) **Applications.** (a) FOR A PROPERTY TO BE CLASSIFIED AS
10 PRIMARY RESIDENCE REAL PROPERTY OR AS QUALIFIED-SENIOR PRIMARY
11 RESIDENCE REAL PROPERTY, AN INDIVIDUAL MUST FILE WITH THE
12 ASSESSOR A COMPLETED APPLICATION NO LATER THAN MARCH 15 OF THE
13 FIRST PROPERTY TAX YEAR FOR WHICH THE CLASSIFICATION IS SOUGHT.
14 AN APPLICATION RETURNED BY MAIL IS DEEMED FILED ON THE DATE IT IS
15 POSTMARKED.

16 (b) (I) AN APPLICANT MUST COMPLETE AN APPLICATION FOR
17 PROPERTY TO BE CLASSIFIED AS PRIMARY RESIDENCE REAL PROPERTY OR
18 AS QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY ON A FORM
19 PRESCRIBED BY THE ADMINISTRATOR THAT INCLUDES THE FOLLOWING
20 INFORMATION:

21 (A) THE APPLICANT'S NAME, MAILING ADDRESS, AND SOCIAL
22 SECURITY NUMBER;

23 (B) THE ADDRESS AND SCHEDULE OR PARCEL NUMBER OF THE
24 PROPERTY;

25 (C) THE NAME AND SOCIAL SECURITY NUMBER OF THE APPLICANT'S
26 SPOUSE OR CIVIL UNION PARTNER WHO OCCUPIES THE PROPERTY AS THE
27 SPOUSE OR CIVIL UNION PARTNER'S PRIMARY RESIDENCE;

1 (D) IF A TRUST IS THE OWNER OF RECORD OF THE PROPERTY, THE
2 NAMES OF THE MAKER OF THE TRUST, THE TRUSTEE, AND THE
3 BENEFICIARIES OF THE TRUST;

4 (E) IF A CORPORATE PARTNERSHIP OR OTHER LEGAL ENTITY IS THE
5 OWNER OF RECORD OF THE PROPERTY, THE NAMES OF THE PRINCIPALS OR
6 THE CORPORATE PARTNERSHIP OR OTHER LEGAL ENTITY;

7 (F) A STATEMENT OF WHETHER THE APPLICANT PREVIOUSLY
8 QUALIFIED FOR THE PROPERTY TAX EXEMPTION FOR QUALIFYING SENIORS
9 ALLOWED BY SECTION 39-3-203 (1) FOR A DIFFERENT PROPERTY THAN THE
10 PROPERTY THAT THE APPLICANT CURRENTLY OCCUPIES AS THE
11 APPLICANT'S PRIMARY RESIDENCE;

12 (G) AN AFFIRMATION, IN A FORM PRESCRIBED BY THE
13 ADMINISTRATOR, THAT THE APPLICANT BELIEVES, UNDER PENALTY OF
14 PERJURY IN THE SECOND DEGREE AS DEFINED IN SECTION 18-8-503, THAT
15 ALL INFORMATION PROVIDED BY THE APPLICANT IS CORRECT; AND

16 (H) ANY OTHER INFORMATION THAT THE ADMINISTRATOR
17 REASONABLY DEEMS NECESSARY.

18 (II) THE ADMINISTRATOR SHALL ALSO INCLUDE IN THE
19 APPLICATION A STATEMENT THAT AN APPLICANT, OR, IF APPLICABLE, THE
20 TRUSTEE, HAS A LEGAL OBLIGATION TO INFORM THE ASSESSOR WITHIN
21 SIXTY DAYS OF ANY CHANGE IN THE OWNERSHIP OR OCCUPANCY OF THE
22 RESIDENTIAL REAL PROPERTY FOR WHICH CLASSIFICATION AS PRIMARY
23 RESIDENCE REAL PROPERTY OR AS QUALIFIED-SENIOR PRIMARY RESIDENCE
24 REAL PROPERTY HAS BEEN APPLIED FOR OR ALLOWED THAT WOULD
25 PREVENT THE CLASSIFICATION FROM BEING ALLOWED FOR THE PROPERTY.

26 (c) FOR PURPOSES OF THE APPLICATION AND RELATED PROVISIONS
27 IN THIS SECTION, REAL PROPERTY THAT IS MULTI-FAMILY PRIMARY

1 RESIDENCE REAL PROPERTY IS TREATED AS PRIMARY RESIDENCE REAL
2 PROPERTY AND MULTI-FAMILY QUALIFIED-SENIOR PRIMARY REAL
3 RESIDENCE IS TREATED AS QUALIFIED-SENIOR PRIMARY RESIDENCE REAL
4 PROPERTY.

5 (4) **Penalties.** (a) IN ADDITION TO ANY PENALTIES PRESCRIBED BY
6 LAW FOR PERJURY IN THE SECOND DEGREE, AN APPLICANT WHO
7 KNOWINGLY PROVIDES FALSE INFORMATION ON AN APPLICATION OR
8 ATTEMPTS TO CLAIM MORE THAN ONE PROPERTY AS PRIMARY RESIDENCE
9 REAL PROPERTY OR QUALIFIED-SENIOR PRIMARY RESIDENCE REAL
10 PROPERTY FOR THE SAME PROPERTY TAX YEAR SHALL:

11 (I) NOT BE ABLE TO CLAIM THE PROPERTY AS PRIMARY RESIDENCE
12 REAL PROPERTY OR QUALIFIED-SENIOR PRIMARY RESIDENCE REAL
13 PROPERTY FOR THE PROPERTY TAX YEAR;

14 (II) PAY, TO THE TREASURER OF A COUNTY IN WHICH PROPERTY
15 WAS IMPROPERLY CLASSIFIED AS PRIMARY RESIDENCE REAL PROPERTY OR
16 QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY DUE TO THE
17 PROVISION BY THE APPLICANT OF FALSE INFORMATION OR THE FILING OF
18 MORE THAN ONE APPLICATION, AN AMOUNT EQUAL TO THE AMOUNT OF
19 PROPERTY TAXES NOT PAID AS A RESULT OF THE IMPROPER CLASSIFICATION
20 AS PRIMARY RESIDENCE REAL PROPERTY OR QUALIFIED-SENIOR PRIMARY
21 RESIDENCE REAL PROPERTY; AND

22 (III) UPON CONVICTION OF PERJURY, BE REQUIRED TO PAY TO THE
23 TREASURER OF ANY COUNTY IN WHICH AN INVALID APPLICATION WAS
24 FILED AN ADDITIONAL AMOUNT EQUAL TO TWICE THE AMOUNT OF THE
25 PROPERTY TAXES IDENTIFIED IN SUBSECTION (4)(a)(II) OF THIS SECTION
26 PLUS INTEREST, CALCULATED AT THE ANNUAL RATE CALCULATED
27 PURSUANT TO SECTION 39-21-110.5 FROM THE DATE THE INVALID

1 APPLICATION WAS FILED UNTIL THE DATE THE APPLICANT MAKES THE
2 PAYMENT REQUIRED BY THIS SUBSECTION (4)(a)(III).

3 (b) IF AN APPLICANT OR A TRUSTEE FAILS TO INFORM THE
4 ASSESSOR WITHIN SIXTY DAYS OF ANY CHANGE IN THE OWNERSHIP OR
5 OCCUPANCY OF RESIDENTIAL REAL PROPERTY FOR CLASSIFICATION AS A
6 PRIMARY RESIDENCE REAL PROPERTY OR A QUALIFIED-SENIOR PRIMARY
7 RESIDENCE REAL PROPERTY THAT HAS BEEN APPLIED FOR OR ALLOWED
8 THAT WOULD PREVENT THE CLASSIFICATION FROM BEING ALLOWED FOR
9 THE PROPERTY AS REQUIRED BY SUBSECTION (3)(b) OF THIS SECTION:

10 (I) THE CLASSIFICATION IS NOT ALLOWED WITH RESPECT TO THE
11 RESIDENTIAL REAL PROPERTY FOR THE SUBSEQUENT PROPERTY TAX YEAR;
12 AND

13 (II) THE APPLICANT OR TRUSTEE SHALL PAY, TO THE TREASURER
14 OF ANY COUNTY IN WHICH THE CLASSIFICATION WAS IMPROPERLY
15 ALLOWED DUE TO THE APPLICANT'S OR TRUSTEE'S FAILURE TO
16 IMMEDIATELY INFORM THE ASSESSOR OF ANY CHANGE IN THE OWNERSHIP
17 OR OCCUPANCY OF RESIDENTIAL REAL PROPERTY, AN AMOUNT EQUAL TO
18 THE AMOUNT OF PROPERTY TAXES NOT PAID AS A RESULT OF THE
19 IMPROPER CLASSIFICATION AS PRIMARY RESIDENCE REAL PROPERTY OR
20 QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY PLUS INTEREST,
21 CALCULATED AT THE ANNUAL RATE SPECIFIED IN SECTION 39-21-110.5
22 FROM THE DATE ON WHICH THE CHANGE IN THE OWNERSHIP OR
23 OCCUPANCY OCCURRED UNTIL THE DATE THE APPLICANT MAKES THE
24 PAYMENT REQUIRED BY THIS SUBSECTION (4)(b)(II).

25 (c) ANY AMOUNT REQUIRED TO BE PAID TO A TREASURER
26 PURSUANT TO SUBSECTION (4)(a) OR (4)(b) OF THIS SECTION IS DEEMED
27 PART OF THE LIEN OF GENERAL TAXES IMPOSED ON THE PERSON REQUIRED

1 TO PAY THE AMOUNT AND HAS THE PRIORITY SPECIFIED IN SECTION
2 39-1-107 (2).

3 (5) **Confidentiality.** (a) COMPLETED APPLICATIONS FOR
4 CLASSIFICATION AS PRIMARY RESIDENCE REAL PROPERTY OR AS
5 QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY ARE
6 CONFIDENTIAL; EXCEPT THAT:

7 (I) (A) AN ASSESSOR OR THE ADMINISTRATOR MAY RELEASE
8 STATISTICAL COMPILATIONS OR INFORMATIONAL SUMMARIES OF ANY
9 INFORMATION CONTAINED IN THE APPLICATIONS AND SHALL PROVIDE A
10 COPY OF AN APPLICATION TO THE APPLICANT WHO RETURNED THE
11 APPLICATION AND THE TREASURER OF THE SAME COUNTY AS THE
12 ASSESSOR;

13 (B) AN ASSESSOR OR THE ADMINISTRATOR MAY INTRODUCE A
14 COPY OF AN APPLICATION AS EVIDENCE IN ANY ADMINISTRATIVE HEARING
15 OR LEGAL PROCEEDING IN WHICH THE ACCURACY OR VERACITY OF THE
16 APPLICATION IS AT ISSUE SO LONG AS NEITHER THE APPLICANT'S SOCIAL
17 SECURITY NUMBER NOR ANY OTHER SOCIAL SECURITY NUMBER SET FORTH
18 IN THE APPLICATION ARE DIVULGED.

19 (II) A TREASURER SHALL KEEP CONFIDENTIAL EACH INDIVIDUAL
20 APPLICATION RECEIVED FROM AN ASSESSOR BUT MAY RELEASE
21 STATISTICAL COMPILATIONS OR INFORMATIONAL SUMMARIES OF ANY
22 INFORMATION CONTAINED IN APPLICATIONS AND MAY INTRODUCE A COPY
23 OF AN APPLICATION AS EVIDENCE IN ANY ADMINISTRATIVE HEARING OR
24 LEGAL PROCEEDING IN WHICH THE ACCURACY OR VERACITY OF THE
25 APPLICATION IS AT ISSUE SO LONG AS NEITHER THE APPLICANT'S SOCIAL
26 SECURITY NUMBER NOR ANY OTHER SOCIAL SECURITY NUMBER SET FORTH
27 IN THE APPLICATION IS DIVULGED.

1 (III) THE ADMINISTRATOR MAY SHARE INFORMATION CONTAINED
2 IN AN APPLICATION, INCLUDING ANY SOCIAL SECURITY NUMBER SET FORTH
3 IN THE APPLICATION, WITH THE DEPARTMENT OF REVENUE TO THE EXTENT
4 NECESSARY TO ENABLE THE ADMINISTRATOR TO VERIFY THAT THE
5 APPLICANT SATISFIES LEGAL REQUIREMENTS FOR THE CLASSIFICATION.

6 (b) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (5)(a) OF
7 THIS SECTION, THE ADMINISTRATOR, AN ASSESSOR, OR A TREASURER
8 SHALL NOT GIVE ANY OTHER PERSON ANY LISTING OF APPLICANTS OR ANY
9 OTHER INFORMATION THAT WOULD ENABLE A PERSON TO EASILY
10 ASSEMBLE A MAILING LIST OF APPLICANTS FOR THE PRIMARY RESIDENCE
11 REAL PROPERTY CLASSIFICATION OR QUALIFIED-SENIOR PRIMARY
12 RESIDENCE REAL PROPERTY CLASSIFICATION.

