

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-1315.02 Pierce Lively x2059

HOUSE BILL 20-1421

HOUSE SPONSORSHIP

Roberts and Saine,

SENATE SPONSORSHIP

(None),

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING DELINQUENT INTEREST PAYMENTS FOR PROPERTY TAX
102 PAYMENTS.

Bill Summary

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

The bill allows, upon approval of the county treasurer, a board of county commissioners or a city council of a city and county, in a county or city and county that collected 90% or less of the total amount of property taxes between January 1, 2020, and June 1, 2020, than it collected between January 1, 2019, and June 1, 2019, to temporarily reduce, waive, or suspend delinquent interest payments for property tax

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

payments.

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

Finally, the bill requires a treasurer to advance property tax payments to local taxing jurisdictions to assist the local taxing jurisdictions in the payment of bonded indebtedness payments and monthly operation costs, if the local taxing jurisdiction demonstrates a financial need due to the waiver or reduction of property tax interest rates during the time those rates are reduced or waived.

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

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

4 **39-10-104.5. Payment dates - optional payment dates - failure**
5 **to pay - delinquency.** (12) THE BOARD OF COUNTY COMMISSIONERS OR
6 THE CITY COUNCIL OF A COUNTY OR CITY AND COUNTY THAT COLLECTED
7 NINETY PERCENT OR LESS OF THE TOTAL AMOUNT OF PROPERTY TAXES
8 BETWEEN JANUARY 1, 2020, AND JUNE 1, 2020, THAN THE COUNTY OR
9 CITY AND COUNTY COLLECTED BETWEEN JANUARY 1, 2019, AND JUNE 1,
10 2019 MAY, UPON APPROVAL OF THE COUNTY TREASURER, BY RESOLUTION
11 TEMPORARILY REDUCE OR WAIVE THE INTEREST RATE SPECIFIED IN
12 SUBSECTION (3) OF THIS SECTION OR ENTIRELY SUSPEND THE ACCRUAL OF
13 INTEREST UNDER SAID SUBSECTION (3) OF THIS SECTION FOR ANY
14 SPECIFIED PERIOD OF TIME BETWEEN JUNE 15, 2020, AND OCTOBER 1,
15 2020. NOTICE OF INTENT TO REDUCE OR WAIVE THE INTEREST RATE SHALL
16 BE DELIVERED TO AT LEAST THREE EXECUTIVES OR BOARD OFFICERS IN
17 LOCAL TAXING JURISDICTIONS. IF A LOCAL TAXING JURISDICTION IS

1 UNABLE TO MEET BOND PAYMENT OBLIGATIONS DUE TO, AND WITHIN THE
2 PERIOD OF, THE WAIVER OR REDUCTION OF THE INTEREST RATE, SUCH
3 JURISDICTION SHALL PROVIDE NOTICE TO THE COUNTY OR CITY AND
4 COUNTY WITHIN SEVENTY-TWO HOURS OF RECEIPT OF NOTICE FROM THE
5 COUNTY OR CITY AND COUNTY.

6 **SECTION 2.** In Colorado Revised Statutes, 39-10-112, **add** (5)
7 as follows:

8 **39-10-112. Action to collect unpaid taxes.** (5) ANY TIME
9 BETWEEN THE EFFECTIVE DATE OF THIS SUBSECTION (5) AND OCTOBER 1,
10 2020, THE COUNTY TREASURER OR THE OFFICER RESPONSIBLE FOR THE
11 COLLECTION OF PROPERTY TAXES FOR A CITY AND COUNTY SHALL
12 ADVANCE PROPERTY TAX AMOUNTS TO A LOCAL TAXING JURISDICTION IN
13 THE COUNTY OR CITY AND COUNTY TO HELP PAY BONDED INDEBTEDNESS
14 PAYMENTS OR MONTHLY OPERATIONAL COSTS, IF THE JURISDICTION
15 DEMONSTRATES A FINANCIAL NEED DUE TO THE WAIVER OR REDUCTION OF
16 INTEREST RATES PER SECTION 39-10-104.5 DURING THE TIME PERIOD OF
17 THE INTEREST RATE WAIVER OR REDUCTION. IN NO CASE SHALL THE
18 ADVANCE PROPERTY TAX AMOUNT EXCEED NINETY PERCENT OF THE
19 PROPERTY TAX DUE TO THE JURISDICTION. WHERE AN ADVANCE PAYMENT
20 OF PROPERTY TAX IS NECESSARY TO HELP PAY BONDED INDEBTEDNESS,
21 AND NOTICE WAS GIVEN BY THE LOCAL TAXING JURISDICTION PER SECTION
22 39-10-104.5 (12), THE ADVANCE PROPERTY TAX AMOUNT SHALL NOT
23 EXCEED THE JURISDICTION'S SHORTFALL OF REVENUE DUE TO THE WAIVER
24 OR REDUCTION OF INTEREST THAT IS NECESSARY TO COVER THE BONDED
25 INDEBTEDNESS PAYMENT AND ONLY THOSE WHO ARE IN RECEIPT OF LESS
26 THAN NINETY PERCENT OF THE PROPERTY TAXES DUE AT THE TIME OF THE
27 REQUEST QUALIFY FOR ADVANCE PAYMENT FOR BONDED INDEBTEDNESS.

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