

CHAPTER 1

TAXATION

SENATE BILL 23B-001

BY SENATOR(S) Fenberg and Hansen, Bridges, Buckner, Cutter, Exum, Fields, Gonzales, Jaquez Lewis, Kolker, Marchman, Michaelson Jenet, Priola, Rodriguez, Sullivan;
also REPRESENTATIVE(S) McCluskie and deGruy Kennedy, Amabile, Bacon, Bird, Boesenecker, Brown, Duran, English, Froelich, Hamrick, Herod, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lindstedt, Lukens, Martinez, Mauro, McLachlan, Ricks, Sharbini, Sirota, Snyder, Story, Titone, Valdez, Velasco, Weissman, Willford, Young.

AN ACT

CONCERNING A REDUCTION IN 2023 RESIDENTIAL PROPERTY TAXES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 39-1-104.2, **amend** (3)(q), (3)(r) introductory portion, (3)(r)(I), and (3)(r)(II) as follows:

39-1-104.2. Residential real property - valuation for assessment - legislative declaration - definitions. (3) (q) The ~~ratio of~~ valuation for assessment for multi-family residential real property is 7.15 percent of THE actual value OF THE PROPERTY for property tax years commencing on or after January 1, 2019; ~~except that THE VALUATION FOR ASSESSMENT OF THIS PROPERTY IS TEMPORARILY REDUCED AS FOLLOWS:~~

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

(II) For the property tax year commencing on January 1, 2023, the ~~ratio of~~ valuation for assessment for multi-family residential real property is temporarily reduced to ~~6.765 percent~~ 6.7 PERCENT of ~~actual value~~ THE AMOUNT EQUAL TO THE ACTUAL VALUE OF THE PROPERTY MINUS THE LESSER OF FIFTY-FIVE THOUSAND DOLLARS OR THE AMOUNT THAT CAUSES THE VALUATION FOR ASSESSMENT OF THE PROPERTY TO BE ONE THOUSAND DOLLARS.

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

(r) The ~~ratio of~~ valuation for assessment for all residential real property other than multi-family residential real property is 7.15 percent of THE ACTUAL VALUE OF THE PROPERTY; except that THE VALUATION FOR ASSESSMENT OF THIS PROPERTY IS TEMPORARILY REDUCED AS FOLLOWS:

(I) For the property tax year commencing on January 1, 2022, the ~~ratio of~~ valuation for assessment for all residential real property other than multi-family residential real property is temporarily reduced to 6.95 percent of THE ACTUAL VALUE OF THE PROPERTY;

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

SECTION 2. In Colorado Revised Statutes, 39-3-210, **amend** (2)(a)(I), (2)(b)(I), (2)(b)(II), (3), (4)(a)(I) introductory portion, (4)(a)(II) introductory portion, (4)(a)(III), (4)(a)(IV), (4)(a)(V), (4)(b), and (5); and **add** (1)(a.2), (1)(d.5), (1)(f.5), (2)(c), (2)(d), (2)(e), (4)(a.5), (4)(e), (4)(f), (4)(g), and (7) as follows:

39-3-210. Reporting of property tax revenue reductions - reimbursement of local governmental entities - definitions - local government backfill cash fund - creation - repeal. (1) As used in this section, unless the context otherwise requires:

(a.2) "AMBULANCE DISTRICT" MEANS A SPECIAL DISTRICT THAT PROVIDES EMERGENCY MEDICAL SERVICES AND THE TRANSPORTATION OF SICK, DISABLED, OR INJURED PERSONS BY MOTOR VEHICLE, AIRCRAFT, OR OTHER FORM OF TRANSPORTATION TO AND FROM FACILITIES PROVIDING MEDICAL SERVICES. AS USED IN THIS SUBSECTION (1)(a.2), "EMERGENCY MEDICAL SERVICES" MEANS SERVICES ENGAGED IN PROVIDING INITIAL EMERGENCY MEDICAL ASSISTANCE, INCLUDING THE TREATMENT OF TRAUMA AND BURNS AND RESPIRATORY, CIRCULATORY, AND OBSTETRICAL EMERGENCIES.

