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SENATE CONCURRENT RESOLUTION 20-001

BY SENATOR(S) Tate and Hansen, Rankin, Bridges, Crowder, Danielson, Donovan, Fenberg, Fields, Gonzales, Lee, Moreno, Story, Todd, Williams A., Winter;

also REPRESENTATIVE(S) Esgar and Soper, Rich, Arndt, Bird, Buentello, Caraveo, Cutter, Exum, Gray, Herod, Jaquez Lewis, Kennedy, Kipp, Landgraf, Lontine, McCluskie, McLachlan, Michaelson Jenet, Mullica, Roberts, Snyder, Tipper, Titone, Valdez A., Valdez D., Young.

SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION TO REPEAL THE REQUIREMENT THAT THE GENERAL ASSEMBLY PERIODICALLY CHANGE THE RESIDENTIAL ASSESSMENT RATE IN ORDER TO MAINTAIN THE STATEWIDE PROPORTION OF RESIDENTIAL PROPERTY AS COMPARED TO ALL OTHER TAXABLE PROPERTY VALUED FOR PROPERTY TAX PURPOSES AND REPEAL THE NONRESIDENTIAL PROPERTY TAX ASSESSMENT RATE OF TWENTY-NINE PERCENT.

Be It Resolved by the Senate of the Seventy-second General Assembly of the State of Colorado, the House of Representatives concurring herein:

SECTION 1. At the election held on November 3, 2020, the secretary of state shall submit to the registered electors of the state the ballot

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.

title set forth in section 2 for the following amendment to the state constitution:

In the constitution of the state of Colorado, section 3 of article X, **amend** (1)(b) as follows:

Section 3. Uniform taxation - exemptions. (1) (b) Residential real property, which shall include all residential dwelling units and the land, as defined by law, on which such units are located, and mobile home parks, but shall not include hotels and motels, shall be valued for assessment. ~~at twenty-one percent of its actual value. For the property tax year commencing January 1, 1985, the general assembly shall determine the percentage of the aggregate statewide valuation for assessment which is attributable to residential real property. For each subsequent year, the general assembly shall again determine the percentage of the aggregate statewide valuation for assessment which is attributable to each class of taxable property, after adding in the increased valuation for assessment attributable to new construction and to increased volume of mineral and oil and gas production. For each year in which there is a change in the level of value used in determining actual value, the general assembly shall adjust the ratio of valuation for assessment for residential real property which is set forth in this paragraph (b) as is necessary to insure that the percentage of the aggregate statewide valuation for assessment which is attributable to residential real property shall remain the same as it was in the year immediately preceding the year in which such change occurs. Such adjusted ratio shall be the ratio of valuation for assessment for residential real property for those years for which such new level of value is used. In determining the adjustment to be made in the ratio of valuation for assessment for residential real property, the aggregate statewide valuation for assessment that is attributable to residential real property shall be calculated as if the full actual value of all owner-occupied primary residences that are partially exempt from taxation pursuant to section 3.5 of this article was subject to taxation. All other taxable property shall be valued for assessment. at twenty-nine percent of its actual value. However, The valuation for assessment for producing mines, as defined by law, and lands or leaseholds producing oil or gas, as defined by law, shall be a portion of the actual annual or actual average annual production therefrom, based upon the value of the unprocessed material, according to procedures prescribed by law for different types of minerals. Non-producing unpatented mining claims, which are possessory interests in real property by virtue of~~

leases from the United States of America, shall be exempt from property taxation.

SECTION 2. Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Without increasing property tax rates, to help preserve funding for local districts that provide fire protection, police, ambulance, hospital, kindergarten through twelfth grade education, and other services, and to avoid automatic mill levy increases, shall there be an amendment to the Colorado constitution to repeal the requirement that the general assembly periodically change the residential assessment rate in order to maintain the statewide proportion of residential property as compared to all other taxable property valued for property tax purposes and repeal the nonresidential property tax assessment rate of twenty-nine percent?"

SECTION 3. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if a majority of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.

Leroy M. Garcia
PRESIDENT OF
THE SENATE

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES