HB1206_H_FIN.001

HOUSE COMMITTEE OF REFERENCE REPORT

_____   March 23, 2026
Chair of Committee   Date

Committee on <u>Finance</u>.

After consideration on the merits, the Committee recommends the
following:

<u>HB26-1206</u>   be amended as follows, and as so amended, be referred to
the Committee on   <u>Appropriations</u>   with   favorable
recommendation:

1   Amend printed bill, page 5, after line 22 insert:

2   "(a) THE COUNCIL CONSENTS TO THE LEVY OF THE SALES TAX,
3   SALES AND USE TAX, OR PROPERTY TAX;".

4   Reletter succeeding paragraphs accordingly.

5   Page 5, line 23, strike "CITY" and substitute "AUTHORITY".

6   Page 5, line 27, strike "PEOPLE;" and substitute "PEOPLE OR BUSINESSES;".

7   Page 6, line 12, strike "STATE;" and substitute "STATE, EXCLUDING THE
8   SALE OR USE OF CIGARETTES;
9   (II) THE AUTHORITY SHALL APPLY THE MONTHLY TAX COLLECTION
10   DISTRIBUTIONS RECEIVED FROM THE DEPARTMENT OF REVENUE UNDER
11   SECTION 29-2-207 SOLELY TO THE PLANNING, FINANCING, ACQUISITION,
12   CONSTRUCTION, RECONSTRUCTION OR REPAIR, MAINTENANCE,
13   MANAGEMENT, OR OPERATION OF HOUSING PROJECTS OR PROGRAMS
14   WITHIN THE MEANS OF HOUSEHOLDS OF LOW OR MODERATE INCOME;".

15   Renumber succeeding subparagraphs accordingly.

16   Page 6, lines 25 and 26, strike "COUNTY COMMISSIONERS OF THE COUNTY
17   IN WHICH THE AUTHORITY IS LOCATED" and substitute "THE AUTHORITY".

18   Page 7, after line 6 insert:

19   "(IV) THE AUTHORITY HAS COMPLIED WITH THE REQUIREMENTS OF

1   SECTION 39-1-110 (1)(c);".

2   Renumber succeeding subparagraphs accordingly.

3   Page 8, strike lines 17 and 18 and substitute "TERMS AND SUBJECT TO THE
4   CONDITIONS SET FORTH IN SECTION 43-4-609.".

5   Page 8, after line 22 insert:

6   "(a) THE BOARD CONSENTS TO THE LEVY OF THE SALES TAX, SALES
7   AND USE TAX, OR PROPERTY TAX;".

8   Reletter succeeding paragraphs accordingly.

9   Page 8, line 23, strike "BOARD" and substitute "AUTHORITY".

10   Page 8, line 27, strike "PEOPLE;" and substitute "PEOPLE OR BUSINESSES;".

11   Page 9, line 13, strike "STATE; AND" and substitute "STATE, EXCLUDING
12   THE SALE OR USE OF CIGARETTES; AND
13   (II) THE AUTHORITY SHALL APPLY THE MONTHLY TAX COLLECTION
14   DISTRIBUTIONS RECEIVED FROM THE DEPARTMENT OF REVENUE UNDER
15   SECTION 29-2-207 SOLELY TO THE PLANNING, FINANCING, ACQUISITION,
16   CONSTRUCTION, RECONSTRUCTION OR REPAIR, MAINTENANCE,
17   MANAGEMENT, OR OPERATION OF HOUSING PROJECTS OR PROGRAMS
18   WITHIN THE MEANS OF HOUSEHOLDS OF LOW OR MODERATE INCOME;".

19   Renumber succeeding subparagraphs accordingly.

20   Page 9, line 25, strike "BOARD" and substitute "AUTHORITY".

21   Strike page 11 and substitute:

22   "(11.5) (a)   AS USED IN THIS SUBSECTION (11.5), "PROPERTY
23   TAXPAYER" MEANS A PERSON THAT PAYS PROPERTY TAXES ON PROPERTY
24   SUBJECT TO A DULY EXECUTED AND RECORDED AGREEMENT DESCRIBED IN
25   SUBSECTION (11.5)(b) OF THIS SECTION.
26   (b)   AN AGREEMENT ENTERED INTO BETWEEN A PROPERTY
27   TAXPAYER AND A GOVERNING BODY OR AN AUTHORITY CONSTITUTES THE
28   PROPERTY TAXPAYER'S BINDING PAYMENT OBLIGATION AND DOES NOT
29   CONSTITUTE A PLEDGE OF THE CREDIT OR TAXING POWER OF THE
30   GOVERNING BODY OR THE AUTHORITY IF THE AGREEMENT GUARANTEES,
31   ENHANCES, OR SECURES THE REPAYMENT OF BONDS, NOTES, OR OTHER