(d.5) "LOCAL GOVERNMENTAL ENTITY" MEANS A GOVERNMENTAL ENTITY AUTHORIZED BY LAW TO IMPOSE AD VALOREM TAXES ON TAXABLE PROPERTY LOCATED WITHIN ITS TERRITORIAL LIMITS; EXCEPT THAT THE TERM EXCLUDES SCHOOL DISTRICTS.

(f.5) "TOTAL PROPERTY TAX REVENUE REDUCTION" MEANS THE AMOUNT THAT AN ASSESSOR CALCULATES FOR A LOCAL GOVERNMENTAL ENTITY PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION.

(2) (a) For the property tax year commencing on January 1, 2023, for counties with a population of three hundred thousand or less as determined pursuant to the most recently published population estimates from the state demographer appointed by the executive director of the department of local affairs:

(I) Each ~~treasurer~~ ASSESSOR shall calculate the total property tax revenues lost by

each local governmental entity, excluding school districts, within the ~~treasurer's~~ ASSESSOR'S county as a result of the changes made in Senate Bill 22-238, enacted in 2022, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, that reduced valuations for assessment; ~~set forth pursuant to sections 39-1-104 (1)(b) and (1.8)(b), 39-1-104.2 (3)(q)(II) and (3)(r)(II), and 39-3-104.3 (2); and~~

(b) For the property tax year commencing on January 1, 2023, for counties with a population greater than three hundred thousand as determined pursuant to the most recently published population estimates from the state demographer appointed by the executive director of the department of local affairs:

(I) (A) Each ~~treasurer~~ ASSESSOR shall calculate, for each municipality, fire district, health service district, water district, sanitation district, and library district, the aggregate reduction of local government property tax revenue during the property tax year commencing on January 1, 2023, as a result of the changes made in Senate Bill 22-238, enacted in 2022, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, that reduced valuations for assessment; ~~set forth pursuant to sections 39-1-104 (1)(b) and (1.8)(b), 39-1-104.2 (3)(q)(II) and (3)(r)(II), and 39-3-104.3 (2);~~

(B) Each assessor shall calculate, for each ~~municipality, fire district, health service district, water district, sanitation district, and library district,~~ LOCAL GOVERNMENTAL ENTITY IN THE ASSESSOR'S COUNTY BESIDES AMBULANCE DISTRICTS, FIRE DISTRICTS, AND HEALTH DISTRICTS, the difference in assessed value of real property for the property tax year commencing on January 1, 2022, and the property tax year commencing on January 1, 2023, within the assessor's county; and

(II) Each ~~treasurer~~ ASSESSOR shall calculate, for all local governmental entities besides municipalities, fire districts, health service districts, water districts, sanitation districts, school districts, and library districts, the aggregate reduction of local government property tax revenue during the property tax year commencing on January 1, 2023, as a result of the changes made in Senate Bill 22-238, enacted in 2022, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, that reduced valuations for assessment. ~~set forth pursuant to sections 39-1-104 (1)(b) and (1.8)(b), 39-1-104.2 (3)(q)(II) and (3)(r)(II), and 39-3-104.3 (2).~~

(c) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, EACH ASSESSOR SHALL CALCULATE THE TOTAL PROPERTY TAX REVENUE REDUCTION FOR EACH LOCAL GOVERNMENTAL ENTITY WITHIN THE ASSESSOR'S COUNTY AS A RESULT OF THE CUMULATIVE TEMPORARY REDUCTIONS IN VALUATION FOR ASSESSMENT MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022.

(d) WHEN CALCULATING THE AMOUNTS IN THIS SUBSECTION (2) FOR A LOCAL GOVERNMENTAL ENTITY FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, AS REQUIRED BY THIS SECTION, AN ASSESSOR SHALL USE THE LOCAL GOVERNMENTAL ENTITY'S MILL LEVY FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, EXCLUDING ANY MILLS LEVIED TO PROVIDE FOR THE PAYMENT OF BONDS AND INTEREST THEREON OR FOR THE PAYMENT OF ANY OTHER CONTRACTUAL OBLIGATION THAT HAS BEEN APPROVED BY A MAJORITY OF THE LOCAL GOVERNMENTAL ENTITY'S VOTERS VOTING THEREON.