13 (c) IN ACCORDANCE WITH SECTION 25-2-103 (4.7), THE
14 ADMINISTRATOR SHALL ANNUALLY PROVIDE TO THE STATE REGISTRAR OF
15 VITAL STATISTICS OF THE DEPARTMENT OF PUBLIC HEALTH AND
16 ENVIRONMENT A LIST, BY NAME AND SOCIAL SECURITY NUMBER, OF EVERY
17 INDIVIDUAL WHO HAD PROPERTY CLASSIFIED AS PRIMARY RESIDENCE REAL
18 PROPERTY OR QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY FOR
19 THE IMMEDIATELY PRECEDING YEAR SO THAT THE REGISTRAR CAN
20 PROVIDE TO THE ADMINISTRATOR A LIST OF ALL THE INDIVIDUALS ON THE
21 LIST WHO HAVE DIED. NO LATER THAN APRIL 1, 2026, AND APRIL 1 OF
22 EACH YEAR THEREAFTER, THE ADMINISTRATOR SHALL FORWARD TO THE
23 ASSESSOR OF EACH COUNTY THE NAME AND SOCIAL SECURITY NUMBER OF
24 EACH DECEASED INDIVIDUAL WHO HAD RESIDENTIAL REAL PROPERTY
25 LOCATED WITHIN THE COUNTY THAT WAS SO CLASSIFIED FOR THE
26 IMMEDIATELY PRECEDING YEAR, SO THAT THE ASSESSOR CAN CHANGE THE
27 CLASSIFICATION OF THE PROPERTY, IF NECESSARY.

1 (6) **Notice.** (a) AS SOON AS PRACTICABLE AFTER JANUARY 1,
2 2025, AND AFTER JANUARY 1 OF EACH YEAR THEREAFTER, EACH COUNTY
3 TREASURER SHALL, AT THE TREASURER'S DISCRETION, MAIL OR
4 ELECTRONICALLY SEND TO EACH PERSON WHOSE NAME APPEARS ON THE
5 TAX LIST AND WARRANT AS AN OWNER OF RESIDENTIAL REAL PROPERTY
6 NOTICE OF THE PRIMARY RESIDENCE REAL PROPERTY AND THE
7 QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY CLASSIFICATIONS.
8 THE TREASURER SHALL MAIL OR ELECTRONICALLY SEND THE NOTICE EACH
9 YEAR ON OR BEFORE THE DATE ON WHICH THE TREASURER MAILES THE
10 PROPERTY TAX STATEMENT FOR THE PREVIOUS PROPERTY TAX YEAR
11 PURSUANT TO SECTION 39-10-103. THE ADMINISTRATOR SHALL PRESCRIBE
12 THE FORM OF THE NOTICE, WHICH MUST INCLUDE A STATEMENT OF THE
13 ELIGIBILITY CRITERIA FOR THE PRIMARY RESIDENCE REAL PROPERTY AND
14 QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY CLASSIFICATIONS
15 AND INSTRUCTIONS FOR OBTAINING A RELATED APPLICATION.

16 (b) TO REDUCE MAILING COSTS, AN ASSESSOR MAY COORDINATE
17 WITH THE TREASURER OF THE SAME COUNTY TO INCLUDE NOTICE WITH THE
18 TAX STATEMENT FOR THE PREVIOUS PROPERTY TAX YEAR MAILED
19 PURSUANT TO SECTION 39-10-103, OR MAY INCLUDE NOTICE WITH THE
20 NOTICE OF VALUATION MAILED PURSUANT TO SECTION 39-5-121 (1)(a).

21 (7) **Notice of classification - appeal.** (a) (I) EXCEPT AS
22 OTHERWISE PROVIDED IN SUBSECTION (7)(b) OF THIS SECTION, AN
23 ASSESSOR SHALL ONLY CLASSIFY PROPERTY AS PRIMARY RESIDENCE REAL
24 PROPERTY OR QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY IF
25 AN APPLICANT HAS TIMELY RETURNED AN APPLICATION IN ACCORDANCE
26 WITH SUBSECTION (3) OF THIS SECTION THAT ESTABLISHES THAT EITHER
27 CLASSIFICATION IS APPROPRIATE.

1 (II) IF THE INFORMATION PROVIDED ON OR WITH AN APPLICATION
2 INDICATES THAT THE APPLICANT IS NOT ENTITLED TO THE CLASSIFICATION,
3 OR IS INSUFFICIENT TO ALLOW THE ASSESSOR TO DETERMINE WHETHER THE
4 PROPERTY MEETS THE CLASSIFICATION, THE ASSESSOR SHALL DENY THE
5 APPLICATION AND MAIL TO THE APPLICANT A STATEMENT PROVIDING THE
6 REASONS FOR THE DENIAL AND INFORMING THE APPLICANT OF THE
7 APPLICANT'S RIGHT TO CONTEST THE DENIAL PURSUANT TO SUBSECTION
8 (7)(b) OF THIS SECTION. THE ASSESSOR SHALL MAIL THE STATEMENT NO
9 LATER THAN AUGUST 1 OF THE PROPERTY TAX YEAR FOR WHICH THE
10 APPLICATION WAS FILED.

11 (b) (I) AN APPLICANT WHOSE APPLICATION HAS BEEN DENIED MAY
12 CONTEST THE DENIAL BY REQUESTING A HEARING BEFORE THE COUNTY
13 COMMISSIONERS SITTING AS THE COUNTY BOARD OF EQUALIZATION NO
14 LATER THAN AUGUST 15 OF THE PROPERTY TAX YEAR FOR WHICH THE
15 APPLICATION WAS FILED. THE HEARING SHALL BE HELD ON OR AFTER
16 AUGUST 1 AND NO LATER THAN SEPTEMBER 1 OF THE PROPERTY TAX YEAR
17 FOR WHICH THE APPLICATION WAS FILED, AND THE DECISION OF THE
18 COUNTY BOARD OF EQUALIZATION IS NOT SUBJECT TO FURTHER
19 ADMINISTRATIVE APPEAL BY EITHER THE APPLICANT OR THE ASSESSOR.

20 (II) AN INDIVIDUAL WHO HAS NOT TIMELY FILED AN APPLICATION
21 WITH THE ASSESSOR BY MARCH 15 MAY FILE A LATE APPLICATION NO
22 LATER THAN THE JULY 15 THAT IMMEDIATELY FOLLOWS THAT DEADLINE.
23 THE ASSESSOR SHALL ACCEPT ANY SUCH APPLICATION BUT MAY NOT
24 ACCEPT ANY LATE APPLICATION FILED AFTER JULY 15. A DECISION OF AN
25 ASSESSOR TO DISALLOW THE FILING OF A LATE APPLICATION AFTER JULY
26 15 OR TO GRANT OR DENY THE CLASSIFICATION TO AN APPLICANT WHO HAS
27 FILED A LATE APPLICATION AFTER MARCH 15 BUT NO LATER THAN JULY 15

1 IS FINAL, AND AN APPLICANT WHO IS DENIED LATE FILING OR AN
2 EXEMPTION MAY NOT CONTEST THE DENIAL.

3 (III) THE COUNTY BOARD OF EQUALIZATION MAY APPOINT
4 INDEPENDENT REFEREES TO CONDUCT HEARINGS REQUESTED PURSUANT
5 TO SUBSECTION (7)(b)(I) OF THIS SECTION ON BEHALF OF THE COUNTY
6 BOARD AND TO MAKE FINDINGS AND SUBMIT RECOMMENDATIONS TO THE
7 COUNTY BOARD FOR ITS FINAL ACTION.

8 (8) **Reporting to administrator.** (a) NO LATER THAN SEPTEMBER
9 10, 2025, AND SEPTEMBER 10 OF EACH YEAR THEREAFTER, EACH
10 ASSESSOR SHALL FORWARD TO THE ADMINISTRATOR A REPORT ON THE
11 RESIDENTIAL REAL PROPERTY IN THE ASSESSOR'S COUNTY THAT QUALIFIES
12 AS PRIMARY RESIDENCE REAL PROPERTY OR QUALIFIED-SENIOR PRIMARY
13 RESIDENCE REAL PROPERTY FOR THE CURRENT PROPERTY TAX YEAR. FOR
14 EACH UNIT OF RESIDENTIAL REAL PROPERTY, THE REPORT MUST INCLUDE:

- 15 (I) THE LEGAL DESCRIPTION OF THE PROPERTY;
- 16 (II) THE SCHEDULE OR PARCEL NUMBER FOR THE PROPERTY; AND
- 17 (III) THE NAME AND SOCIAL SECURITY NUMBER OF THE APPLICANT
18 WHO CLAIMED AN EXEMPTION FOR THE PROPERTY AND, IF APPLICABLE, THE
19 APPLICANT'S SPOUSE OR CIVIL UNION PARTNER WHO OCCUPIES THE
20 PROPERTY.

21 (b) (I) NO LATER THAN NOVEMBER 1, 2025, AND NOVEMBER 1 OF
22 EACH YEAR THEREAFTER, THE ADMINISTRATOR SHALL PROVIDE WRITTEN
23 NOTICE TO AN APPLICANT THAT THE APPLICANT IS INELIGIBLE AND THE
24 REASON FOR THE INELIGIBILITY. THE NOTICE MUST ALSO INCLUDE A
25 STATEMENT SPECIFYING THE DEADLINE AND PROCEDURES FOR PROTESTING
26 THE DENIAL OF THE CLASSIFICATION.

27 (II) AN APPLICANT WHOSE CLAIMS FOR THE CLASSIFICATION ARE

1 DENIED BY THE ADMINISTRATOR PURSUANT TO SUBSECTION (8)(b)(I) OF
2 THIS SECTION MAY FILE A WRITTEN PROTEST WITH THE ADMINISTRATOR NO
3 LATER THAN NOVEMBER 15 OF THE YEAR IN WHICH THE CLASSIFICATION
4 WAS DENIED. AN APPLICATION RETURNED BY MAIL IS DEEMED FILED ON
5 THE DATE IT IS POSTMARKED. IF THE GROUND FOR THE DENIAL IS THAT THE
6 APPLICANT, OR THE APPLICANT AND THE APPLICANT'S SPOUSE OR CIVIL
7 UNION PARTNER, CLAIMED MULTIPLE CLASSIFICATIONS, THE SOLE GROUND
8 FOR A PROTEST IS THAT THE APPLICANT, OR THE APPLICANT AND THE
9 APPLICANT'S SPOUSE OR CIVIL UNION PARTNER, FILED ONLY ONE CLAIM
10 FOR THE CLASSIFICATION, AND THE PROTEST MUST SPECIFY THE PROPERTY
11 IDENTIFIED BY THE ADMINISTRATOR IN THE NOTICE DENYING THE
12 CLASSIFICATION FOR WHICH NO CLASSIFICATION WAS CLAIMED. IF THE
13 GROUND FOR THE DENIAL IS THAT THE APPLICANT IS NOT AN
14 OWNER-OCCUPIER OF THE RESIDENTIAL REAL PROPERTY FOR WHICH THE
15 CLASSIFICATION IS CLAIMED, THE SOLE GROUNDS FOR A PROTEST ARE THAT
16 THE APPLICANT ACTUALLY IS AN OWNER-OCCUPIER AND THAT THE
17 APPLICANT QUALIFIES FOR THE CLASSIFICATION.

18 (c) NO LATER THAN DECEMBER 1, 2025, AND EACH DECEMBER 1
19 THEREAFTER, AND AFTER EXAMINING THE REPORTS SENT BY EACH
20 ASSESSOR, DENYING CLAIMS FOR CLASSIFICATIONS, AND DECIDING
21 PROTESTS IN ACCORDANCE WITH SUBSECTION (8)(b) OF THIS SECTION, THE
22 ADMINISTRATOR SHALL PROVIDE WRITTEN NOTICE TO THE ASSESSOR OF
23 EACH COUNTY IN WHICH AN APPLICATION HAS BEEN DENIED BECAUSE THE
24 APPLICANT WAS INELIGIBLE.

25 **39-1-104.7. Qualified-senior primary residence real property**
26 **- definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
27 OTHERWISE REQUIRES:

1 (a) "OWNER-OCCUPIER" HAS THE SAME MEANING AS SET FORTH IN
2 SECTION 39-1-104.6 (1)(a).

3 (b) "SENIOR HOMESTEAD EXEMPTION" MEANS THE PROPERTY TAX
4 EXEMPTION FOR QUALIFYING SENIORS ALLOWED BY SECTION 39-3-203 (1).

5 (2) (a) FOR PROPERTY TAX YEARS COMMENCING ON OR AFTER
6 JANUARY 1, 2025, RESIDENTIAL REAL PROPERTY THAT AS OF THE
7 ASSESSMENT DATE IS USED AS THE PRIMARY RESIDENCE OF AN
8 OWNER-OCCUPIER IS CLASSIFIED AS QUALIFIED-SENIOR PRIMARY
9 RESIDENCE REAL PROPERTY, WHICH IS A SUBCLASS OF RESIDENTIAL REAL
10 PROPERTY, IF:

11 (I) THE REAL PROPERTY WOULD OTHERWISE BE CLASSIFIED AS
12 PRIMARY RESIDENCE REAL PROPERTY UNDER SECTION 39-1-104.6; AND

13 (II) THE OWNER-OCCUPIER OF THE PROPERTY PREVIOUSLY
14 QUALIFIED FOR THE SENIOR HOMESTEAD EXEMPTION FOR A DIFFERENT
15 PROPERTY AND DOES NOT QUALIFY FOR THE SENIOR HOMESTEAD
16 EXEMPTION FOR THE CURRENT PROPERTY TAX YEAR.

17 (b) REAL PROPERTY THAT MIGHT OTHERWISE BE CLASSIFIED AS
18 MULTI-FAMILY RESIDENTIAL REAL PROPERTY THAT CONTAINS A UNIT THAT
19 QUALIFIES AS QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY
20 UNDER THIS SECTION IS CLASSIFIED AS MULTI-FAMILY QUALIFIED-SENIOR
21 PRIMARY RESIDENCE REAL PROPERTY.