1 MULTIPLE FISCAL YEAR OBLIGATIONS ISSUED BY THE GOVERNING BODY OR
2 THE AUTHORITY TO FINANCE URBAN RENEWAL PROJECT COSTS BY:
3 (I) PROVIDING FOR PAYMENTS IN LIEU OF OR IN ADDITION TO TAX
4 INCREMENT REVENUES; OR
5 (II) PROVIDING FOR PAYMENT OBLIGATIONS DESIGNED TO SUPPORT
6 THE FINANCING OR REFINANCING OF URBAN RENEWAL PROJECT COSTS.
7 (c) IF AN AGREEMENT DESCRIBED IN SUBSECTION (11.5)(b) OF THIS
8 SECTION OR A PAYMENT DUE IN ACCORDANCE WITH SUCH AN AGREEMENT
9 IS SECURED BY A LIEN ON REAL PROPERTY, THE LIEN ON REAL PROPERTY:
10 (I) IS EFFECTIVE AND FULLY ENFORCEABLE AUTOMATICALLY UPON
11 THE EXECUTION OF THE AGREEMENT;
12 (II) CONSTITUTES AND IS TREATED AS A PROPERTY TAX;
13 (III) HAS PARITY WITH A REAL PROPERTY TAX LIEN AND HAS
14 PRIORITY OVER AN EXISTING OR SUBSEQUENT MORTGAGE, JUDGMENT,
15 LIEN, OR ENCUMBRANCE EXCEPT FOR A PREVIOUSLY FILED REAL PROPERTY
16 TAX LIEN; AND
17 (IV) MAY BE ENFORCED, COLLECTED, AND FORECLOSED IN THE
18 SAME MANNER AS PROPERTY TAXES, INCLUDING TAX FORECLOSURE,
19 SHERIFF'S SALE, OR JUDICIAL FORECLOSURE, EXCEPT AS LIMITED BY THE
20 PROPERTY TAXPAYER'S RIGHTS TO CHALLENGE THE LIEN OR ASSESSMENT.
21 (d) AN AGREEMENT DESCRIBED IN SUBSECTION (11.5)(b) OF THIS
22 SECTION AND ANY LIEN CREATED THEREUNDER MAY BE ASSIGNED BY THE
23 GOVERNING BOARD OR AUTHORITY TO A TRUSTEE OR PURCHASER OF
24 BONDS, NOTES, OR OTHER INDEBTEDNESS SECURED BY THE AGREEMENT.
25 IF THE AGREEMENT IS ASSIGNED, THE ASSIGNEE HOLDS ALL ENFORCEMENT
26 RIGHTS WHICH WOULD OTHERWISE BE HELD BY THE GOVERNING BOARD OR
27 AUTHORITY.
28 (e) NOTHING IN THIS SUBSECTION (11.5) MAY BE CONSTRUED TO
29 REQUIRE A GOVERNING BODY, AUTHORITY, OR PROPERTY TAXPAYER TO
30 ENTER INTO AN AGREEMENT DESCRIBED IN SUBSECTION (11.5)(a) OF THIS
31 SECTION.".

32 Page 12, before line 1 insert:

33 "**SECTION 5.** In Colorado Revised Statutes, 39-1-110, add (1)(c)
34 as follows:
35 **39-1-110. Notice - formation of political subdivision -**
36 **boundary change of special district - housing authority intent to levy.**
37 (1)(c) A HOUSING AUTHORITY THAT INTENDS TO PROVIDE FOR THE
38 LEVY OF A PROPERTY TAX WITHIN ITS JURISDICTION IN ACCORDANCE WITH
39 SECTION 29-4-209 (4) SHALL NOTIFY THE ASSESSOR AND THE BOARD OF
40 COUNTY COMMISSIONERS OF EACH COUNTY IN WHICH THE PROPERTY TAX
41 WILL BE LEVIED, AND SUCH NOTICE MUST SPECIFY THE BOUNDARIES OF THE

1   AREA IN WHICH PROPERTY WILL BE TAXED. A HOUSING AUTHORITY SHALL
2   NOT LEVY PROPERTY TAX FOR A CALENDAR YEAR UNLESS THE ASSESSOR
3   AND THE BOARD OF COUNTY COMMISSIONERS OF EACH COUNTY WITHIN
4   WHICH THE PROPERTY TAX WILL BE LEVIED HAVE BEEN NOTIFIED OF THE
5   INTENT TO LEVY BEFORE JULY 1 OF THAT CALENDAR YEAR AND HAVE
6   RECEIVED FROM THE AUTHORITY THE FOLLOWING:
7   (I) OFFICIAL NOTICE THAT A TAX WILL BE LEVIED FOR SUCH YEAR;
8   (II) A LEGAL DESCRIPTION; AND
9   (III) A MAP OF THE LEGAL BOUNDARIES OF THE AREA IN WHICH
10   PROPERTY WILL BE TAXED.".

11   Renumber succeeding sections accordingly.

** *** ** *** **