

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-1209.01 Thomas Morris x4218

SENATE BILL 17-302

SENATE SPONSORSHIP

Coram,

HOUSE SPONSORSHIP

(None),

Senate Committees

Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING A CLARIFICATION OF THE EXEMPTION FROM PROPERTY

102 TAX OF SILVICULTURAL EQUIPMENT.

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>.)

Current law exempts "agricultural and livestock products" from the levy and collection of property tax and defines "agriculture", for purposes of applying the exemption, to include silviculture. Current law also exempts "agricultural equipment which is used on the farm or ranch in the production of agricultural products" from the levy and collection of property tax.

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

The bill repeals the current exemption and instead clarifies that agricultural equipment includes silviculture personal property that is designed, adapted, and used for the planting, growing, maintenance, or harvesting of trees in a raw or unprocessed state.

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-1-102, **amend** the
3 introductory portion, (1.1), and (1.3) as follows:

4 **39-1-102. Definitions.** As used in articles 1 to 13 of this ~~title~~
5 TITLE 39, unless the context otherwise requires:

6 (1.1) "Agricultural and livestock products" means plant or animal
7 products in a raw or unprocessed state that are derived from the science
8 and art of agriculture, regardless of the use of the product after its sale
9 and regardless of the entity that purchases the product. "Agriculture", for
10 the purposes of this subsection (1.1), means farming, ranching, animal
11 husbandry, and horticulture. ~~Effective July 1, 2013, "agriculture" includes~~
12 ~~silviculture.~~

13 (1.3) "Agricultural equipment which is used on the farm or ranch
14 in the production of agricultural products":

15 (a) Means any personal property used on a farm or ranch, as
16 defined in subsections (3.5) and (13.5) of this section, for planting,
17 growing, and harvesting agricultural products or for raising or breeding
18 livestock for the primary purpose of obtaining a monetary profit; and

19 (b) Includes:

20 (I) Any mechanical system used on the farm or ranch for the
21 conveyance and storage of animal products in a raw or unprocessed state,
22 regardless of whether or not such mechanical system is affixed to real
23 property; AND

1 (II) SILVICULTURE PERSONAL PROPERTY THAT IS DESIGNED,
2 ADAPTED, AND USED FOR THE PLANTING, GROWING, MAINTENANCE, OR
3 HARVESTING OF TREES IN A RAW OR UNPROCESSED STATE.

4 **SECTION 2. Applicability.** This act applies to tax years
5 beginning on or after January 1, 2017.

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