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

(3) No later than March 1, 2024, each ~~treasurer~~ ASSESSOR shall report the amounts specified in subsection (2) of this section, as applicable, and the basis for the amounts to the administrator, and the administrator may require a ~~treasurer~~ AN ASSESSOR to provide additional information as necessary to evaluate the accuracy of the amounts reported. The administrator shall confirm that the reported amounts are correct or rectify the amounts, if necessary. The administrator shall then forward the correct amounts for each county to the state treasurer to enable the state treasurer to issue a reimbursement warrant to each treasurer in accordance with subsection (4) of this section.

(4) (a) No later than April 15, 2024, the state treasurer shall issue a warrant, to be paid upon demand from additional state revenues for the state fiscal year commencing on July 1, 2022, and, if necessary, from other money in the general fund, to each treasurer that is equal to the total of:

(I) The amount specified by the administrator under subsection (3) of this section, based on the amount reported by each ~~treasurer~~ ASSESSOR under subsection (2)(a)(I) of this section, for each county that both:

(II) Ninety percent of the amount specified by the administrator under subsection (3) of this section, based on the amount reported by each ~~treasurer~~ ASSESSOR under subsection (2)(a)(I) of this section, for each county that both:

(III) Sixty-five percent of the amount specified by the administrator under subsection (3) of this section, based on the amount reported by each ~~treasurer~~ ASSESSOR under subsection (2)(b)(II) of this section, for any county not described in subsections (4)(a)(I) and (4)(a)(II) of this section;

(IV) Ninety percent of the amount specified by the administrator under subsection (3) of this section, based on the amount reported by each ~~treasurer~~ ASSESSOR under subsection (2)(b)(I)(A) of this section for each municipality, fire district, health service district, water district, sanitation district, and library district that had an increase of ten percent or more in the assessed value of real property from the property tax year commencing on January 1, 2022, to the property tax year commencing on January 1, 2023; and

(V) The entire amount specified by the administrator under subsection (3) of this section, based on the amount reported by each ~~treasurer~~ ASSESSOR under subsection (2)(b)(I)(A) of this section for each municipality, fire district, health service district, water district, sanitation district, and library district that had an increase of less than ten percent in the assessed value of real property from the property tax year commencing on January 1, 2022, to the property tax year commencing on January 1, 2023.

(a.5) NO LATER THAN APRIL 15, 2024, THE STATE TREASURER SHALL ISSUE A WARRANT, TO BE PAID UPON DEMAND IN AN AMOUNT OF UP TO FIFTY-FOUR MILLION DOLLARS IN THE AGGREGATE FROM THE GENERAL FUND TO EACH TREASURER THAT IS EQUAL TO THE TOTAL OF:

(I) FOR COUNTIES WITH A POPULATION OF THREE HUNDRED THOUSAND OR LESS, AS DETERMINED PURSUANT TO THE MOST RECENTLY PUBLISHED POPULATION ESTIMATES FROM THE STATE DEMOGRAPHER APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS:

(A) THE ENTIRE AMOUNT OF THE TOTAL PROPERTY TAX REVENUE REDUCTION, AS A RESULT OF THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022, FOR EACH LOCAL GOVERNMENTAL ENTITY, EXCLUDING AMBULANCE DISTRICTS, HEALTH DISTRICTS, AND FIRE DISTRICTS, WITHIN A COUNTY THAT HAD AN INCREASE OF LESS THAN TEN PERCENT IN THE ASSESSED VALUE OF REAL PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, TO THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023;

