

## CHAPTER 365

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**TAXATION**


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**SENATE BILL 21-279**

BY SENATOR(S) Story and Simpson, Coram, Fenberg, Fields, Gonzales, Jaquez Lewis, Moreno, Pettersen, Priola, Rankin, Sonnenberg;  
also REPRESENTATIVE(S) Roberts and Valdez D., Bennett, Bird, Snyder.

**AN ACT****CONCERNING DELINQUENT INTEREST PAYMENTS FOR PROPERTY TAX PAYMENTS.**

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

**SECTION 1.** In Colorado Revised Statutes, 39-10-104.5, **add** (14) as follows:

**39-10-104.5. Payment dates - optional payment dates - failure to pay - delinquency - repeal.** (14) (a) FOR ANY SPECIFIED PERIOD OF TIME BETWEEN JUNE 16, 2021, AND SEPTEMBER 30, 2021, THE BOARD OF COUNTY COMMISSIONERS OF ANY COUNTY, OR THE CITY COUNCIL OF ANY CITY AND COUNTY MAY, UPON APPROVAL OF THE COUNTY TREASURER, BY RESOLUTION:

(I) TEMPORARILY REDUCE THE RATE AT WHICH DELINQUENT INTEREST ACCRUES UNDER SUBSECTION (3) OF THIS SECTION;

(II) TEMPORARILY WAIVE DELINQUENT INTEREST THAT ACCRUES UNDER SUBSECTION (3) OF THIS SECTION; OR

(III) TEMPORARILY SUSPEND THE ACCRUAL OF DELINQUENT INTEREST UNDER SUBSECTION (3) OF THIS SECTION ENTIRELY.

(b) ANY BOARD OF COUNTY COMMISSIONERS OR CITY COUNCIL THAT INTENDS TO REDUCE, WAIVE, OR SUSPEND DELINQUENT INTEREST IN ACCORDANCE WITH THIS SUBSECTION (14) SHALL GIVE NOTICE OF ITS INTENT TO AT LEAST THREE EXECUTIVES OR BOARD OFFICERS IN LOCAL TAXING JURISDICTIONS.

(c) IF A LOCAL TAXING JURISDICTION WOULD BE UNABLE TO MEET ITS BOND PAYMENT DUE TO, AND WITHIN THE PERIOD OF, THE PROPOSED REDUCTION, WAIVER,

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*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.*

OR SUSPENSION OF DELINQUENT INTEREST, THE LOCAL TAXING JURISDICTION SHALL NOTIFY THE BOARD OF COUNTY COMMISSIONERS OR CITY COUNCIL WITHIN THREE BUSINESS DAYS OF RECEIVING THE NOTICE REQUIRED BY SUBSECTION (14)(b) OF THIS SECTION.

(d) THIS SUBSECTION (14) IS REPEALED, EFFECTIVE DECEMBER 31, 2021.

**SECTION 2.** In Colorado Revised Statutes, 39-10-112, **add** (6) as follows:

**39-10-112. Action to collect unpaid taxes.** (6) (a) THE COUNTY TREASURER OR OTHER OFFICER RESPONSIBLE FOR THE COLLECTION OF PROPERTY TAXES FOR A COUNTY OR CITY AND COUNTY THAT DECIDES TO REDUCE, WAIVE, OR SUSPEND DELINQUENT INTEREST PAYMENTS IN ACCORDANCE WITH SECTION 39-10-104.5 (14) SHALL ADVANCE PROPERTY TAX AMOUNTS TO A LOCAL TAXING JURISDICTION IN THE COUNTY OR CITY AND COUNTY TO HELP PAY THE LOCAL TAXING JURISDICTION'S BONDED INDEBTEDNESS PAYMENTS OR MONTHLY OPERATIONAL COSTS.

(b) NO TREASURER, OR OTHER OFFICER RESPONSIBLE FOR THE COLLECTION OF PROPERTY TAXES FOR A COUNTY OR CITY AND COUNTY, SHALL ADVANCE PROPERTY TAX AMOUNTS TO A LOCAL TAXING JURISDICTION FOR BONDED INDEBTEDNESS PAYMENTS UNLESS:

(I) THE LOCAL TAXING JURISDICTION GAVE NOTICE TO THE BOARD OF COUNTY COMMISSIONERS OR CITY COUNCIL IN ACCORDANCE WITH SECTION 39-10-104.5 (14)(c); AND

(II) THE LOCAL TAXING JURISDICTION HAS RECEIVED LESS THAN NINETY PERCENT OF THE PROPERTY TAXES DUE AT THE TIME OF THE REQUEST.

(c) NO TREASURER, OR OTHER OFFICER RESPONSIBLE FOR THE COLLECTION OF PROPERTY TAXES FOR A COUNTY OR CITY AND COUNTY, SHALL ADVANCE PROPERTY TAX AMOUNTS TO A LOCAL TAXING JURISDICTION FOR BONDED INDEBTEDNESS PAYMENTS IN EXCESS OF EITHER:

(I) NINETY PERCENT OF THE TOTAL PROPERTY TAX DUE TO THE LOCAL TAXING JURISDICTION; OR

(II) THE REDUCTION IN THE LOCAL TAXING JURISDICTION'S REVENUE DUE TO THE WAIVER, REDUCTION, OR SUSPENSION OF DELINQUENT INTEREST PURSUANT TO SECTION 39-10-104.5 (14).

(d) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE DECEMBER 31, 2021.

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

Approved: June 28, 2021