22 **SECTION 12.** In Colorado Revised Statutes, 39-1-111, **amend**
23 (1) and (5) as follows:

24 **39-1-111. Taxes levied by board of county commissioners -**
25 **repeal.** (1) (a) No later than December 22 in each year, the board of
26 county commissioners in each county of the state, or such other body in
27 the city and county of Denver as shall be authorized by law to levy taxes,

1 or the city council of the city and county of Broomfield, shall, either by
2 an order to be entered in the record of its proceedings or by written
3 approval, levy against the valuation for assessment of all taxable property
4 located in the county on the assessment date, and in the various towns,
5 cities, school districts, and special districts within such county, the
6 requisite property taxes for all purposes required by law.

7 (b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY
8 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (1)(a) OF THIS SECTION
9 IS POSTPONED FROM DECEMBER 22, 2023, TO JANUARY 12, 2024.

10 (II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

11 (5) (a) If, after certification of the valuation for assessment
12 pursuant to section 39-5-128 and notification of total actual value
13 pursuant to section 39-5-121 (2)(b) but prior to December 10, changes in
14 such valuation for assessment or total actual value are made by the
15 assessor, the assessor shall send a single notification to the board of
16 county commissioners or other body authorized by law to levy property
17 taxes, to the division of local government, and to the department of
18 education that includes all of such changes that have occurred during said
19 specified period of time. Upon receipt of such notification, such board or
20 body shall make adjustments in the tax levies to ensure compliance with
21 section 29-1-301, ~~C.R.S.~~, if applicable, and may make adjustments in
22 order that the same amount of revenue be raised. A copy of any
23 adjustment to tax levies shall be transmitted to the administrator and
24 assessor. Nothing in this subsection (5) shall be construed as conferring
25 the authority to exceed statutorily imposed mill levy or revenue-raising
26 limits.

27 (b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY

1 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (5)(a) OF THIS SECTION
2 IS POSTPONED FROM DECEMBER 10, 2023, TO DECEMBER 29, 2023.

3 (II) THIS SUBSECTION (5)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

4 **SECTION 13.** In Colorado Revised Statutes, 39-5-128, **amend**
5 (1) as follows:

6 **39-5-128. Certification of valuation for assessment - repeal.**

7 (1) (a) No later than August 25 of each year, the assessor shall certify to
8 the department of education, to the clerk of each town and city, to the
9 secretary of each school district, and to the secretary of each special
10 district within the assessor's county the total valuation for assessment of
11 all taxable property located within the territorial limits of each such town,
12 city, school district, or special district and shall notify each such clerk,
13 secretary, and board to officially certify the levy of such town, city,
14 school district, or special district to the board of county commissioners no
15 later than December 15. The assessor shall also certify to the secretary of
16 each school district the actual value of the taxable property in the district.

17 (b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY
18 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (1)(a) OF THIS SECTION
19 FOR OFFICIALLY CERTIFYING A LEVY IS POSTPONED FROM DECEMBER 15,
20 2023, TO JANUARY 5, 2024.

21 (II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

22 **SECTION 14.** In Colorado Revised Statutes, 39-3-210, **amend**
23 (1)(a), (1)(e), (3), (4)(b), (5), and (6); **repeal and reenact, with**
24 **amendments,** (2) and (4)(a); and **add** (1)(a.3), (1)(b.5), (1)(e.5), (1)(f.3),
25 (1)(f.7), (2.5), (4.5), and (5.5) as follows:

26 **39-3-210. Reporting of property tax revenue reductions -**
27 **reimbursement of local governmental entities - definitions - local**

1 **government backfill cash fund - creation - repeal.** (1) As used in this
2 section, unless the context otherwise requires:

3 (a) "Additional state revenues" means the ~~lesser of two hundred~~
4 ~~forty million dollars or the total amount of the~~ state revenues in excess of
5 the limitation on state fiscal year spending imposed by section 20 (7)(a)
6 of article X of the state constitution that the state is required to refund
7 under section 20 (7)(d) of article X of the state constitution, including any
8 amount specified in section 24-77-103.8, that ~~exceeds~~ EXCEED the
9 ~~amounts~~ AMOUNT projected to be refunded as required by ~~sections~~
10 ~~39-3-209 and 39-22-627~~ SECTION 39-3-209 for the state fiscal year
11 commencing on July 1, 2022.

12 (a.3) "COUNTY" INCLUDES A CITY AND COUNTY.

13 (b.5) "FUND" MEANS THE LOCAL GOVERNMENT BACKFILL CASH
14 FUND CREATED IN SUBSECTION (5.5)(a) OF THIS SECTION.

15 (e) "Municipality" means a home rule or statutory city, town, OR
16 territorial charter city. ~~or city and county.~~

17 (e.5) "PROPOSITION HH GENERAL FUND EXEMPT ACCOUNT" MEANS
18 THE PROPOSITION HH GENERAL FUND EXEMPT ACCOUNT CREATED IN
19 SECTION 24-77-203 (3)(a).

20 (f.3) "SELECT SPECIAL DISTRICT" MEANS A FIRE DISTRICT, HEALTH
21 SERVICE DISTRICT, WATER DISTRICT, SANITATION DISTRICT, OR LIBRARY
22 DISTRICT.

23 (f.7) "TOTAL PROPERTY TAX REVENUE REDUCTION" MEANS THE
24 AMOUNT THAT A TREASURER CALCULATES FOR A LOCAL GOVERNMENTAL
25 ENTITY IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION.

26 (2) (a) (I) FOR THE PROPERTY TAX YEARS COMMENCING ON
27 JANUARY 1, 2023, AND JANUARY 1, 2024, EACH TREASURER SHALL

1 CALCULATE THE TOTAL PROPERTY TAX REVENUE REDUCTION FOR EACH
2 LOCAL GOVERNMENTAL ENTITY, EXCLUDING SCHOOL DISTRICTS, WITHIN
3 THE TREASURER'S COUNTY AS A RESULT OF ALL OF THE CUMULATIVE
4 TEMPORARY REDUCTIONS IN VALUATION FOR ASSESSMENT MADE IN
5 SENATE BILL 22-238, ENACTED IN 2022, AND THIS SENATE BILL 23-_____.

6 (II) FOR THE PROPERTY TAX YEARS COMMENCING ON AND AFTER
7 JANUARY 1, 2025, BUT BEFORE JANUARY 1, 2033, EACH TREASURER SHALL
8 CALCULATE THE TOTAL PROPERTY TAX REVENUE REDUCTION FOR EACH
9 LOCAL GOVERNMENTAL ENTITY, EXCLUDING SCHOOL DISTRICTS, WITHIN
10 THE TREASURER'S COUNTY AS A RESULT OF ALL OF THE TEMPORARY
11 REDUCTIONS IN VALUATION FOR ASSESSMENT MADE IN THIS SENATE BILL
12 23-_____.