(B) NINETY PERCENT OF THE TOTAL PROPERTY TAX REVENUE REDUCTION, AS A RESULT OF THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022, FOR EACH LOCAL GOVERNMENTAL ENTITY, EXCLUDING AMBULANCE DISTRICTS, HEALTH DISTRICTS, AND FIRE DISTRICTS, WITHIN A COUNTY THAT HAD AN INCREASE OF TEN PERCENT OR MORE, BUT LESS THAN FIFTEEN PERCENT IN THE ASSESSED VALUE OF REAL PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, TO THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023;

(C) THE ENTIRE AMOUNT OF THE TOTAL PROPERTY TAX REVENUE REDUCTION, AS A RESULT OF THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022, FOR EACH AMBULANCE DISTRICT, HEALTH DISTRICT, AND FIRE DISTRICT; AND

(D) FOR THE RELEVANT LOCAL GOVERNMENTAL ENTITIES, THE AMOUNT DETERMINED BY THE PROPERTY TAX ADMINISTRATOR AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO SUBSECTION (4)(a.5)(III)(B) OF THIS SECTION;

(II) FOR COUNTIES WITH A POPULATION OF GREATER THAN THREE HUNDRED THOUSAND, AS DETERMINED PURSUANT TO THE MOST RECENTLY PUBLISHED POPULATION ESTIMATES FROM THE STATE DEMOGRAPHER APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS:

(A) THE ENTIRE AMOUNT OF THE TOTAL PROPERTY TAX REVENUE REDUCTION, AS A RESULT OF THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022, FOR EACH LIBRARY DISTRICT, SANITATION DISTRICT, WATER DISTRICT, OR MUNICIPALITY THAT HAD AN INCREASE OF LESS THAN TEN PERCENT IN THE ASSESSED VALUE OF REAL PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, TO THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023;

(B) NINETY PERCENT OF THE TOTAL PROPERTY TAX REVENUE REDUCTION, AS A RESULT OF THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022, FOR EACH LIBRARY DISTRICT, SANITATION DISTRICT, WATER DISTRICT, OR MUNICIPALITY THAT HAD AN INCREASE OF TEN PERCENT OR MORE, BUT LESS THAN FIFTEEN PERCENT

IN THE ASSESSED VALUE OF REAL PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, TO THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023;

(C) SIXTY-FIVE PERCENT OF THE TOTAL PROPERTY TAX REVENUE REDUCTION, AS A RESULT OF THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022, FOR ALL LOCAL GOVERNMENTAL ENTITIES BESIDES AN AMBULANCE DISTRICT, FIRE DISTRICT, HEALTH DISTRICT, LIBRARY DISTRICT, SANITATION DISTRICT, WATER DISTRICT, OR MUNICIPALITY THAT HAD AN INCREASE OF LESS THAN FIFTEEN PERCENT IN THE ASSESSED VALUE OF REAL PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, TO THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023;

(D) THE ENTIRE AMOUNT OF THE TOTAL PROPERTY TAX REVENUE REDUCTION, AS A RESULT OF THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022, FOR EACH AMBULANCE DISTRICT, HEALTH DISTRICT, AND FIRE DISTRICT; AND

(E) FOR THE RELEVANT LOCAL GOVERNMENTAL ENTITIES, THE AMOUNT DETERMINED BY THE PROPERTY TAX ADMINISTRATOR AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO SUBSECTION (4)(a.5)(III)(B) OF THIS SECTION; AND

(III) BEFORE APRIL 15, 2024, THE PROPERTY TAX ADMINISTRATOR AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL JOINTLY, FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023:

(A) CREATE A LIST OF LOCAL GOVERNMENTAL ENTITIES THAT PROVIDE FIRE PROTECTION SERVICES AND THE AMOUNT THOSE LOCAL GOVERNMENTAL ENTITIES SPEND TO PROVIDE FIRE PROTECTION SERVICES; AND

