

Initiative 2023-24 #153: Valuation for Assessments

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Be it Enacted by the People of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 39-1-102 **repeal and reenact** (5.5)(b)(II) and (14.5), and **add** (5.5)(b.5), (15.7), and (15.8) as follows:

39-1-102. Definitions.

As used in articles 1 to 13 of this title 39, unless the context otherwise requires:

(5.5)(b) IF ANY TIME SHARE ESTATE, TIME SHARE USE PERIOD, UNDIVIDED INTEREST, OR OTHER PARTIAL OWNERSHIP INTEREST IN ANY HOTEL UNIT IS OWNED BY ANY NON-HOTEL UNIT OWNER, THEN, UNLESS A DECLARATION OR OTHER EXPRESS AGREEMENT BINDING ON THE NON-HOTEL UNIT OWNERS AND THE HOTEL UNIT OWNERS PROVIDES OTHERWISE:

(II) EACH NON-HOTEL UNIT OWNER SHALL PAY THAT PORTION OF THE TAXES ON THE HOTEL UNIT EQUAL TO THE NON-HOTEL UNIT OWNER'S OWNERSHIP OR USAGE PERCENTAGE OF THE HOTEL UNIT MULTIPLIED BY THE PROPERTY TAX THAT WOULD HAVE BEEN LEVIED ON THE HOTEL UNIT IF THE ACTUAL VALUE AND VALUATION FOR ASSESSMENT OF THE HOTEL UNIT HAD BEEN DETERMINED AS IF THE HOTEL UNIT WAS RESIDENTIAL REAL PROPERTY.

(b.5) "HOTELS AND MOTELS" DOES NOT MEAN A BUILDING DESIGNED FOR USE PREDOMINANTLY AS A PLACE OF RESIDENCY BY A PERSON, A FAMILY, OR FAMILIES, BUT THAT IS ACTUALLY USED, OR AVAILABLE FOR USE, TO PROVIDE SHORT-TERM STAYS ONLY.

(14.5) "RESIDENTIAL REAL PROPERTY" MEANS RESIDENTIAL LAND AND RESIDENTIAL IMPROVEMENTS, INCLUDING MULTI-FAMILY RESIDENTIAL REAL PROPERTY AS DEFINED IN SECTION 39-1-104.2(1)(a) BUT DOES NOT INCLUDE HOTELS AND MOTELS AS DEFINED IN SUBSECTION (5.5) OF THIS SECTION.

(15.7) "SHORT-TERM RENTAL UNIT" MEANS A RESIDENTIAL IMPROVEMENT THAT IS DESIGNED AND USED AS A PLACE OF RESIDENCY BY A PERSON, A FAMILY, OR FAMILIES, AND THAT IS NOT A PRIMARY RESIDENCE BUT THAT IS ALSO LEASED OR AVAILABLE TO BE LEASED FOR ONE OR MORE SHORT-TERM STAYS. THE TERM ALSO INCLUDES THE LAND UPON WHICH THE IMPROVEMENT IS LOCATED.

(15.8) "SHORT-TERM STAY" MEANS OVERNIGHT LODGING THAT IS PROVIDED TO AN INDIVIDUAL OR BUSINESS FOR LESS THAN THIRTY CONSECUTIVE DAYS IN EXCHANGE OF MONETARY PAYMENT.

SECTION 2. In Colorado Revised Statutes, 39-1-104 **repeal and reenact** (1) as follows:

39-1-104. Valuation for Assessments - definitions.

(1) THE VALUATION FOR ASSESSMENT OF ALL TAXABLE PROPERTY IN THE STATE SHALL BE TWENTY-THREE PERCENT OF THE ACTUAL VALUE OF THE PROPERTY FOR PROPERTY TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2025. THE ACTUAL VALUE THEREOF AS DETERMINED BY THE ASSESSOR AND THE ADMINISTRATOR IN THE MANNER PRESCRIBED BY LAW, AND SUCH PERCENTAGE SHALL BE UNIFORMLY APPLIED, WITHOUT EXCEPTION, TO THE ACTUAL VALUE, SO

V.3 – Section 2 - 23%, Section 3 – 5%, Section 4 - No TABOR refund reduction

DETERMINED, OF THE VARIOUS CLASSES AND SUBCLASSES OF REAL AND PERSONAL PROPERTY LOCATED WITHIN THE TERRITORIAL LIMITS OF THE AUTHORITY LEVYING A PROPERTY TAX, AND ALL PROPERTY TAXES SHALL BE LEVIED AGAINST THE AGGREGATE VALUATION FOR ASSESSMENT RESULTING FROM THE APPLICATION OF SUCH PERCENTAGE. THIS SUBSECTION (1) SHALL NOT APPLY TO RESIDENTIAL REAL PROPERTY, PRODUCING MINES, AND LANDS OR LEASEHOLDS PRODUCING OIL OR GAS.

SECTION 3. In Colorado Revised Statutes, 39-1-104.2 **repeal and reenact** (1)(a) and (3)(r) as follows:

39-1-104.2. Residential real property - valuation for assessment - legislative declaration - definitions.

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

(a) "MULTI-FAMILY RESIDENTIAL REAL PROPERTY" MEANS RESIDENTIAL REAL PROPERTY THAT IS A DUPLEX, TRIPLEX, OR MULTI-STRUCTURE OF FOUR OR MORE UNITS, ALL OF WHICH ARE BASED ON THE CLASS CODES ESTABLISHED IN THE MANUAL PUBLISHED BY THE ADMINISTRATOR. MULTI-FAMILY RESIDENTIAL REAL PROPERTY IS A SUBCLASS OF RESIDENTIAL REAL PROPERTY FOR PURPOSES OF THE RATIO OF VALUATION FOR ASSESSMENT.

(3)(r) THE VALUATION FOR ASSESSMENT FOR RESIDENTIAL REAL PROPERTY IS 5.0 PERCENT OF THE ACTUAL VALUE OF THE PROPERTY FOR PROPERTY TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2025.

SECTION 4. In Colorado Revised Statutes, 39-3-210, **repeal and reenact** (7), and **add** (8) as follows:

39-3-210. Reporting of property tax revenue reductions - reimbursement of local governmental entities - definitions - local government backfill cash fund - creation - repeal.

(7) IN ORDER TO INSULATE SCHOOL DISTRICTS FROM REVENUE LOSS DUE TO THE PASSAGE OF THIS MEASURE, ANY REDUCTION IN REVENUE ATTRIBUTED TO THE VOTER APPROVAL OF THIS MEASURE SHALL NOT REDUCE FUNDING FOR THE STATE EDUCATION FUND AS CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

(8) NO LATER THAN APRIL 15 OF EACH YEAR, THE STATE TREASURER SHALL ISSUE A WARRANT, TO BE PAID YEARLY FROM THE GENERAL FUND TO REIMBURSE LOCAL DISTRICTS FOR LOST REVENUE AS A RESULT OF THE PASSAGE OF THIS MEASURE. REIMBURSEMENTS TO LOCAL DISTRICTS SHALL NOT REDUCE REFUNDS DUE TO TAXPAYERS FOR REVENUES IN EXCESS OF THE SPENDING LIMIT ESTABLISHED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION.

SECTION 5. Effective date.

This act takes effect on January 1, 2025.