

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB26-046 be amended as follows:

1 Amend printed bill, page 5, after line 19 insert:

2 "SECTION 4. In Colorado Revised Statutes, 39-2-109, **amend**  
3 (1)(e) and (1)(k); and **repeal** (2) as follows:

4 **39-2-109. Duties, powers, and authority.**

5 (1) It is the duty of the property tax administrator, and the  
6 administrator shall have and exercise authority:

7 (e) To prepare and publish from time to time manuals, appraisal  
8 procedures, and instructions, after consultation with the advisory  
9 committee to the property tax administrator and the approval of the state  
10 board of equalization, concerning methods of appraising and valuing  
11 land, improvements, personal property, and mobile homes, and to require  
12 their utilization by assessors in valuing and assessing taxable property.  
13 Said manuals, appraisal procedures, and instructions ~~shall~~ **MUST** be based  
14 upon the three approaches to appraisal and the procedures set forth in  
15 section 39-1-103 (5)(a). Such manuals, appraisal procedures, and  
16 instructions ~~shall be~~ **ARE** subject to legislative review, the same as rules,  
17 pursuant to section 24-4-103 (8)(d). ~~Beginning January 1, 2023, the~~  
18 ~~administrator shall comply with subsection (2) of this section when~~  
19 ~~modifying the manuals, appraisal procedures, and instructions.~~

20 (k) To prepare and publish guidelines, after consultation with the  
21 advisory committee to the property tax administrator and approval of the  
22 state board of equalization, concerning the audit and compliance review  
23 of oil and gas leasehold properties for property tax purposes, which ~~shall~~  
24 **MUST** be utilized by assessors, treasurers, and their agents. Such  
25 guidelines ~~shall be~~ **ARE** subject to legislative review, the same as rules,  
26 pursuant to section 24-4-103 (8)(d). ~~Beginning January 1, 2023, the~~  
27 ~~administrator shall comply with subsection (2) of this section when~~  
28 ~~modifying the guidelines.~~

29 (2) (a) ~~As used in this subsection (2), "property tax materials"~~  
30 ~~means the manuals, appraisal procedures, instructions, and guidelines that~~  
31 ~~the administrator prepares and publishes under the authority conferred by~~  
32 ~~subsections (1)(e) and (1)(k) of this section.~~

33 (b) ~~Prior to proposing any changes to the property tax materials,~~  
34 ~~the administrator shall conduct a public hearing described in subsection~~  
35 ~~(2)(d) of this section. No less than two weeks prior to the hearing, the~~  
36 ~~administrator shall publish notice of the proposed changes to the property~~  
37 ~~tax materials. The administrator must include in the notice:~~

38 (I) ~~The date, time, and place of the hearing; and~~

39 (II) ~~Either the terms or substance of the proposed change or a~~  
40 ~~description of the subjects and issues involved.~~

1       ~~(c) The administrator shall maintain a list of all persons who~~  
2 ~~request notification of proposed changes to the property tax materials. On~~  
3 ~~or before the date of the publication of notice required by subsection~~  
4 ~~(2)(b) of this section, the administrator shall provide notice via email of~~  
5 ~~the proposed changes to all persons on the list. The administrator shall not~~  
6 ~~charge a fee for sending this email notice. Upon request of a person on~~  
7 ~~the list, the administrator may mail the notice to the person. Any person~~  
8 ~~on the list who requests to receive a copy of the proposed changes by mail~~  
9 ~~must pay a fee to the administrator that is set based upon the~~  
10 ~~administrator's actual cost of copying and mailing the proposed changes~~  
11 ~~to the person. All fees collected by the administrator are continuously~~  
12 ~~appropriated to the administrator solely for the purpose of defraying the~~  
13 ~~cost of the notice.~~

14       ~~(d) At the place and time stated in the notice, the administrator~~  
15 ~~shall hold a public hearing at which the administrator shall afford~~  
16 ~~interested persons an opportunity to submit written data, views, or~~  
17 ~~arguments and to present the same orally unless the administrator deems~~  
18 ~~it unnecessary. The administrator shall consider all submissions when~~  
19 ~~finalizing a proposed change to the property tax materials that the~~  
20 ~~administrator submits to the advisory committee to the property tax~~  
21 ~~administrator for the advisory committee's review in accordance with~~  
22 ~~section 39-2-131 (1).~~

23       ~~(e) The administrator shall adopt proposed changes to the property~~  
24 ~~tax materials consistent with the subject matter as set forth in the notice~~  
25 ~~required by subsection (2)(b) of this section prior to consideration by the~~  
26 ~~advisory committee to the property tax administrator.~~

27       ~~(f) Any interested person shall have the right to petition the~~  
28 ~~administrator in writing for the issuance, amendment, or repeal of any~~  
29 ~~property tax materials. The petition is open to public inspection. The~~  
30 ~~administrator is not required to take any action based on a petition, but~~  
31 ~~when the administrator proposes a change to the property tax materials,~~  
32 ~~the administrator shall consider all related written petitions."~~

33       Renumber succeeding sections accordingly.

34       Page 5, after line 26 insert:

35       **"SECTION 6.** In Colorado Revised Statutes, 39-2-131, **amend**  
36 **(3)(b)** as follows:

37       **39-2-131. Function of the committee - notice of proposed**  
38 **changes - property tax materials - definition.**

39       (3) (b) As used in this subsection (3), "property tax materials" ~~has~~  
40 ~~the same meaning as set forth in section 39-2-109 (2)(a)~~ MEANS THE

- 1 MANUALS, APPRAISAL PROCEDURES, INSTRUCTIONS, AND GUIDELINES THAT  
2 THE ADMINISTRATOR PREPARES AND PUBLISHES UNDER THE AUTHORITY  
3 CONFERRED BY SECTIONS 39-2-109 (1)(e) AND (1)(k) OF THIS SECTION."
- 4 Renumber succeeding sections accordingly.
- 5 Strike "section 5" and substitute "section 7" on: **Page 16**, line 20; and  
6 **Page 17**, line 10.
- 7 Strike "section 6" and substitute "section 8" on: **Page 16**, line 21; and  
8 **Page 17**, line 11.
- 9 Strike "section 7" and substitute "section 9" on: **Page 16**, line 22; and  
10 **Page 17**, line 12.
- 11 Strike "section 8" and substitute "section 10" on: **Page 16**, line 23; and  
12 **Page 17**, line 13.
- 13 Strike "section 9" and substitute "section 11" on: **Page 16**, line 24; and  
14 **Page 17**, line 14.

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