(B) DETERMINE AN AMOUNT OF REIMBURSEMENT OF THE TOTAL PROPERTY TAX REVENUE REDUCTION, AS A RESULT OF THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022, FOR EACH LOCAL GOVERNMENTAL ENTITY THAT PROVIDES FIRE PROTECTION SERVICES THAT IS EQUITABLE WITH THE AMOUNT OF REIMBURSEMENT THAT A FIRE DISTRICT WILL RECEIVE PURSUANT TO SUBSECTIONS (4)(a.5)(I)(C) AND (4)(a.5)(II)(D) OF THIS SECTION AND DOES NOT RESULT IN THE LOCAL GOVERNMENTAL ENTITY BEING REIMBURSED FOR MORE THAN THE ENTIRE AMOUNT OF THE TOTAL PROPERTY TAX REVENUE REDUCTION, AS A RESULT OF THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022.

(b) Each treasurer shall distribute the total amount received from the state treasurer to the local governmental entities, excluding school districts, within the treasurer's county as if the revenues had been regularly paid as property tax, but so that the local governmental entities only receive the amounts determined pursuant to ~~subsection (4)(a)~~ SUBSECTIONS (4)(a) AND (4)(a.5) of this section.

(e) THE STATE TREASURER SHALL REDUCE A LOCAL GOVERNMENTAL ENTITY'S

REIMBURSEMENT AS NECESSARY TO PREVENT THE LOCAL GOVERNMENTAL ENTITY FROM EXCEEDING ITS FISCAL YEAR SPENDING LIMIT UNDER SECTION 20 (7)(b) OF ARTICLE X OF THE STATE CONSTITUTION FOR THE FISCAL YEAR.

(f) IF THE TOTAL OF ALL REIMBURSEMENTS ISSUED STATEWIDE PURSUANT TO SUBSECTION (4)(a.5) OF THIS SECTION WOULD OTHERWISE EXCEED FIFTY-FOUR MILLION DOLLARS, THE STATE TREASURER SHALL FIRST ISSUE THE REIMBURSEMENTS DESCRIBED IN SUBSECTIONS (4)(a.5)(I)(C), (4)(a.5)(I)(D), (4)(a.5)(II)(D), AND (4)(a.5)(II)(E) OF THIS SECTION, SECOND ISSUE THE REIMBURSEMENT TO LOCAL GOVERNMENTAL ENTITIES THAT HAD NO INCREASE IN THE ASSESSED VALUE OF REAL PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, TO THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, AND THEN THIRD PROPORTIONALLY REDUCE THE REIMBURSEMENT AMOUNTS DESCRIBED IN SUBSECTIONS (4)(a.5)(I)(A), (4)(a.5)(I)(B), (4)(a.5)(II)(A), (4)(a.5)(II)(B), AND (4)(a.5)(II)(C) OF THIS SECTION, SO THAT THE TOTAL OF ALL REIMBURSEMENT STATEWIDE EQUALS FIFTY-FOUR MILLION DOLLARS.

(g) IF A LOCAL GOVERNMENTAL ENTITY IS LOCATED IN MORE THAN ONE COUNTY, THEN THE PART LOCATED IN EACH COUNTY IS TREATED LIKE ANY OTHER LOCAL GOVERNMENTAL ENTITY LOCATED WITHIN THE COUNTY FOR THE PURPOSE OF DETERMINING THE REIMBURSEMENT AMOUNT UNDER SUBSECTIONS (4)(a) AND (4)(a.5) OF THIS SECTION.

(5) On or before March 21, 2024, based on the information available as of that date, the property tax administrator shall submit a report to the general assembly describing the aggregate reduction of local government property tax revenue, AS WELL AS SCHOOL DISTRICT PROPERTY TAX REVENUE, during the property tax year commencing on January 1, 2023, as a result of the changes made in Senate Bill 22-238, enacted in 2022, AND THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, that reduced valuations for assessment. ~~set forth pursuant to sections 39-1-104 (1)(b) and (1.8)(b), 39-1-104.2 (3)(q)(II) and (3)(r)(II), and 39-3-104.3 (2).~~

(7) IN ORDER TO INSULATE SCHOOL DISTRICTS FOR THE TOTAL PROPERTY TAX REVENUE REDUCTION AND INCREASED STATE SHARE OF THE DISTRICTS' TOTAL PROGRAM AS A RESULT OF THE CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 22-238, ENACTED IN 2022, ON JULY 1, 2024, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED FORTY-SIX MILLION DOLLARS TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

SECTION 3. 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~~ THAT 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 10, 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 10, 2024.