13 (b) (I) WHEN CALCULATING THE TOTAL PROPERTY TAX REVENUE
14 REDUCTION FOR A LOCAL GOVERNMENTAL ENTITY FOR A PROPERTY TAX
15 YEAR AS REQUIRED BY THIS SECTION, A TREASURER SHALL USE THE LOCAL
16 GOVERNMENTAL ENTITY'S MILL LEVY FOR THE PROPERTY TAX YEAR
17 COMMENCING ON JANUARY 1, 2022, EXCLUDING ANY MILLS LEVIED TO
18 PROVIDE FOR THE PAYMENT OF BONDS AND INTEREST THEREON OR FOR
19 THE PAYMENT OF ANY OTHER CONTRACTUAL OBLIGATION THAT HAS BEEN
20 APPROVED BY A MAJORITY OF THE QUALIFIED ELECTORS OF THE LOCAL
21 GOVERNMENTAL ENTITY.

22 (II) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION, A
23 TREASURER IS NOT REQUIRED TO DETERMINE THE TOTAL PROPERTY TAX
24 REVENUE REDUCTION FOR A LOCAL GOVERNMENTAL ENTITY THAT IS
25 INELIGIBLE TO RECEIVE A REIMBURSEMENT FROM THE STATE FOR A
26 PROPERTY TAX YEAR IN ACCORDANCE WITH SUBSECTION (4.5)(b)(II) OF
27 THIS SECTION.

1 (c) (I) FOR THE PROPERTY TAX YEARS COMMENCING ON AND AFTER
2 JANUARY 1, 2023, BUT BEFORE JANUARY 1, 2033, EACH ASSESSOR SHALL
3 CALCULATE THE DIFFERENCE IN ASSESSED VALUE OF REAL PROPERTY FOR
4 EACH LOCAL GOVERNMENTAL ENTITY WITHIN THE ASSESSOR'S COUNTY
5 FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, AND
6 THE PROPERTY TAX YEAR.

7 (II) NOTWITHSTANDING SUBSECTION (2)(c)(I) OF THIS SECTION, AN
8 ASSESSOR IS NOT REQUIRED TO CALCULATE THE DIFFERENCE IN ASSESSED
9 VALUE OF REAL PROPERTY FOR A LOCAL GOVERNMENTAL ENTITY,
10 EXCLUDING A COUNTY, THAT IS INELIGIBLE TO RECEIVE A REIMBURSEMENT
11 FROM THE STATE FOR A PROPERTY TAX YEAR IN ACCORDANCE WITH
12 SUBSECTION (4.5)(b)(II) OF THIS SECTION.

13 (d) FOR PURPOSES OF THIS SECTION, A LOCAL GOVERNMENTAL
14 ENTITY WITHIN A COUNTY INCLUDES THE COUNTY ITSELF.

15 (2.5) (a) ON OR BEFORE SEPTEMBER 15, 2023, EACH TREASURER
16 SHALL REPORT THE FOLLOWING ESTIMATES TO THE ADMINISTRATOR FOR
17 ALL LOCAL GOVERNMENTAL ENTITIES WITHIN THE TREASURER'S COUNTY:

18 (I) THE TOTAL PROPERTY TAX REVENUE REDUCTION FOR THE
19 PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THAT IS BASED
20 ON THE:

21 (A) TEMPORARY REDUCTIONS IN THE VALUATION FOR ASSESSMENT
22 MADE IN SENATE BILL 22-238, ENACTED IN 2022; AND

23 (B) CUMULATIVE TEMPORARY REDUCTIONS IN THE VALUATION
24 FOR ASSESSMENT MADE IN SENATE BILL 22-238, ENACTED IN 2022, AND
25 THIS SENATE BILL 23-_____, IF A MAJORITY OF VOTERS APPROVE THE
26 BALLOT ISSUE REFERRED IN ACCORDANCE WITH SECTION 24-77-202; AND

27 (II) THE INCREASE IN ASSESSED VALUE FROM THE PROPERTY TAX

1 YEAR COMMENCING ON JANUARY 1, 2022, TO THE PROPERTY TAX YEAR
2 COMMENCING ON JANUARY 1, 2023, THAT IS BASED ON THE:

3 (A) TEMPORARY REDUCTIONS IN THE VALUATION FOR ASSESSMENT
4 MADE IN SENATE BILL 22-238, ENACTED IN 2022; AND

5 (B) CUMULATIVE TEMPORARY REDUCTIONS IN THE VALUATION
6 FOR ASSESSMENT MADE IN SENATE BILL 22-238, ENACTED IN 2022, AND
7 THIS SENATE BILL 23-_____, IF A MAJORITY OF VOTERS APPROVE THE
8 BALLOT ISSUE REFERRED IN ACCORDANCE WITH SECTION 24-77-202.

9 (b) THE ADMINISTRATOR SHALL PROVIDE THE ESTIMATES
10 RECEIVED IN ACCORDANCE WITH SUBSECTION (2.5)(a) OF THIS SECTION TO
11 THE DEPARTMENT OF REVENUE AND LEGISLATIVE COUNCIL STAFF.

12 (3) No later than March 1, 2024, ~~each~~ AND MARCH 1 OF THE NEXT
13 NINE YEARS THEREAFTER, A treasurer shall report the ~~amounts specified~~
14 ~~in subsection (2) of this section, as applicable~~ TOTAL PROPERTY TAX
15 REVENUE REDUCTION AND THE INCREASE IN ASSESSED VALUE FROM THE
16 PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, TO THE PRIOR
17 PROPERTY TAX YEAR FOR EACH LOCAL GOVERNMENTAL ENTITY WITHIN
18 THE TREASURER'S COUNTY and the basis for the amounts to the
19 administrator. ~~and~~ The administrator may require a treasurer to provide
20 additional information as necessary to evaluate the accuracy of the
21 amounts reported. The administrator shall confirm that the reported
22 amounts are correct or rectify the amounts, if necessary. The
23 administrator shall then forward the correct amounts for ~~each~~ A county to
24 the state treasurer to enable the state treasurer to issue a reimbursement
25 warrant to ~~each~~ A treasurer in accordance with subsection (4) of this
26 section.

27 (4) (a) (I) NO LATER THAN APRIL 15, 2024, THE STATE TREASURER

1 SHALL ISSUE A WARRANT, TO BE PAID UPON DEMAND FROM ADDITIONAL
2 STATE REVENUES FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1,
3 2022, AND, IF NECESSARY, FROM OTHER MONEY IN THE GENERAL FUND, TO
4 EACH TREASURER THAT IS EQUAL TO THE TOTAL REIMBURSEMENT
5 AMOUNTS SET FORTH IN SUBSECTION (4.5) OF THIS SECTION FOR ALL
6 LOCAL GOVERNMENTAL ENTITIES WITHIN THE TREASURER'S COUNTY FOR
7 THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023.

8 (II) NO LATER THAN APRIL 15, 2025, AND APRIL 15 OF THE NEXT
9 EIGHT YEARS THEREAFTER, THE STATE TREASURER SHALL ISSUE A
10 WARRANT, TO BE PAID UPON DEMAND FIRST FROM THE FUND, AND, IF
11 NECESSARY, FROM STATE REVENUES IN THE PROPOSITION HH GENERAL
12 FUND EXEMPT ACCOUNT TO EACH TREASURER THAT IS EQUAL TO THE
13 TOTAL REIMBURSEMENT AMOUNTS SET FORTH IN SUBSECTION (4.5) OF
14 THIS SECTION FOR ALL LOCAL GOVERNMENTAL ENTITIES WITHIN THE
15 TREASURER'S COUNTY FOR THE PRIOR PROPERTY TAX YEAR.

16 (b) Each treasurer shall distribute the total amount received from
17 the state treasurer to the local governmental entities, excluding school
18 districts, within the treasurer's county as if the revenues had been
19 regularly paid as property tax, but so that the local governmental entities
20 only receive the amounts determined pursuant to ~~subsection (4)(a)~~ of this
21 section.

22 (4.5) (a) EXCEPT AS SET FORTH IN SUBSECTIONS (4.5)(b) AND
23 (4.5)(c) OF THIS SECTION, THE REIMBURSEMENT FOR A LOCAL
24 GOVERNMENTAL ENTITY FOR A PROPERTY TAX YEAR COMMENCING ON OR
25 AFTER JANUARY 1, 2023, BUT BEFORE JANUARY 1, 2033, IS EQUAL TO:

26 (I) FOR COUNTIES WITH A POPULATION THAT IS THREE HUNDRED
27 THOUSAND OR LESS:

1 (A) THE ENTIRE AMOUNT OF THE TOTAL PROPERTY TAX REVENUE
2 REDUCTION FOR EACH LOCAL GOVERNMENTAL ENTITY WITHIN A COUNTY
3 THAT HAD AN INCREASE OF LESS THAN TEN PERCENT IN THE ASSESSED
4 VALUE OF REAL PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING
5 ON JANUARY 1, 2022, TO THE PROPERTY TAX YEAR FOR WHICH THE
6 REIMBURSEMENT IS BEING CALCULATED; AND

7 (B) NINETY PERCENT OF THE TOTAL PROPERTY TAX REVENUE
8 REDUCTION FOR EACH LOCAL GOVERNMENTAL ENTITY THAT HAD AN
9 INCREASE OF TEN PERCENT OR MORE IN THE ASSESSED VALUE OF REAL
10 PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1,
11 2022, TO THE PROPERTY TAX YEAR FOR WHICH THE REIMBURSEMENT IS
12 BEING CALCULATED;

13 (II) FOR COUNTIES WITH A POPULATION GREATER THAN THREE
14 HUNDRED THOUSAND:

15 (A) THE ENTIRE AMOUNT OF THE TOTAL PROPERTY TAX REVENUE
16 REDUCTION FOR EACH MUNICIPALITY OR SELECT SPECIAL DISTRICT THAT
17 HAD AN INCREASE OF LESS THAN TEN PERCENT IN THE ASSESSED VALUE OF
18 REAL PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING ON
19 JANUARY 1, 2022, TO THE PROPERTY TAX YEAR FOR WHICH THE
20 REIMBURSEMENT IS BEING CALCULATED;

21 (B) NINETY PERCENT OF THE TOTAL PROPERTY TAX REVENUE
22 REDUCTION FOR EACH MUNICIPALITY OR SELECT SPECIAL DISTRICT THAT
23 HAD AN INCREASE OF TEN PERCENT OR MORE IN THE ASSESSED VALUE OF
24 REAL PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING ON
25 JANUARY 1, 2022, TO THE PROPERTY TAX YEAR FOR WHICH THE
26 REIMBURSEMENT IS BEING CALCULATED; AND

27 (C) SIXTY-FIVE PERCENT OF THE TOTAL PROPERTY TAX REVENUE

1 REDUCTION FOR ALL LOCAL GOVERNMENTAL ENTITIES BESIDES A
2 MUNICIPALITY OR A SELECT SPECIAL DISTRICT.

3 (b) FOR PROPERTY TAX YEARS COMMENCING ON AND AFTER
4 JANUARY 1, 2024, A LOCAL GOVERNMENTAL ENTITY IS INELIGIBLE TO
5 RECEIVE REIMBURSEMENT UNDER THIS SECTION IF:

6 (I) THE LOCAL GOVERNMENTAL ENTITY HAS AN INCREASE OF
7 TWENTY PERCENT OR MORE IN THE ASSESSED VALUE OF REAL PROPERTY
8 FROM THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, TO
9 THE PROPERTY TAX YEAR FOR WHICH A REIMBURSEMENT AMOUNT IS
10 CALCULATED; OR

11 (II) THE LOCAL GOVERNMENTAL ENTITY WAS INELIGIBLE TO
12 RECEIVE A REIMBURSEMENT UNDER SUBSECTION (4.5)(b)(I) OF THIS
13 SECTION FOR A PRIOR PROPERTY TAX YEAR.

14 (c) THE TOTAL STATEWIDE REIMBURSEMENT SET FORTH IN
15 SUBSECTION (4.5)(a) OF THIS SECTION FOR A PROPERTY TAX YEAR
16 COMMENCING ON OR AFTER JANUARY 1, 2024, BUT BEFORE JANUARY 1,
17 2033, SHALL NOT EXCEED THE TOTAL OF THE AMOUNT IN THE FUND AND
18 IN THE PROPOSITION HH GENERAL FUND EXEMPT ACCOUNT THAT IS
19 AVAILABLE FOR THE REIMBURSEMENT WARRANTS FOR THE PROPERTY TAX
20 YEAR. TO AVOID EXCEEDING THIS LIMIT, THE TREASURER SHALL
21 PROPORTIONALLY REDUCE THE REIMBURSEMENT AMOUNT FOR EACH
22 ELIGIBLE LOCAL GOVERNMENTAL ENTITY SO THAT THE TOTAL OF ALL
23 REIMBURSEMENTS STATEWIDE EQUALS THE TOTAL AMOUNT AVAILABLE
24 FOR THE REIMBURSEMENT WARRANTS FOR THE PROPERTY TAX YEAR.

25 (d) THE REIMBURSEMENT AMOUNTS SET FORTH IN THIS SECTION
26 ARE BASED ON THE AMOUNTS THAT THE ADMINISTRATOR REPORTS TO THE
27 TREASURER IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION. FOR

1 PURPOSES OF THIS SUBSECTION (4.5), POPULATION IS DETERMINED
2 PURSUANT TO THE MOST RECENTLY PUBLISHED POPULATION ESTIMATES
3 FROM THE STATE DEMOGRAPHER APPOINTED BY THE EXECUTIVE DIRECTOR
4 OF THE DEPARTMENT OF LOCAL AFFAIRS.