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

SECTION 4. In Colorado Revised Statutes, 29-1-108, **amend** (4) as follows:

29-1-108. Adoption of budget - appropriations - failure to adopt - repeal.

(4) (a) If the appropriations for the budget year have not been made by December 31 of the current fiscal year, then ninety percent of the amount appropriated in the current fiscal year for operation and maintenance expenses shall be deemed reappropriated for the budget year.

(b) (I) APPROPRIATIONS FOR THE 2024 BUDGET YEAR, IF SUCH APPROPRIATIONS ARE IMPACTED DUE TO CHANGES TO THE ASSESSED VALUATION OF PROPERTY WITHIN THE LOCAL GOVERNMENT'S BOUNDARIES MADE PURSUANT TO SENATE BILL 23B-001, ENACTED IN 2023, AND SENATE BILL 22-238, ENACTED IN 2022, MAY BE MADE NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION AND DO NOT CONSTITUTE A CHANGE TO THE LOCAL GOVERNMENT'S ADOPTED BUDGET REQUIRING COMPLIANCE WITH SECTION 29-1-109.

(II) THIS SUBSECTION (4)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 5. In Colorado Revised Statutes, 29-1-109, **amend** (2)(a) and (2)(c) as follows:

29-1-109. Changes to budget - transfers - supplemental appropriations - repeal. (2) (a) (I) Any transfer, supplemental appropriation, or revised appropriation made pursuant to this section shall be made only by ordinance or resolution which complies with the notice provisions of section 29-1-106.

(II) (A) NOTWITHSTANDING SUBSECTION (2)(a)(I) OF THIS SECTION, IF AFTER ADOPTION OF A BUDGET ON OR BEFORE DECEMBER 31, 2023, FOR THE 2024 FISCAL YEAR, AN ORDINANCE OR RESOLUTION MAKING A TRANSFER, SUPPLEMENTAL APPROPRIATION, OR REVISED APPROPRIATION IS REQUIRED PURSUANT TO THIS SECTION DUE TO THE CHANGES TO THE ASSESSED VALUATION OF PROPERTY WITHIN THE LOCAL GOVERNMENT'S BOUNDARIES PURSUANT TO SENATE BILL 23B-001, ENACTED IN 2023, AND SENATE BILL 22-238, ENACTED IN 2022, THE ORDINANCE OR RESOLUTION DOES NOT NEED TO COMPLY WITH THE NOTICE PROVISIONS OF SECTION 29-1-106.

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

(c) (I) For supplemental budgets and appropriations, such ordinance or resolution shall set forth in full the source and amount of such revenue, the purpose for which such revenues are being budgeted and appropriated, and the fund or spending agency which shall make such supplemental expenditure. A certified copy of such ordinance or resolution shall be filed with the division.

(II) (A) FOR THE 2024 FISCAL YEAR, FOR SUPPLEMENTAL BUDGETS AND APPROPRIATIONS REQUIRED DUE TO THE CHANGES TO THE ASSESSED VALUATION OF PROPERTY WITHIN THE LOCAL GOVERNMENT'S BOUNDARIES PURSUANT TO SENATE BILL 23B-001, ENACTED IN 2023, AND SENATE BILL 22-238, ENACTED IN 2022, SUCH CHANGES ARE A SUFFICIENT PURPOSE TO SATISFY THE REQUIREMENTS SET FORTH IN SUBSECTION (2)(c)(I) OF THIS SECTION.

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

SECTION 6. In Colorado Revised Statutes, 29-1-108, **add** (4.5) as follows:

29-1-108. Adoption of budget - appropriations - failure to adopt - repeal.

(4.5) (a) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (4) OF THIS SECTION IS POSTPONED FROM DECEMBER 31, 2023, TO JANUARY 10, 2024.

(b) This subsection (4.5) IS REPEALED, EFFECTIVE JULY 1, 2024.

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

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

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

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

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

SECTION 8. In Colorado Revised Statutes, 39-1-104.4, **amend** (1) introductory portion and (1)(a) as follows:

39-1-104.4. Adjustment of residential rate. (1) The ~~ratio of~~ valuation for assessment for residential real property other than multi-family residential real property for the property tax year commencing on January 1, 2024, is equal to the

percentage necessary for the following to equal a total of seven hundred million dollars:

(a) The aggregate reduction of local government property tax revenue during the property tax year commencing on January 1, 2023, as a result of the changes made in Senate Bill 22-238, enacted in 2022, EXCLUSIVE OF ANY CHANGES MADE IN SENATE BILL 23B-001, ENACTED IN 2023, that reduced valuations for assessment set forth pursuant to sections 39-1-104 (1)(b) and (1.8)(b), 39-1-104.2 (3)(q)(II) and (3)(r)(II), and 39-3-104.3 (2); and

SECTION 9. In Colorado Revised Statutes, 39-1-111, **amend** (1) and (5) as follows:

39-1-111. Taxes levied by board of county commissioners - repeal. (1)(a) No later than December 22 in each year, the board of county commissioners in each county of the state, or such other body in the city and county of Denver as shall be authorized by law to levy taxes, or the city council of the city and county of Broomfield, shall, either by an order to be entered in the record of its proceedings or by written approval, levy against the valuation for assessment of all taxable property located in the county on the assessment date, and in the various towns, cities, school districts, and special districts within such county, the requisite property taxes for all purposes required by law.

(b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (1)(a) OF THIS SECTION IS POSTPONED FROM DECEMBER 22, 2023, TO JANUARY 17, 2024.

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

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

(b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (5)(a) OF THIS SECTION IS POSTPONED FROM DECEMBER 10, 2023, TO JANUARY 3, 2024.

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

SECTION 10. In Colorado Revised Statutes, 39-3-207, **amend** (2)(b) as follows:

39-3-207. Reporting of exemptions - reimbursement to local governmental entities. (2) (b) No later than December 1, 2002, and no later than each December 1 thereafter, and after examining the reports sent by each assessor, denying claims for exemptions, and deciding protests in accordance with ~~paragraph (a) of this subsection~~ (2) SUBSECTION (2)(a) OF THIS SECTION, the administrator shall provide written notice to the assessor of each county in which an exemption application has been denied because the applicant filed multiple exemption applications with the identity of the applicant who filed multiple exemption applications and the denial of the exemption. No later than December 1, 2016, and no later than each December 1 thereafter, and after examining the reports sent by each assessor, denying claims for exemptions, and deciding protests in accordance with ~~paragraph (a) of this subsection~~ (2) SUBSECTION (2)(a) OF THIS SECTION, the administrator shall also provide written notice to the assessor of each county in which an exemption application has been denied for any other reason with the identity of the applicant and the denial of the exemption, specifying the reason for the denial. No later than January 10, 2017, and no later than each January 10 thereafter; EXCEPT THAT, FOR 2024, NO LATER THAN JANUARY 24, each assessor shall forward to the administrator a partial copy of the tax warrant for the assessor's county that includes only property for which the assessor has granted an exemption. The administrator shall examine the tax warrants to ensure that no additional exemptions have been allowed since the administrator examined the reports previously received from the assessors and that each assessor has removed from the tax warrant all exemptions that the administrator previously denied. No later than January 17, 2017, and no later than each January 17 thereafter; except that, for 2024, NO LATER THAN JANUARY 31, the administrator shall notify each assessor and each treasurer of any exemptions to be removed from the tax warrant.

SECTION 11. In Colorado Revised Statutes, 39-5-128, **amend** (1) as follows:

39-5-128. Certification of valuation for assessment - repeal. (1) (a) No later than August 25 of each year, the assessor shall certify to the department of education, to the clerk of each town and city, to the secretary of each school district, and to the secretary of each special district within the assessor's county the total valuation for assessment of all taxable property located within the territorial limits of each such town, city, school district, or special district and shall notify each such clerk, secretary, and board to officially certify the levy of such town, city, school district, or special district to the board of county commissioners no later than December 15. The assessor shall also certify to the secretary of each school district the actual value of the taxable property in the district.

(b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (1)(a) OF THIS SECTION FOR OFFICIALLY CERTIFYING A LEVY IS POSTPONED FROM DECEMBER 15, 2023, TO JANUARY 10, 2024.

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

SECTION 12. In Colorado Revised Statutes, **amend** 39-5-129 as follows:

39-5-129. Delivery of tax warrant - public inspection - repeal. (1) As soon as practicable after the requisite taxes for the year have been levied but in no event

later than January 10 of each year, the assessor shall deliver the tax warrant under ~~his~~ THE hand and official seal OF THE ASSESSOR to the treasurer, which shall be made readily available to the general public during the collection year in a convenient location in the courthouse. The assessor shall retain one or more true copies thereof, which shall be made readily available to the general public during the collection year in a convenient location in the courthouse. Such tax warrant shall set forth the assessment roll, reciting the persons in whose names taxable property in the county has been listed, the class of such taxable property and the valuation for assessment thereof, the several taxes levied against such valuation, and the amount of such taxes extended against each separate valuation. At the end of the warrant, the aggregate of all taxes levied shall be totaled, balanced, and prorated to the several funds of each levying authority, and the treasurer shall be commanded to collect all such taxes.

(2) (a) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (1) OF THIS SECTION IS POSTPONED FROM JANUARY 10, 2024, TO JANUARY 24, 2024.

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

SECTION 13. In Colorado Revised Statutes, 39-10-103, **add** (1)(c) as follows:

39-10-103. Tax statement - repeal. (1) (c) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE TREASURER SHALL MAIL THE STATEMENT AS SOON AS PRACTICABLE AFTER JANUARY 24, 2024.

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

SECTION 14. In Colorado Revised Statutes, 39-10-104.5, **amend** (3)(a) as follows:

39-10-104.5. Payment dates - optional payment dates - failure to pay - delinquency - repeal. (3) (a) (I) If the first installment is not paid on or before the last day of February, then delinquent interest on the first installment shall accrue at the rate of one percent per month from the first day of March until the date of payment; except that, if payment of the first installment is made after the last day of February but not later than thirty days after the mailing by the treasurer of the tax statement, or true and actual notification of an electronic statement, pursuant to section 39-10-103 (1)(a), no such delinquent interest shall accrue. If the second installment is not paid by the fifteenth day of June, delinquent interest on the second installment shall accrue at the rate of one percent per month from the sixteenth day of June until the date of payment. Interest on the first installment shall continue to accrue at the same time that interest is accruing on the unpaid portion of the second installment. The taxpayer shall continue to have the option of paying delinquent property taxes in two equal installments until one day prior to the sale of the tax lien on such property pursuant to article 11 of this ~~title~~ TITLE 39.

(II) (A) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, DELINQUENT INTEREST DOES NOT ACCRUE IF PAYMENT OF THE FIRST INSTALLMENT IS MADE AFTER THE LAST DAY OF FEBRUARY BUT NOT LATER THAN TEN DAYS AFTER

THE MAILING BY THE TREASURER OF THE TAX STATEMENT OR TRUE AND ACTUAL NOTIFICATION OF AN ELECTRONIC STATEMENT PURSUANT TO SECTION 39-10-103 (1).

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

SECTION 15. Appropriation. (1) For the 2023-24 state fiscal year, \$34,659 is appropriated to the department of local affairs for use by the division of local government. This appropriation is from the general fund. To implement this act, the division may use this appropriation as follows:

(a) \$27,349 for personal services, which amount is based on an assumption that the division will require an additional 0.5 FTE; and

(b) \$7,310 for operating expenses.

SECTION 16. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: November 20, 2023