5 (5) On or before March 21, 2024, based on the information
6 available as of that date, the property tax administrator shall submit a
7 report to the general assembly describing the ~~aggregate reduction of local~~
8 ~~government~~ TOTAL property tax revenue ~~during~~ REDUCTION FOR ALL
9 LOCAL GOVERNMENTAL ENTITIES STATEWIDE FOR the property tax year
10 commencing on January 1, 2023. ~~as a result of the changes made in~~
11 ~~Senate Bill 22-238, enacted in 2022, that reduced valuations for~~
12 ~~assessment set forth pursuant to sections 39-1-104 (1)(b) and (1.8)(b),~~
13 ~~39-1-104.2 (3)(q)(II) and (3)(r)(II), and 39-3-104.3 (2).~~

14 (5.5) (a) THE LOCAL GOVERNMENT BACKFILL CASH FUND IS
15 HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF
16 MONEY TRANSFERRED TO THE FUND IN ACCORDANCE WITH SUBSECTION
17 (5.5)(b) OF THIS SECTION. THE STATE TREASURER SHALL CREDIT ALL
18 INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF
19 MONEY IN THE LOCAL GOVERNMENT BACKFILL CASH FUND TO THE FUND.

20 (b) ON FEBRUARY 1, 2024, THE STATE TREASURER SHALL
21 TRANSFER ONE HUNDRED TWENTY-EIGHT MILLION DOLLARS FROM THE
22 GENERAL FUND TO THE FUND.

23 (c) THE MONEY IN THE FUND IS AVAILABLE FOR THE STATE
24 TREASURER TO PAY THE WARRANTS REQUIRED TO BE ISSUED IN
25 ACCORDANCE WITH SUBSECTION (4)(a)(II) OF THIS SECTION.

26 (6) This section is repealed, effective ~~July 1, 2025~~ JULY 1, 2035.

27 **SECTION 15.** In Colorado Revised Statutes, **amend** 39-5-129 as

1 follows:

2 **39-5-129. Delivery of tax warrant - public inspection - repeal.**

3 (1) As soon as practicable after the requisite taxes for the year have been
4 levied but in no event later than January 10 of each year, the assessor
5 shall deliver the tax warrant under ~~his~~ THE hand and official seal OF THE
6 ASSESSOR to the treasurer, which shall be made readily available to the
7 general public during the collection year in a convenient location in the
8 courthouse. The assessor shall retain one or more true copies thereof,
9 which shall be made readily available to the general public during the
10 collection year in a convenient location in the courthouse. Such tax
11 warrant shall set forth the assessment roll, reciting the persons in whose
12 names taxable property in the county has been listed, the class of such
13 taxable property and the valuation for assessment thereof, the several
14 taxes levied against such valuation, and the amount of such taxes
15 extended against each separate valuation. At the end of the warrant, the
16 aggregate of all taxes levied shall be totaled, balanced, and prorated to the
17 several funds of each levying authority, and the treasurer shall be
18 commanded to collect all such taxes.

19 (2) (a) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY
20 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (1) OF THIS SECTION IS
21 POSTPONED FROM JANUARY 10, 2024, TO FEBRUARY 2, 2024.

22 (b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2025.

23 **SECTION 16.** In Colorado Revised Statutes, 39-10-103, **add**
24 (1)(c) as follows:

25 **39-10-103. Tax statement - repeal.** (1) (c) (I) FOR THE
26 PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE TREASURER
27 SHALL MAIL THE STATEMENT AS SOON AS PRACTICABLE AFTER FEBRUARY

1 1, 2024.

2 (II) THIS SUBSECTION (1)(c) IS REPEALED, EFFECTIVE JULY 1, 2025.

3 **SECTION 17.** In Colorado Revised Statutes, 39-21-113, **amend**

4 (24) as follows:

5 **39-21-113. Reports and returns - rule - repeal.**

6 (24) Notwithstanding any other provision of this section, the executive
7 director, after receiving from the property tax administrator a list of
8 individuals who are claiming EITHER the property tax exemptions for
9 qualifying seniors and disabled veterans allowed under part 2 of article
10 3 of this ~~title~~ TITLE 39 OR THE PRIMARY RESIDENCE REAL PROPERTY OR
11 QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY CLASSIFICATION
12 FOR THE PROPERTY, shall provide to the property tax administrator
13 information pertaining to the listed individuals, including their names,
14 social security numbers, marital and income tax filing status, and
15 residency status, needed by the administrator to verify that the exemption
16 OR CLASSIFICATION is allowed only to applicants who satisfy legal
17 requirements for claiming it. The administrator and the administrator's
18 agents, clerks, and employees shall keep all information received from the
19 executive director confidential, and any individual who fails to do so is
20 guilty of a misdemeanor and subject to punishment as specified in
21 subsection (6) of this section.

22 **SECTION 18.** In Colorado Revised Statutes, 39-22-2002, **add**
23 (5.5) as follows:

24 **39-22-2002. Fiscal years commencing on or after July 1, 1998**
25 **- state sales tax refund - authority of executive director - repeal.**

26 (5.5) (a) IN ADDITION TO THE CALCULATIONS OTHERWISE REQUIRED BY
27 THIS SECTION, NO LATER THAN OCTOBER 1, 2023, THE EXECUTIVE

1 DIRECTOR SHALL CALCULATE THE AMOUNT OF THE IDENTICAL INDIVIDUAL
2 REFUND CALCULATED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION
3 AND THE INCOME CLASSIFICATIONS AND THE AMOUNT OF THE REFUND
4 ALLOWED FOR EACH INCOME CLASSIFICATION PURSUANT TO SECTION
5 39-22-2003 (3) FOR THE TAXABLE YEAR COMMENCING DURING THE FISCAL
6 YEAR BASED ON THE AMOUNT OF EXCESS STATE REVENUES THAT WILL BE
7 REFUNDED UNDER SECTION 39-3-210 WITH OR WITHOUT THE PROVISIONS
8 OF THIS SENATE BILL 23-_____ TAKING EFFECT.

9 (b) THIS SUBSECTION (5.5) IS REPEALED, EFFECTIVE JULY 1, 2024.

10 **SECTION 19. Effective date.** (1) Except as otherwise provided
11 in subsection (2) of this section, this act takes effect only if a majority of
12 voters approve the ballot issue referred in accordance with section
13 24-77-202, Colorado Revised Statutes, enacted in section 3 of this act,
14 and in which case this act takes effect on the date of the official
15 declaration of the vote thereon by the governor.

16 (2) Section 3, section 39-3-210 (1)(a.3), (1)(e), and (2.5) enacted
17 or amended in section 14 of this act, section 18, this section 19, and
18 section 20 of this act take effect upon passage.

19 **SECTION 20. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety.