INTRODUCED

 SENATE BILL 23-303

 LLNo. 23-0305.01 Ed DeCecco x4216

 SENATE SPONSORSHIP
 Fenberg and Hansen,

 HOUSE SPONSORSHIP
 deGruy Kennedy and Weissman,

 Senate Committees
 Appropriations

 House Committees

 A BILL FOR AN ACT

 101 CONCERNING A REDUCTION IN PROPERTY TAXES, AND, IN CONNECTION
 102 THEREWITH, CREATING A LIMIT ON ANNUAL PROPERTY TAX
 103 INCREASES FOR CERTAIN LOCAL GOVERNMENTS; TEMPORARILY
 104 REDUCING THE VALUATION FOR ASSESSMENT OF CERTAIN
 105 RESIDENTIAL AND NONRESIDENTIAL PROPERTY; CREATING NEW
 106 SUBCLASSES OF PROPERTY; PERMITTING THE STATE TO RETAIN
 107 AND SPEND REVENUE UP TO THE PROPOSITION HH CAP;
 108 REQUIRING THE RETAINED REVENUE TO BE USED TO REIMBURSE
 109 CERTAIN LOCAL GOVERNMENTS FOR LOST PROPERTY TAX
 110 REVENUE AND TO BE DEPOSITED IN THE STATE EDUCATION FUND
 111 TO BACKFILL THE REDUCTION IN SCHOOL DISTRICT PROPERTY
 112 TAX REVENUE; TRANSFERRING GENERAL FUND MONEY TO A
 113 CASH FUND TO ALSO BE USED FOR THE REIMBURSEMENTS;

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.
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.)

Section 3 of the bill requires the secretary of state to refer a ballot issue to voters at the November 2023 election that asks voters whether property taxes should be reduced and that seeks voter approval to retain and spend excess state revenues that will be used to backfill some of the reduced property tax revenue. Most of the bill only becomes effective if the voters approve the ballot issue.

Local government property tax revenue limit. Beginning with the 2023 property tax year, section 6 establishes a limit on specified property tax revenue for local governments, excluding those that are home rule and school districts, that is equal to inflation above the property tax revenue from the prior property tax year (limit). A local government may establish a temporary property tax credit, which does not change the gross mill levy, that is up to the number of mills necessary to prevent the local government's property tax revenue from exceeding the limit. Alternatively, the governing board may approve a mill levy that would cause the local government to exceed the limit, if the governing board approves the mill levy at a public meeting that meets certain criteria.

Valuation changes. The valuation for assessment (valuation) of nonresidential real and personal property, excluding producing mines and lands or leaseholds producing oil or gas, is based on an assessment rate of 29% of actual value, but currently, there are temporary reductions in the valuation for certain subclasses of property. Section 8 creates the additional temporary reductions. For the 2023 property tax year:

- For lodging property, property listed under any improved commercial subclass code, and all other nonresidential property, excluding agricultural property and renewable energy production property, the assessment rate is reduced from 27.9% to 27.85%;
- For renewable energy agricultural land, which is a newly created subclass of agricultural property that is valued under section 7, the assessment rate is reduced from 26.4%
to 21.9%.

Thereafter, the assessment rate for lodging property and all nonresidential property, excluding agricultural property and renewable energy production property and property that is not under a vacant land subclass, is reduced from 29% to:

- 27.85% for the 2024 through 2026 property tax years;
- 27.65% for the 2027 and 2028 property tax years;
- 26.9% for the 2029 and 2030 property tax years; and
- 25.9% or 26.9% for the 2031 and 2032 property tax years, depending on the increase in the valuation in the 32 counties with the smallest increases from the 2030 to 2031 property tax years (revenue increases).

The assessment rate for agricultural property, excluding renewable energy agricultural land, and renewable energy property is reduced from 29% to:

- 26.4% for the 2025 through 2030 property tax years; and
- 25.9% or 26.4% for the 2031 and 2032 property tax years, depending on the increase in the valuation in the 32 counties with the smallest revenue increases.

The assessment rate for renewable energy agricultural land is reduced from 29% to 21.9% for the 2024 through 2032 property tax years.

Beginning with the 2033 property tax year, all of the temporary valuation reductions expire and the valuation of all nonresidential real property is 29% of the actual value of the property.

The valuation of residential real property is based on an assessment rate of 7.15% of actual value, but currently, there are temporary reductions in the valuation. Section 9 further reduces the valuation of residential real property. For the 2023 property tax year, the valuation is reduced from 6.765% of the amount equal to the actual value minus the lesser of $15,000 or the amount that causes the valuation to be $1,000 (alternate amount) to 6.7% of the amount equal to the actual value minus the lesser of $40,000 or the alternate amount.

For the 2024 property tax year, the valuation is reduced as follows:

- For multi-family residential real property, the valuation is reduced from 6.8% of the actual value to 6.7% of the amount equal to the actual value minus the lesser of $40,000 or the alternate amount; and
- For all other residential real property, the valuation is reduced from an estimate of 6.98% of the actual value to 6.7% of the amount equal to the actual value minus the lesser of $40,000 or the alternate amount.

For the 2025 through 2032 property tax years:

- For multi-family residential real property and primary residence real property, including multi-family primary...
residence real property, the valuation is reduced from 7.15% of the actual value to 6.7% of the actual value minus the lesser of $40,000 or the alternate amount;

- For qualified-senior primary residence real property, including multi-family qualified-senior primary residence real property, the valuation is reduced from 7.15% of the actual value to 6.7% of the amount equal to the actual value minus $140,000 or the alternate amount; and

- For all other residential real property, the assessment rate is reduced from 7.15% to 7.1%.

Beginning with the 2033 property tax year, all of the temporary valuation reductions expire and the valuation of all residential real property is 7.15% of the actual value of the property.

The bill also establishes that all of the temporary reductions in valuation for residential and nonresidential property created in the bill are contingent on the state's ability to retain and spend state surplus up to the proposition HH cap. If, for any reason, excluding a legislative enactment by the general assembly, the state is not permitted to retain and spend this money, then the temporary reductions in the bill do not apply.

Section 11 creates the residential subclass of primary residence real property for owner-occupiers and establishes administrative procedures related to the classification that are based on the procedures for the homestead exemption, with those procedures expanded to treat civil union partners like spouses. Section 11 also creates the residential subclass of qualified-senior primary residence real property, which is a property with an owner-occupier who previously qualified for the senior homestead exemption for a different property and who does not qualify for the exemption for the current property tax year.

Sections 1, 12, 13, 15, and 16 delay deadlines as necessary due to the valuation changes for the 2023 property tax year.

The state is currently required to reimburse local governmental entities for property tax revenue lost as a result of the reductions in valuation enacted in Senate Bill 22-238. Section 14 modifies this backfill mechanism by:

- Specifying that the amount of revenue lost for a property tax year is based on a local governmental entity's mill levy for the 2022 property tax year, excluding specified mills;

- Including the additional property tax revenue reductions that result from the bill in the backfill for the 2023 property tax year;

- Eliminating the maximum amount of the backfill for the 2023 property tax year that is a refund of excess state revenues;

- Extending the backfill for the 2024 through 2032 property tax years for the valuation reductions in the bill, but making
a local governmental entity that has an increase in real property total valuation of 20% or more from the 2022 property tax year ineligible for the backfill;

- Creating the local government backfill cash fund, which includes a $128 million general fund transfer, and requiring the money from the fund to be used to backfill revenue to local governments beginning with the 2024 property tax year; and

- Beginning with the 2024 property tax year, proportionally reducing the amount that each eligible local government receives, if necessary to avoid exceeding the total amount that is available for the backfills statewide.

Section 14 also modifies the backfill mechanism to treat cities and counties as counties instead of municipalities, and this change is not contingent on voter-approval of the ballot issue. Section 18 requires the department of revenue to calculate the amount of excess state revenues that will be refunded for the fiscal year 2022-23 with and without the changes from the bill.

Voter-approved revenue change. If the voters approve the referred ballot issue, then the state will be authorized to retain and spend revenues up to the proposition HH cap, created in section 3. For the 2023-24 fiscal year, the proposition HH cap is equal to the excess state revenues cap for the prior fiscal year, adjusted for inflation plus 1% and population changes. Thereafter, the proposition HH cap is equal to the proposition HH cap for the prior fiscal year, adjusted for inflation plus 1% and population changes. The proposition HH cap is also annually adjusted for the qualification or disqualification of enterprises and debt service changes.

If the general assembly does not enact assessment rates for the 2033 property tax year that are the same or lower than the assessment rates for the 2032 property tax year described above, then the proposition HH cap is reduced to be equal to the excess state revenues cap, and the state will retain $0 under this authority beginning with the 2031-32 fiscal year. Thereafter, the general assembly may partially or wholly restore the proposition HH cap without additional voter approval if the general assembly enacts valuation reductions equal to or greater than those for the 2032 property tax year.

The amount retained under this authority is first used in the following fiscal year to backfill certain local governments for the reduced property tax revenue as a result of the property tax changes in the bill and Senate Bill 22-238, and the remainder is transferred to the state education fund to offset the revenue that school districts lose as a result of the property tax changes. Section 5 requires the state controller to include the new voter-approved revenue change in the annual report on TABOR revenues.
Sections 2, 4, 10, and 17 make conforming amendments related to the valuation changes and related procedures and the voter-approved revenue changes.

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

SECTION 1. In Colorado Revised Statutes, 22-40-102, amend (3) and (6) as follows:

22-40-102. Certification - tax revenues - repeal. (3) (a) The board of education of a school district which had an actual enrollment of more than fifty thousand pupils during the preceding school year may make the certification provided for in subsection (1) of this section no later than December 15.

(b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (3)(a) OF THIS SECTION IS POSTPONED FROM DECEMBER 15, 2023, TO JANUARY 5, 2024.

(II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

(6) (a) Each school district, with such assistance as may be required from the department of education, shall inform the county treasurer for each county within the district's boundaries no later than December 15 of each year of said district's general fund mill levy in the absence of funds estimated to be received by said district pursuant to the "Public School Finance Act of 1994", article 54 of this title TITLE 22, and the estimated funds to be received for the general fund of the district from the state.

(b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (6)(a) OF THIS SECTION IS POSTPONED FROM DECEMBER 15, 2023, TO JANUARY 5, 2024.

(II) THIS SUBSECTION (6)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.
SECTION 2. In Colorado Revised Statutes, 25-2-103, add (4.7) as follows:

25-2-103. Centralized registration system for all vital statistics - office of the state registrar of vital statistics created - appointment of registrar - rules. (4.7) Notwithstanding any other provision of law that limits the sharing of vital statistics, after receiving the list of names and social security numbers of individuals who had property classified as primary residence real property or qualified-senior primary residence real property that is provided by the property tax administrator pursuant to section 39-1-104.6 (5)(c), the state registrar shall identify all individuals on the list who have died and transmit a list of the names and social security numbers of such individuals to the administrator.

SECTION 3. In Colorado Revised Statutes, add part 2 to article 77 of title 24 as follows:

PART 2

SUBMISSION OF BALLOT ISSUE - VOTER-APPROVED REVENUE CHANGE - PROPERTY TAX REDUCTION BACKFILL

24-77-201. Definitions. As used in this part 2, unless the context otherwise requires:

(1) "Account" means the Proposition HH General Fund Exempt Account in the General Fund created in section 24-77-203 (3)(a).

(2) "Ballot Issue" means the question referred to voters in accordance with section 24-77-202 (1).
"EXCESS STATE REVENUES CAP" has the same meaning as set forth in Section 24-77-103.6 (6)(b).

"STATE REVENUES" means state revenues not excluded from state fiscal year spending, as defined in Section 24-77-102 (17).

"STATE SURPLUS" means the amount of state revenues that exceed the excess state revenues cap for a given state fiscal year.

24-77-202. Submission of ballot issue - voter-approved revenue change. (1) At the election held on November 7, 2023, the secretary of state shall submit to the registered electors of the state for their approval or rejection the following ballot issue: "SHALL THE STATE REDUCE PROPERTY TAXES FOR HOMES AND BUSINESSES, INCLUDING EXPANDING PROPERTY TAX RELIEF FOR SENIORS, AND BACKFILL COUNTIES, SCHOOL DISTRICTS, WATER DISTRICTS, FIRE DISTRICTS, AMBULANCE AND HOSPITAL DISTRICTS, AND OTHER LOCAL GOVERNMENTS AND FUND SCHOOL DISTRICTS BY USING A PORTION OF THE STATE SURPLUS UP TO THE PROPOSITION HH CAP AS DEFINED IN THIS MEASURE?"

(2) For purposes of Section 1-5-407, the ballot issue is a proposition to be identified as "PROPOSITION HH". Section 1-40-106 (3)(d) does not apply to the ballot issue.

24-77-203. Retention of excess state revenues - transfer to state education fund - local government reimbursement - legislative declaration. (1) (a) If a majority of the electors voting on the ballot issue vote "Yes/For", then for each fiscal year commencing on or after July 1, 2023, the state is authorized to
RETAIN AND SPEND ALL OF THE STATE SURPLUS THAT IS LESS THAN THE PROPOSITION HH CAP, WHICH IS:

(I) FOR THE 2023-24 FISCAL YEAR, AN AMOUNT EQUAL TO THE EXCESS STATE REVENUES CAP FOR THE 2022-23 FISCAL YEAR, ADJUSTED FOR INFLATION PLUS ONE PERCENTAGE POINT, THE PERCENTAGE CHANGE IN STATE POPULATION, THE QUALIFICATION OR DISQUALIFICATION OF ENTERPRISES, AND DEBT SERVICE CHANGES; AND

(II) FOR THE FISCAL YEAR 2024-25 AND EACH SUCCEEDING FISCAL YEAR, AN AMOUNT EQUAL TO THE PROPOSITION HH CAP FOR THE PRIOR FISCAL YEAR, ADJUSTED FOR INFLATION PLUS ONE PERCENTAGE POINT, THE PERCENTAGE CHANGE IN STATE POPULATION, THE QUALIFICATION OR DISQUALIFICATION OF ENTERPRISES, AND DEBT SERVICE CHANGES.

(b) (I) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION AND EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b)(II) OF THIS SECTION, IF THE GENERAL ASSEMBLY DOES NOT ENACT LEGISLATION TO ESTABLISH VALUATIONS FOR ASSESSMENT FOR THE PROPERTY TAX YEARS COMMENCING ON AND AFTER JANUARY 1, 2033, THAT ARE LESS THAN OR EQUAL TO THE TEMPORARILY REDUCED VALUATIONS FOR ASSESSMENT ESTABLISHED IN SECTIONS 39-1-104 (1)(b)(V), (1.8)(a)(III), (1.8)(a)(IV), AND (1.8)(b)(VI) AND 39-1-104.2 (3)(q)(II) AND (3)(r)(IV) IN THIS SENATE BILL 23-____ FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2032, FOR THE SAME CLASSES OF PROPERTY, THEN, FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2032, AND EACH FISCAL YEAR THEREAFTER, THE PROPOSITION HH CAP IS AN AMOUNT EQUAL TO THE EXCESS STATE REVENUES CAP.

(II) IF THE PROPOSITION HH CAP IS REDUCED BY OPERATION OF SUBSECTION (1)(b)(I) OF THIS SECTION, THE GENERAL ASSEMBLY MAY,
WITHOUT ADDITIONAL VOTER APPROVAL, ENACT LEGISLATION TO RESTORE
THE CAP FOR A FISCAL YEAR TO AN AMOUNT THAT IS LESS THAN OR EQUAL
TO THE AMOUNT THAT THE PROPOSITION HH CAP WOULD HAVE BEEN FOR
THE FISCAL YEAR UNDER SUBSECTION (1)(a)(II) OF THIS SECTION IF
SUBSECTION (1)(b)(I) OF THIS SECTION HAD NOT APPLIED IF, FOR THE
PROPERTY TAX YEAR THAT ENDS DURING THE FISCAL YEAR, THE GENERAL
ASSEMBLY:

(A) ESTABLISHES VALUATIONS FOR ASSESSMENT THAT ARE LESS
THAN OR EQUAL TO THE TEMPORARILY REDUCED VALUATIONS FOR
ASSESSMENT ESTABLISHED IN SECTIONS 39-1-104 (1)(b)(V), (1.8)(a)(III),
(1.8)(a)(IV), AND (1.8)(b)(VI) AND 39-1-104.2 (3)(q)(II) AND (3)(r)(IV)
IN THIS SENATE BILL 23-____ FOR THE PROPERTY TAX YEAR COMMENCING
ON JANUARY 1, 2032, FOR THE SAME CLASSES OF PROPERTY; OR

(B) REDUCES THE VALUATIONS FOR ASSESSMENT DIFFERENTLY
FROM THE VALUATIONS FOR ASSESSMENT ESTABLISHED IN THIS SENATE
BILL 23-____, BUT THE AGGREGATE REDUCTION IN THE VALUATION FOR
ASSESSMENT STATEWIDE FROM THE REDUCTIONS IS GREATER THAN OR
EQUAL TO THE ESTIMATED AGGREGATE REDUCTION IN THE VALUATION FOR
ASSESSMENTS FROM THE MINIMUM REDUCTIONS IN VALUATION FOR
ASSESSMENT NECESSARY TO MEET THE CONDITION SPECIFIED IN
SUBSECTION (1)(b)(II)(A) OF THIS SECTION.

(c) FOR PURPOSES OF THE CALCULATION SET FORTH IN THIS
SUBSECTION (1):

(I) INFLATION AND THE PERCENTAGE CHANGE IN STATE
POPULATION ARE THE SAME RATES THAT ARE USED IN CALCULATING THE
MAXIMUM ANNUAL PERCENTAGE CHANGE IN STATE FISCAL YEAR SPENDING
PURSUANT TO SECTION 24-77-103; AND
(II) The qualification or disqualification of an enterprise
or a debt service change affects the Proposition HH cap in the
same manner as the change affects the limitation on state fiscal
year spending.

(2) This section does not affect the amount that the state
is permitted to retain and spend under the authority conferred
by the voters' approval of Section 24-77-103.6.

(3) (a) The Proposition HH general fund exempt account is
hereby created in the general fund. The account consists of an
amount equal to the amount of state surplus that the state is
authorized to retain and spend under this Part 2 for the prior
fiscal year, if any. The state treasurer shall credit all interest
and income derived from the deposit and investment of money in
the Proposition HH general fund exempt account to the account.

(b) The money in the account for each fiscal year
beginning with the 2023-24 fiscal year must be used as follows:

(I) The money is first used to provide reimbursements to
local governments under Section 39-3-210 (4)(a)(II); and

(II) As soon as possible after receiving the report from the
property tax administrator in accordance with Section 39-3-210
(3), the state treasurer shall transfer the amount, if any, in the
account that is in excess of the amount that will be used in
accordance with subsection (3)(b)(I) of this section to the state
education fund created in Section 17 of Article IX of the State
Constitution.

(4) The general assembly hereby finds and declares that:

(a) Public school funding consists of a combination of
STATE AND LOCAL SCHOOL DISTRICT REVENUE;

(b) Under the current school finance formula, an increase in state funding can backfill a decrease in local property tax revenue;

(c) Reductions in property tax valuations reduce the local property tax revenue collected for local governments, including school districts;

(d) Money in the state education fund is used to provide funding for local school districts; and

(e) It is the intent of the General Assembly that transferring a portion of the money from the account to the state education fund in accordance with subsection (3) of this section provides additional funding to local school districts in order to backfill property tax revenue reductions resulting from property tax changes enacted in this Senate Bill 23-___.

24-77-204. Repeal. (1) If a majority of the electors voting on the ballot issue vote "No/Against", then this Part 2 is repealed, effective July 1, 2024.

(2) If a majority of the electors voting on the ballot issue vote "Yes/For", then this section is repealed, effective July 1, 2024.

SECTION 4. In Colorado Revised Statutes, 22-55-103, amend (1) as follows:

22-55-103. State education fund - creation - transfers to fund - use of money in fund - permitted investments - exempt from spending limitations. (1) In accordance with section 17 (4) of article IX of the state constitution, there is hereby created in the state treasury the
state education fund. The fund shall consist of state education fund revenues, money transferred to the fund in accordance with section 24-77-203 (3)(b)(II), all interest and income earned on the deposit and investment of money in the fund, and any gifts or other moneys money that are exempt from the limitation on state fiscal year spending set forth in section 20 (7)(a) of article X of the state constitution and section 24-77-103 C.R.S., that may be credited to the fund. All interest and income derived from the deposit and investment of money in the fund shall be credited to the fund. At the end of any state fiscal year, all unexpended and unencumbered moneys money in the fund shall remain in the fund and shall not revert to the general fund or any other fund.

SECTION 5. In Colorado Revised Statutes, 24-77-106.5, amend (1) as follows:

24-77-106.5. Annual financial report - certification of excess state revenues. (1) (a) For each fiscal year, the controller shall prepare a financial report for the state for purposes of ascertaining compliance with the provisions of this article. Any financial report prepared pursuant to this section shall include, but shall not be limited to, state fiscal year spending, reserves, revenues, revenues that the state is authorized to retain and spend pursuant to voter approval of section 24-77-103.6 or pursuant to part 2 of this article 77, and debt. Such THE financial report shall be audited by the state auditor.

(b) Notwithstanding section 24-1-136 (11)(a)(I), based upon the financial report prepared in accordance with subsection (1)(a) of this section for any given fiscal year, the controller shall certify to the governor, the general assembly, and the executive director of the
department of revenue no later than September 1 following the end of a fiscal year the amount of state revenues in excess of the limitation on state fiscal year spending imposed by section 20 (7)(a) of article X of the state constitution, if any, for such fiscal year and the state revenues in excess of such limitation that the state is authorized to retain and spend pursuant to voter approval of section 24-77-103.6 OR PURSUANT TO PART 2 OF THIS ARTICLE 77.

SECTION 6. In Colorado Revised Statutes, add 29-1-306 as follows:

29-1-306. Limitation on property tax revenue - temporary property tax credit - governing body override - notice - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "INFLATION" MEANS THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY ALL URBAN CONSUMERS, OR ITS APPLICABLE SUCCESSOR INDEX.

(b) "LOCAL GOVERNMENT" MEANS A GOVERNMENTAL ENTITY AUTHORIZED BY LAW TO IMPOSE AD VALOREM TAXES ON TAXABLE PROPERTY LOCATED WITHIN ITS TERRITORIAL LIMITS; EXCEPT THAT THE TERM EXCLUDES SCHOOL DISTRICTS AND ANY COUNTY, CITY AND COUNTY, CITY, OR TOWN THAT HAS ADOPTED A HOME RULE CHARTER.

(c) "PROPERTY TAX LIMIT" MEANS THE LIMIT ESTABLISHED IN SUBSECTION (2) OF THIS SECTION ON A LOCAL GOVERNMENT'S PROPERTY TAX REVENUE FOR A PROPERTY TAX YEAR.

(2) (a) FOR PROPERTY TAX YEARS COMMENCING ON AND AFTER
JANUARY 1, 2023, A LOCAL GOVERNMENT'S PROPERTY TAX REVENUE FOR
A PROPERTY TAX YEAR SHALL NOT INCREASE BY MORE THAN INFLATION
FROM THE LOCAL GOVERNMENT'S PROPERTY TAX REVENUE FOR THE PRIOR
PROPERTY TAX YEAR, UNLESS THE GOVERNING BODY OF THE LOCAL
GOVERNMENT APPROVES THE INCREASE IN ACCORDANCE WITH
SUBSECTION (4) OF THIS SECTION. THE GOVERNING BODY MAY ENACT A
TEMPORARY PROPERTY TAX CREDIT THAT IS UP TO THE NUMBER OF MILLS
NECESSARY TO PREVENT THE LOCAL GOVERNMENT'S PROPERTY TAX
REVENUE FROM EXCEEDING THIS PROPERTY TAX LIMIT.

(b) The limit set forth in subsection (2)(a) of this section
is based on the United States Department of Labor's Bureau of
Labor Statistics most recently published estimate of inflation
for the prior calendar year that is available as of December 15
of the property tax year for which the limit is being calculated.

(3) (a) For purposes of calculating the property tax limit,
property tax revenue that is from the following sources or is
used for the following purposes is excluded from property tax
revenue for the property tax year:

(I) Property tax revenue from the increased valuation for
assessment within the taxing entity for the preceding year that
is attributable to new construction and personal property
connected therewith, as defined by the property tax
administrator in manuals prepared pursuant to section 39-2-109
(1)(e);

(II) Property tax revenue from the increased valuation
for assessment attributable to a change in law for a property
tax classification or to the annexation or inclusion of
ADDITIONAL LAND, THE IMPROVEMENTS THEREON, AND PERSONAL PROPERTY CONNECTED THEREWITH WITHIN THE TAXING ENTITY FOR THE PRECEDING YEAR;

(III) PROPERTY TAX REVENUE FOR PROPERTY THAT HAD PREVIOUSLY BEEN OMITTED FROM THE ASSESSMENT ROLL;

(IV) PROPERTY TAX REVENUE ABATED OR REFUNDED BY THE LOCAL GOVERNMENT DURING THE PROPERTY TAX YEAR;

(V) PROPERTY TAX REVENUE ATTRIBUTABLE TO PREVIOUSLY LEGALLY EXEMPT FEDERAL PROPERTY THAT BECOMES TAXABLE IF SUCH PROPERTY CAUSES AN INCREASE IN THE LEVEL OF SERVICES PROVIDED BY THE LOCAL GOVERNMENT; AND

(VI) ANY AMOUNT FOR THE PAYMENT OF EXPENSES INCURRED IN THE REAPPRAISAL OF CLASSES OR SUBCLASSES ORDERED OR CONDUCTED BY THE STATE BOARD OF EQUALIZATION FOR THE PAYMENT TO THE STATE OF EXCESS STATE EQUALIZATION PAYMENTS TO SCHOOL DISTRICTS, WHICH EXCESS IS DUE TO THE UNDERVALUATION OF TAXABLE PROPERTY.

(b) FOR PURPOSES OF CALCULATING THE PROPERTY TAX LIMIT, PROPERTY TAX REVENUE THAT IS FROM THE FOLLOWING SOURCES OR IS USED FOR THE FOLLOWING PURPOSES IS EXCLUDED FROM PROPERTY TAX REVENUE FOR THE PROPERTY TAX YEAR AND THE PRIOR PROPERTY TAX YEAR:

(I) PROPERTY TAX REVENUE FROM PRODUCING MINES OR LANDS OR LEASEHOLDS PRODUCING OIL OR GAS; AND

(II) AN AMOUNT TO PROVIDE FOR THE PAYMENT OF BONDS AND INTEREST THEREON, OR FOR THE PAYMENT OF ANY OTHER CONTRACTUAL OBLIGATION THAT HAS BEEN APPROVED BY A MAJORITY OF THE LOCAL GOVERNMENT'S VOTERS VOTING THEREON; AND
(III) Any revenue from a mill levy that has been approved by voters of the local government.

(C) A temporary property tax credit created under subsection (2) of this section does not change the underlying mill levy imposed by a local government. Reducing or eliminating a temporary property tax credit does not require prior voter approval under section 20 (4)(a) of article X of the state constitution.

(4) A local government may impose a mill levy that would exceed the property tax limit if the following procedures are followed:

(a) The governing body of the local government must publish notice of its proposed intent to exceed the property tax limit in a newspaper in each county in which the local government is located and on the website of the governing body, if the governing body maintains a website, at least ten days in advance of the public hearing at which the mill levy is to be approved;

(b) The notice must include:

(I) The proposed mill levy if the governing body approves a mill levy that would exceed the property tax limit;

(II) Any temporary property tax credits; and

(III) The date, time, and location of the public hearing;

(c) The governing body of the local government must provide the public an opportunity to present oral testimony at an open meeting within reasonable time limits and without an unreasonable restriction on the number of individuals allowed
(d) The governing body of the local government must adopt a resolution or ordinance to approve a mill levy that exceeds the property tax limit at the public hearing after the governing body has heard from interested taxpayers.

(5) If a local government exceeds the property tax limit for a property tax year and does not comply with subsection (4) of this section, then the local government shall refund to taxpayers any property taxes collected above the property tax limit.

SECTION 7. In Colorado Revised Statutes, 39-1-103, add (5)(g) as follows:

39-1-103. Actual value determined - when - legislative declaration. (5) (g) The actual value of renewable energy agricultural land is based on the waste land subclass valuation formula provided by the administrator. If any portion of the land is used for nonagricultural commercial or nonagricultural residential purposes, that portion is valued according to the use, as required by subsection (5)(a) of this section.

SECTION 8. In Colorado Revised Statutes, 39-1-104, amend (1), (1.6)(c), and (1.8); and add (1.9) as follows:

39-1-104. Valuation for assessment - definitions. (1) (a) Except as set forth in subsection (1)(b) of this section, the valuation for assessment of all taxable property real and personal property that is classified as lodging property in the state shall be is twenty-nine percent of the actual value thereof, as determined by the
assessor and the administrator in the manner prescribed by law, and that
percentage shall be uniformly applied, without exception, to the actual
value, so determined, of the real and personal property located within the
territorial limits of the authority levying a property tax, and all property
taxes shall be levied against the aggregate valuation for assessment
resulting from the application of that percentage.

(b) (I) Notwithstanding subsection (1)(a) of this section, For the
property tax year commencing on January 1, 2023, the valuation for
assessment of nonresidential property that is classified as lodging
property is temporarily reduced to twenty-seven and nine-tenths
TWENTY-SEVEN AND EIGHTY-FIVE ONE-HUNDREDTHS percent of an
amount equal to the actual value minus the lesser of thirty thousand
dollars or the amount that reduces CAUSES the valuation for assessment
to be one thousand dollars.

(II) For the property tax years commencing on and after
January 1, 2024, but before January 1, 2027, the valuation for
assessment of real and personal property that is classified as lodging
property is temporarily reduced to twenty-seven and eighty-five
TWENTY-SEVEN AND EIGHTY-FIVE ONE-HUNDREDTHS percent of the actual value thereof.

(III) For the property tax years commencing on January 1,
2027, and January 1, 2028, the valuation for assessment of real
and personal property that is classified as lodging property is
temporarily reduced to twenty-seven and sixty-five
TWENTY-SEVEN AND SIXTY-FIVE ONE-HUNDREDTHS percent of the actual value thereof.

(IV) For the property tax years commencing on January 1,
2029, and January 1, 2030, the valuation for assessment of real
and personal property that is classified as lodging property is
TEMPORARILY REDUCED TO TWENTY-SIX AND NINE-TENTHS PERCENT OF THE ACTUAL VALUE THEREOF.

(V) FOR THE PROPERTY TAX YEARS COMMENCING ON JANUARY 1, 2031, AND JANUARY 1, 2032, THE VALUATION FOR ASSESSMENT OF REAL AND PERSONAL PROPERTY THAT IS CLASSIFIED AS LODGING PROPERTY IS TEMPORARILY REDUCED TO:

(A) TWENTY-FIVE AND NINE-TENTHS PERCENT OF THE ACTUAL VALUE THEREOF, IF, FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS GREATER THAN OR EQUAL TO THREE AND SEVEN-TENTHS PERCENT FROM THE PRIOR PROPERTY TAX YEAR; OR

(B) TWENTY-SIX AND NINE-TENTHS PERCENT OF THE ACTUAL VALUE THEREOF, IF, FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS LESS THAN THREE AND SEVEN-TENTHS PERCENT FROM THE PRIOR PROPERTY TAX YEAR.

(c) This subsection (1) only applies to nonresidential property that is classified as lodging property.

(1.6) (c) Real and personal agricultural property is a subclass of nonresidential property for purposes of the valuation for assessment. REAL PROPERTY THAT IS CLASSIFIED AS AGRICULTURAL LAND THAT CONTAINS A RENEWABLE ENERGY FACILITY, AS DESCRIBED IN SECTION 39-4-102 (1.5), IF THE LAND WAS CLASSIFIED BY THE ASSESSOR AS
AGRICULTURAL LAND AT THE TIME THE FACILITY WAS CONSTRUCTED UNDER SECTION 39-1-102 (1.6)(a), IS CLASSIFIED AS RENEWABLE ENERGY AGRICULTURAL PROPERTY, WHICH IS A SUBCLASS OF AGRICULTURAL PROPERTY FOR PURPOSES OF THE VALUATION FOR ASSESSMENT. THIS CLASSIFICATION APPLIES TO THE PORTION OF THE LAND THAT IS ATTRIBUTABLE TO OR USED IN CONJUNCTION WITH THE RENEWABLE ENERGY FACILITY.

(1.8) (a) The valuation for assessment of real and personal property that is classified as agricultural property or renewable energy production property is twenty-nine percent of the actual value thereof; except that THE VALUATION FOR ASSESSMENT OF THIS PROPERTY IS TEMPORARILY REDUCED AS FOLLOWS:

(I) For the property tax years commencing on January 1, 2022, January 1, 2023, and January 1, 2024, the valuation for assessment of this property is temporarily reduced to twenty-six and four-tenths percent of the actual value thereof;

(II) For the property tax years commencing on and after January 1, 2023, but before January 1, 2031, the valuation for assessment of this property, excluding renewable energy agricultural land, is twenty-six and four-tenths percent of the actual value thereof;

(III) For the property tax years commencing on January 1, 2031, and January 1, 2032, the valuation for assessment of this property, excluding renewable energy agricultural land, is:

(A) Twenty-five and nine-tenths percent of the actual value thereof, if, for the property tax year commencing on January 1, 2031, the average increase in total valuation for
ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO
COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS
GREATER THAN OR EQUAL TO THREE AND SEVEN-TENTHS PERCENT FROM
THE PRIOR PROPERTY TAX YEAR; OR

(B) TWENTY-SIX AND FOUR-TENTHS PERCENT OF THE ACTUAL
VALUE THEREOF, IF, FOR THE PROPERTY TAX YEAR COMMENCING ON
JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR
ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO
COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS LESS
THAN THREE AND SEVEN-TENTHS PERCENT FROM THE PRIOR PROPERTY TAX
YEAR; AND

(IV) FOR THE PROPERTY TAX YEARS COMMENCING ON AND AFTER
JANUARY 1, 2023, BUT BEFORE JANUARY 1, 2033, THE VALUATION FOR
ASSESSMENT OF RENEWABLE ENERGY AGRICULTURAL LAND IS
TWENTY-ONE AND NINE-TENTHS PERCENT OF THE ACTUAL VALUE
THEREOF.

(b) The valuation for assessment of all nonresidential property that
is not specified in subsection (1) or (1.8)(a) of this section is twenty-nine
percent of the actual value thereof; except that for the property tax year
commencing on January 1, 2023, the valuation for assessment of this
property is temporarily reduced to:

(I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1,
2023, for all of the property listed by the assessor under any improved
commercial subclass codes, twenty-seven and nine-tenths EIGHTY-FIVE
ONE-HUNDREDTHS percent of an amount equal to the actual value minus
the lesser of thirty thousand dollars or the amount that reduces CAUSES the
valuation for assessment to be one thousand dollars; and
(II) For the property tax year commencing on January 1, 2023, twenty-seven and nine-tenths eighty-five one-hundredths percent of the actual value of all other nonresidential property that is not specified in subsection (1), (1.8)(a), and (1.8)(b)(I) of this section;

(III) For the property tax years commencing on and after January 1, 2024, but before January 1, 2027, twenty-seven and eighty-five one-hundredths percent of the actual value of all other nonresidential property that is not specified in subsection (1) or (1.8)(a) of this section or that is not under a vacant land subclass;

(IV) For the property tax years commencing on January 1, 2027, and January 1, 2028, twenty-seven and sixty-five one-hundredths percent of the actual value of all other nonresidential property that is not specified in subsection (1) or (1.8)(a) of this section or that is not under a vacant land subclass;

(V) For the property tax years commencing on January 1, 2029, and January 1, 2030, twenty-six and nine-tenths percent of the actual value of all other nonresidential property that is not specified in subsection (1) or (1.8)(a) of this section or that is not under a vacant land subclass; and

(VI) For the property tax years commencing on January 1, 2031, and January 1, 2032:

(A) Twenty-five and nine-tenths percent of the actual value of all other nonresidential property that is not specified in subsection (1) or (1.8)(a) of this section or that is not under a
VACANT LAND SUBCLASS, IF, FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS GREATER THAN OR EQUAL TO THREE AND SEVEN-TENTHS PERCENT FROM THE PRIOR PROPERTY TAX YEAR; OR

(B) TWENTY-SIX AND NINE-TENTHS PERCENT OF THE ACTUAL VALUE OF ALL OTHER NONRESIDENTIAL PROPERTY THAT IS NOT SPECIFIED IN SUBSECTION (1) OR (1.8)(a) OF THIS SECTION OR THAT IS NOT UNDER A VACANT LAND SUBCLASS, IF, FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2031, THE AVERAGE INCREASE IN TOTAL VALUATION FOR ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO COUNTIES WITH THE SMALLEST INCREASES IN TOTAL VALUATION IS LESS THAN THREE AND SEVEN-TENTHS PERCENT FROM THE PRIOR PROPERTY TAX YEAR.

(b.5) (I) FOR PURPOSES OF SUBSECTIONS (1)(b)(V), (1.8)(a)(III), AND (1.8)(b)(VI) OF THIS SECTION, THE TOTAL VALUATION FOR ASSESSMENT OF TAXABLE REAL PROPERTY FOR ASSESSMENT EXCLUDES THE VALUATION FOR ASSESSMENT FROM PRODUCING MINES AND LANDS OR LEASEHOLDS PRODUCING OIL OR GAS.

(II) THE ADMINISTRATOR SHALL CALCULATE THE AVERAGE INCREASE IN TOTAL VALUATION FOR ASSESSMENT OF TAXABLE REAL PROPERTY WITHIN THE THIRTY-TWO COUNTIES WITH THE SMALLEST INCREASES FOR PURPOSES OF SUBSECTIONS (1)(b)(V), (1.8)(a)(III), AND (1.8)(b)(VI) OF THIS SECTION BASED ON INFORMATION PROVIDED BY COUNTY ASSESSORS IN ACCORDANCE WITH SUBSECTION (1.8)(b.5)(III) OF THIS SECTION AND THE ABSTRACT OF ASSESSMENT FOR THE PROPERTY TAX
YEAR COMMENCING ON JANUARY 1, 2030.

(III) NO LATER THAN MAY 5, 2031, EACH ASSessor SHALL PROVIDE THE ADMINISTRATOR WITH AN ESTIMATE OF THE TOTAL VALUATION FOR ASSESSMENT OF TAXABLE REAL PROPERTY LOCATED WITHIN THE COUNTY BASED ON THE NOTICES OF VALUATION FOR THE PROPERTY TAX YEAR.

(IV) ON OR BEFORE JULY 1, 2031, THE ADMINISTRATOR SHALL PUBLISH ON THE WEBSITE MAINTAINED BY THE DIVISION OF PROPERTY TAXATION IN THE DEPARTMENT OF LOCAL AFFAIRS WHETHER THE RATES SET FORTH IN SUBSECTIONS (1)(b)(V)(A), (1.8)(a)(III)(A), AND (1.8)(b)(VI)(A) OF THIS SECTION OR WHETHER THE RATES SET FORTH IN SUBSECTIONS (1)(b)(V)(B), (1.8)(a)(III)(B), AND (1.8)(b)(VI)(B) OF THIS SECTION APPLY FOR PROPERTY TAX YEARS COMMENCING ON JANUARY 1, 2031, AND JANUARY 1, 2032.

c) The actual value of real and personal property specified in subsection (1.8)(a) or (1.8)(b) SUBSECTION (1), (1.8)(a), OR (1.8)(b) of this section is determined by the assessor and the administrator in the manner prescribed by law, and a valuation for assessment percentage is uniformly applied, without exception, to the actual value, AS so determined OR AS SO DETERMINED AND THEN REDUCED, of the various classes and subclasses of real and personal property located within the territorial limits of the authority levying a property tax, and all property taxes are levied against the aggregate valuation for assessment resulting from the application of the percentage.

d) As used in this section, unless the context otherwise requires, "nonresidential property" means all taxable real and personal property in the state other than residential real property, producing mines, or lands or
leaseholds producing oil or gas. Nonresidential property includes the subclasses of agricultural property, lodging property, and renewable energy production property, for purposes of the ratio of valuation for assessment.

(1.9) (a) The temporary reductions in the valuations for assessment set forth in subsections (1)(b) and (1.8) of this section made in this Senate Bill 23-____ are contingent on the state's authority to retain and spend state surplus up to the proposition HH cap under part 2 of article 77 of title 24. Notwithstanding any provision of subsections (1)(b) and (1.8) of this section to the contrary, if, for a fiscal year commencing on or after July 1, 2023, the state is not permitted to retain and spend state surplus up to the proposition HH cap for the fiscal year for any reason, excluding a legislative enactment by the general assembly, then for the property tax year that begins during the fiscal year and all property tax years thereafter, the temporary reductions in the valuation for assessment set forth in subsections (1)(b) and (1.8) of this section made in this Senate Bill 23-____ do not apply.

(b) The state controller shall notify the administrator if subsection (1.9)(a) of this section applies, and the administrator shall publish notice on the website maintained by the division of property taxation in the department of local affairs that the applicable temporary reductions set forth in subsections (1)(b) and (1.8) of this section made in this Senate Bill 23-____ do not apply.

SECTION 9. In Colorado Revised Statutes, 39-1-104.2, amend
(3)(q) and (3)(r); and add (1)(a.3), (1)(a.7), and (3.5) as follows:

39-1-104.2. Residential real property - valuation for assessment - legislative declaration - definitions. (1) As used in this section, unless the context otherwise requires:

(a.3) "PRIMARY RESIDENCE REAL PROPERTY" MEANS PROPERTY THAT IS CLASSIFIED AS SUCH UNDER SECTION 39-1-104.6.

(a.7) "QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY" MEANS PROPERTY THAT IS CLASSIFIED AS SUCH UNDER SECTION 39-1-104.7.

(2).

(3) (q) The ratio of valuation for assessment for multi-family residential real property is 7.15 percent of the actual value thereof for property tax years commencing on or after January 1, 2019; except that the valuation for assessment is temporarily reduced as follows:

(I) For the property tax years commencing on January 1, 2022, and January 1, 2024, the ratio of valuation for assessment for multi-family residential real property is temporarily reduced to 6.8 percent of the actual value thereof; and

(II) For the property tax years commencing on January 1, 2023, but before January 1, 2033, the ratio of valuation for assessment for multi-family residential real property is temporarily reduced to 6.7 percent of the amount equal to the actual value of the property minus the lesser of forty thousand dollars or the amount that causes the valuation for assessment of the property to be one thousand dollars.

(r) The ratio of valuation for assessment for all residential real property other than multi-family residential real property is 7.15 percent of the actual value thereof; except that the valuation for
ASSESSMENT IS TEMPORARILY REDUCED AS FOLLOWS:

(I) For the property tax year commencing on January 1, 2022, the ratio of valuation for assessment for all residential real property other than multi-family residential real property is temporarily reduced to 6.95 percent of the actual value thereof;

(II) For the property tax year commencing on January 1, 2023, the ratio of valuation for assessment for all residential real property other than multi-family residential real property is 6.765 percent of the amount equal to the actual value and of the property minus the lesser of forty thousand dollars or the amount that causes the valuation for assessment of the property to be one thousand dollars;

(III) For the property tax year commencing on January 1, 2024, the ratio of valuation for assessment for all residential real property other than multi-family residential real property is temporarily established as the percentage calculated in accordance with section 39-1-104.4 of the amount equal to the actual value of the property minus the lesser of forty thousand dollars or the amount that causes the valuation for assessment of the property to be one thousand dollars; and

(IV) For property tax years commencing on or after January 1, 2025, but before January 1, 2033:

(A) The valuation for assessment for primary residence real property, including multi-family primary residence real property, is 6.7 percent of the amount equal to the actual value of the property minus the lesser of forty thousand dollars or the amount that causes the valuation for assessment of the property to be one thousand dollars;
PROPERTY TO BE ONE THOUSAND DOLLARS;

(B) THE VALUATION FOR ASSESSMENT FOR QUALIFIED-SENIOR
PRIMARY RESIDENCE REAL PROPERTY, INCLUDING MULTI-FAMILY
QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY, IS 6.7 PERCENT
OF THE AMOUNT EQUAL TO THE ACTUAL VALUE OF THE PROPERTY MINUS
THE LESSER OF ONE HUNDRED FORTY THOUSAND DOLLARS OR THE
AMOUNT THAT CAUSES THE VALUATION FOR ASSESSMENT OF THE
PROPERTY TO BE ONE THOUSAND DOLLARS; AND

(C) THE VALUATION FOR ASSESSMENT FOR ALL RESIDENTIAL REAL
PROPERTY THAT IS NOT SPECIFIED IN SUBSECTION (3)(q)(II), (3)(r)(IV)(A),
OR (3)(r)(IV)(B) OF THIS SECTION IS 7.1 PERCENT OF THE ACTUAL VALUE
THEREOF.

(3.5) (a) THE TEMPORARY REDUCTIONS IN THE VALUATIONS FOR
ASSESSMENT SET FORTH IN SUBSECTION (3) OF THIS SECTION MADE IN THIS
SENATE BILL 23-_____ ARE CONTINGENT ON THE STATE'S AUTHORITY TO
RETAIN AND SPEND STATE SURPLUS UP TO THE PROPOSITION HH CAP
UNDER PART 2 OF ARTICLE 77 OF TITLE 24. NOTWITHSTANDING ANY
PROVISION OF SUBSECTION (3) OF THIS SECTION TO THE CONTRARY, IF, FOR
A FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2023, THE STATE IS
NOT PERMITTED TO RETAIN AND SPEND STATE SURPLUS UP TO THE
PROPOSITION HH CAP FOR THE FISCAL YEAR FOR ANY REASON, EXCLUDING
A LEGISLATIVE ENACTMENT BY THE GENERAL ASSEMBLY, THEN FOR THE
PROPERTY TAX YEAR THAT BEGINS DURING THE FISCAL YEAR AND ALL
PROPERTY TAX YEARS THEREAFTER, THE TEMPORARY REDUCTIONS IN THE
VALUATION FOR ASSESSMENT SET FORTH IN SUBSECTION (3) OF THIS
SECTION MADE IN THIS SENATE BILL 23-_____ DO NOT APPLY.

(b) THE STATE CONTROLLER SHALL NOTIFY THE ADMINISTRATOR
IF SUBSECTION (3.5)(a) OF THIS SECTION APPLIES, AND THE ADMINISTRATOR SHALL PUBLISH NOTICE ON THE WEBSITE MAINTAINED BY THE DIVISION OF PROPERTY TAXATION IN THE DEPARTMENT OF LOCAL AFFAIRS THAT THE APPLICABLE TEMPORARY REDUCTIONS SET FORTH IN SUBSECTION (3) OF THIS SECTION MADE IN THIS SENATE BILL 23-____ DO NOT APPLY.

SECTION 10. In Colorado Revised Statutes, repeal 39-1-104.3 and 39-1-104.4 as follows:

39-1-104.3. Partial real property tax reductions - residential property - definitions - repeal. (1) As used in this section, unless the context otherwise requires, "residential real property" means property listed by the assessor under any residential real property classification code:

(2) For the property tax year commencing on January 1, 2023, the valuation for assessment for residential real property is six and seven hundred sixty-five thousandths percent, as set forth in section 39-1-104.2 (3)(q)(II) and (3)(r)(II), of the amount equal to the actual value, determined pursuant to section 39-1-103, minus the lesser of fifteen thousand dollars or the amount that reduces the valuation for assessment to one thousand dollars:

(3) This adjustment does not apply to any other class of property:

(4) This section is repealed, effective July 1, 2025:

39-1-104.4. Adjustment of residential rate. (1) The ratio of valuation for assessment for residential real property other than multi-family residential real property for the property tax year commencing on January 1, 2024, is equal to the percentage necessary for the following to equal a total of seven hundred million dollars:
(a) The aggregate reduction of local government property tax revenue during the property tax year commencing on January 1, 2023, as a result of the changes made in Senate Bill 22-238, enacted in 2022, that reduced valuations for assessment set forth pursuant to sections 39-1-104 (1)(b) and (1.8)(b), 39-1-104.2 (3)(q)(H) and (3)(r)(H), and 39-3-104.3 (2); and

(b) The aggregate reduction of local government property tax revenue during the property tax year commencing on January 1, 2024, as a result of the reduced valuations for assessment set forth pursuant to sections 39-1-104 (1.8)(a) and 39-1-104.2 (3)(q)(I) and (3)(r)(III) for the property tax year commencing on January 1, 2024.

(2) On or before March 21, 2024, based on the information available on that date, the property tax administrator shall submit a report to the general assembly calculating the ratio of valuation for assessment specified in subsection (1) of this section:

SECTION 11. In Colorado Revised Statutes, add 39-1-104.6 and 39-1-104.7 as follows:

39-1-104.6. Primary residence real property. (1) Definitions. As used in this section, unless the context otherwise requires:

(a) (I) "OWNER-OCCUPIER" MEANS AN INDIVIDUAL WHO:

(A) IS AN OWNER OF RECORD OF RESIDENTIAL REAL PROPERTY THAT THE INDIVIDUAL OCCUPIES AS THE INDIVIDUAL'S PRIMARY RESIDENCE;

(B) IS NOT AN OWNER OF RECORD OF THE RESIDENTIAL REAL PROPERTY THAT THE INDIVIDUAL OCCUPIES AS THE INDIVIDUAL'S PRIMARY RESIDENCE, BUT EITHER IS A SPOUSE OR CIVIL UNION PARTNER OF AN OWNER OF RECORD OF THE RESIDENTIAL REAL PROPERTY AND WHO ALSO
OCCUPIES THE RESIDENTIAL REAL PROPERTY AS THE OWNER OF RECORD'S PRIMARY RESIDENCE, OR IS THE SURVIVING SPOUSE OR PARTNER OF AN INDIVIDUAL WHO WAS AN OWNER OF RECORD OF THE RESIDENTIAL REAL PROPERTY AND WHO OCCUPIED THE RESIDENTIAL REAL PROPERTY WITH THE SURVIVING SPOUSE OR PARTNER AS THEIR PRIMARY RESIDENCE UNTIL THE OWNER OF RECORD'S DEATH; OR

(C) IS NOT AN OWNER OF RECORD OF THE RESIDENTIAL REAL PROPERTY THAT THE INDIVIDUAL OCCUPIES AS THE INDIVIDUAL'S PRIMARY RESIDENCE, ONLY BECAUSE THE PROPERTY HAS BEEN PURCHASED BY OR TRANSFERRED TO A TRUST, A CORPORATE PARTNERSHIP, OR ANY OTHER LEGAL ENTITY SOLELY FOR ESTATE PLANNING PURPOSES AND IS THE MAKER OF THE TRUST OR A PRINCIPAL OF THE CORPORATE PARTNERSHIP OR OTHER LEGAL ENTITY;

(D) OCCUPIES RESIDENTIAL REAL PROPERTY AS THE INDIVIDUAL'S PRIMARY RESIDENCE AND IS THE SPOUSE OR CIVIL UNION PARTNER OF A PERSON WHO ALSO OCCUPIES THE RESIDENTIAL REAL PROPERTY, WHO IS NOT THE OWNER OF RECORD OF THE PROPERTY ONLY BECAUSE THE PROPERTY HAS BEEN PURCHASED BY OR TRANSFERRED TO A TRUST, A CORPORATE PARTNERSHIP, OR ANY OTHER LEGAL ENTITY SOLELY FOR ESTATE PLANNING PURPOSES, AND WHO IS THE MAKER OF THE TRUST OR A PRINCIPAL OF THE CORPORATE PARTNERSHIP OR OTHER LEGAL ENTITY; OR

OR TRANSFERRED TO A TRUST, A CORPORATE PARTNERSHIP, OR ANY OTHER
LEGAL ENTITY SOLELY FOR ESTATE PLANNING PURPOSES PRIOR TO THE
PERSON'S DEATH, AND WHO WAS THE MAKER OF THE TRUST OR A PRINCIPAL
OF THE CORPORATE PARTNERSHIP OR OTHER LEGAL ENTITY PRIOR TO THE
PERSON'S DEATH.

(II) "OWNER-OCCUPIER" ALSO INCLUDES ANY INDIVIDUAL WHO,
but for the confinement of the individual to a hospital, nursing
home, or assisted living facility, would occupy the residential
real property as the individual's primary residence and would
meet one or more of the ownership criteria specified in
subsection (1)(a)(I) of this section, if the residential real
property:

(A) IS TEMPORARILY UNOCCUPIED; OR
(B) IS OCCUPIED BY THE SPOUSE, CIVIL UNION PARTNER, OR A
FINANCIAL DEPENDENT OF THE INDIVIDUAL.

(b) "OWNER OF RECORD" MEANS AN INDIVIDUAL WHOSE NAME
APPEARS ON A VALID RECORDED DEED TO RESIDENTIAL REAL PROPERTY AS
AN OWNER OF THE PROPERTY.

(c) "QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY"
MEANS A PROPERTY THAT IS CLASSIFIED AS SUCH UNDER SECTION
39-1-104.7.

(d) "SURVIVING SPOUSE OR PARTNER" MEANS AN INDIVIDUAL WHO
WAS LEGALLY MARRIED TO ANOTHER INDIVIDUAL, OR WAS A PARTNER IN
A CIVIL UNION WITH ANOTHER INDIVIDUAL, AT THE TIME OF THE OTHER
INDIVIDUAL'S DEATH AND WHO HAS NOT REMARRIED OR ENTERED INTO
ANOTHER CIVIL UNION.

(2) Classification. (a) Except as set forth in section
39-1-104.7, for property tax years commencing on or after January 1, 2025, residential real property that as of the assessment date is used as the primary residence of an owner-occupier is classified as primary residence real property, which is a subclass of residential real property, if:

(I) The owner-occupier completes and files an application in the manner required by subsection (3) of this section; and

(II) The circumstances that qualify the property for the classification have not changed since the filing of the application.

(b) Under no circumstances is the classification allowed for property taxes assessed during any property tax year prior to the year in which an owner-occupier first files an application in the manner required by subsection (3) of this section. If ownership of residential real property that qualified as primary residence real property as of the assessment date changes after the assessment date, the classification is allowed only if an owner-occupier whose status as an owner-occupier qualified the property for the classification has filed an application by the deadline specified in subsection (3)(a) of this section.

(c) If an individual owns and occupies a dwelling unit in a common interest community, as defined in section 38-33.3-103 (8), as the individual’s primary residence, only the dwelling unit that the individual occupies as the individual’s primary residence may qualify as primary residence real property or qualified-senior primary residence real property.

(d) For purposes of this subsection (2), two individuals who
ARE LEGALLY MARRIED OR ARE CIVIL UNION PARTNERS, BUT WHO OWN
MORE THAN ONE PARCEL OF RESIDENTIAL REAL PROPERTY, ARE DEEMED
TO OCCUPY THE SAME PRIMARY RESIDENCE AND ONLY THAT PROPERTY
MAY BE CLASSIFIED AS PRIMARY RESIDENCE REAL PROPERTY.

(c) Real property that might otherwise be classified as
multi-family residential real property that contains a unit that
qualifies as primary residence real property under this section
is classified as multi-family primary residence real property.

(3) Applications. (a) For a property to be classified as
primary residence real property or as qualified-senior primary
residence real property, an individual must file with the
assessor a completed application no later than March 15 of the
first property tax year for which the classification is sought.
An application returned by mail is deemed filed on the date it is
postmarked.

(b) (I) An applicant must complete an application for
property to be classified as primary residence real property or
as qualified-senior primary residence real property on a form
prescribed by the administrator that includes the following
information:

(A) The applicant's name, mailing address, and social
security number;

(B) The address and schedule or parcel number of the
property;

(C) The name and social security number of the applicant's
spouse or civil union partner who occupies the property as the
spouse or civil union partner's primary residence;
(D) If a trust is the owner of record of the property, the names of the maker of the trust, the trustee, and the beneficiaries of the trust;

(E) If a corporate partnership or other legal entity is the owner of record of the property, the names of the principals or the corporate partnership or other legal entity;

(F) A statement of whether the applicant previously qualified for the property tax exemption for qualifying seniors allowed by Section 39-3-203 (1) for a different property than the property that the applicant currently occupies as the applicant's primary residence;

(G) An affirmation, in a form prescribed by the administrator, that the applicant believes, under penalty of perjury in the second degree as defined in Section 18-8-503, that all information provided by the applicant is correct; and

(H) Any other information that the administrator reasonably deems necessary.

(II) The administrator shall also include in the application a statement that an applicant, or, if applicable, the trustee, has a legal obligation to inform the assessor within sixty days of any change in the ownership or occupancy of the residential real property for which classification as primary residence real property or as qualified-senior primary residence real property has been applied for or allowed that would prevent the classification from being allowed for the property.

(c) For purposes of the application and related provisions in this section, real property that is multi-family primary
RESIDENCE REAL PROPERTY IS TREATED AS PRIMARY RESIDENCE REAL
PROPERTY AND MULTI-FAMILY QUALIFIED-SENIOR PRIMARY REAL
PROPERTY IS TREATED AS QUALIFIED-SENIOR PRIMARY RESIDENCE REAL
PROPERTY.

(4) **Penalties.** (a) IN ADDITION TO ANY PENALTIES PRESCRIBED BY
LAW FOR PERJURY IN THE SECOND DEGREE, AN APPLICANT WHO
KNOWINGLY PROVIDES FALSE INFORMATION ON AN APPLICATION OR
ATTEMPTS TO CLAIM MORE THAN ONE PROPERTY AS PRIMARY RESIDENCE
REAL PROPERTY OR QUALIFIED-SENIOR PRIMARY RESIDENCE REAL
PROPERTY FOR THE SAME PROPERTY TAX YEAR SHALL:

(I) NOT BE ABLE TO CLAIM THE PROPERTY AS PRIMARY RESIDENCE
REAL PROPERTY OR QUALIFIED-SENIOR PRIMARY RESIDENCE REAL
PROPERTY FOR THE PROPERTY TAX YEAR;

(II) PAY, TO THE TREASURER OF A COUNTY IN WHICH PROPERTY
WAS IMPROPERLY CLASSIFIED AS PRIMARY RESIDENCE REAL PROPERTY OR
QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY DUE TO THE
PROVISION BY THE APPLICANT OF FALSE INFORMATION OR THE FILING OF
MORE THAN ONE APPLICATION, AN AMOUNT EQUAL TO THE AMOUNT OF
PROPERTY TAXES NOT PAID AS A RESULT OF THE IMPROPER CLASSIFICATION
AS PRIMARY RESIDENCE REAL PROPERTY OR QUALIFIED-SENIOR PRIMARY
RESIDENCE REAL PROPERTY; AND

(III) UPON CONVICTION OF PERJURY, BE REQUIRED TO PAY TO THE
TREASURER OF ANY COUNTY IN WHICH AN INVALID APPLICATION WAS
FILED AN ADDITIONAL AMOUNT EQUAL TO TWICE THE AMOUNT OF THE
PROPERTY TAXES IDENTIFIED IN SUBSECTION (4)(a)(II) OF THIS SECTION
PLUS INTEREST, CALCULATED AT THE ANNUAL RATE CALCULATED
PURSUANT TO SECTION 39-21-110.5 FROM THE DATE THE INVALID
APPLICATION WAS FILED UNTIL THE DATE THE APPLICANT MAKES THE
PAYMENT REQUIRED BY THIS SUBSECTION (4)(a)(III).

(b) If an applicant or a trustee fails to inform the
asseror within sixty days of any change in the ownership or
occupancy of residential real property for classification as a
primary residence real property or a qualified-senior primary
residence real property that has been applied for or allowed
that would prevent the classification from being allowed for
the property as required by subsection (3)(b) of this section:

(I) The classification is not allowed with respect to the
residential real property for the subsequent property tax year;
and

(II) The applicant or trustee shall pay, to the treasurer
of any county in which the classification was improperly
allowed due to the applicant’s or trustee’s failure to
immediately inform the assessor of any change in the ownership
or occupancy of residential real property, an amount equal to
the amount of property taxes not paid as a result of the
improper classification as primary residence real property or
qualified-senior primary residence real property plus interest,
calculated at the annual rate specified in section 39-21-110.5
from the date on which the change in the ownership or
occupancy occurred until the date the applicant makes the
payment required by this subsection (4)(b)(II).

(c) Any amount required to be paid to a treasurer
pursuant to subsection (4)(a) or (4)(b) of this section is deemed
part of the lien of general taxes imposed on the person required
TO PAY THE AMOUNT AND HAS THE PRIORITY SPECIFIED IN SECTION 39-1-107 (2).

(5) **Confidentiality.** (a) **Completed applications for classification as primary residence real property or as qualified-senior primary residence real property** are confidential; except that:

(I) (A) An assessor or the administrator may release statistical compilations or informational summaries of any information contained in the applications and shall provide a copy of an application to the applicant who returned the application and the treasurer of the same county as the assessor;

(B) An assessor or the administrator may introduce a copy of an application as evidence in any administrative hearing or legal proceeding in which the accuracy or veracity of the application is at issue so long as neither the applicant's social security number nor any other social security number set forth in the application are divulged.

(II) A treasurer shall keep confidential each individual application received from an assessor but may release statistical compilations or informational summaries of any information contained in applications and may introduce a copy of an application as evidence in any administrative hearing or legal proceeding in which the accuracy or veracity of the application is at issue so long as neither the applicant's social security number nor any other social security number set forth in the application is divulged.
(III) The administrator may share information contained in an application, including any social security number set forth in the application, with the department of revenue to the extent necessary to enable the administrator to verify that the applicant satisfies legal requirements for the classification.

(b) Notwithstanding the provisions of subsection (5)(a) of this section, the administrator, an assessor, or a treasurer shall not give any other person any listing of applicants or any other information that would enable a person to easily assemble a mailing list of applicants for the primary residence real property classification or qualified-senior primary residence real property classification.

(c) In accordance with section 25-2-103 (4.7), the administrator shall annually provide to the state registrar of vital statistics of the department of public health and environment a list, by name and social security number, of every individual who had property classified as primary residence real property or qualified-senior primary residence real property for the immediately preceding year so that the registrar can provide to the administrator a list of all the individuals on the list who have died. No later than April 1, 2026, and April 1 of each year thereafter, the administrator shall forward to the assessor of each county the name and social security number of each deceased individual who had residential real property located within the county that was so classified for the immediately preceding year, so that the assessor can change the classification of the property, if necessary.
(6) **Notice.** (a) As soon as practicable after January 1, 2025, and after January 1 of each year thereafter, each county treasurer shall, at the treasurer's discretion, mail or electronically send to each person whose name appears on the tax list and warrant as an owner of residential real property notice of the primary residence real property and the qualified-senior primary residence real property classifications. The treasurer shall mail or electronically send the notice each year on or before the date on which the treasurer mails the property tax statement for the previous property tax year pursuant to section 39-10-103. The administrator shall prescribe the form of the notice, which must include a statement of the eligibility criteria for the primary residence real property and qualified-senior primary residence real property classifications and instructions for obtaining a related application.

(b) To reduce mailing costs, an assessor may coordinate with the treasurer of the same county to include notice with the tax statement for the previous property tax year mailed pursuant to section 39-10-103, or may include notice with the notice of valuation mailed pursuant to section 39-5-121 (1)(a).

(7) **Notice of classification - appeal.** (a) (I) Except as otherwise provided in subsection (7)(b) of this section, an assessor shall only classify property as primary residence real property or qualified-senior primary residence real property if an applicant has timely returned an application in accordance with subsection (3) of this section that establishes that either classification is appropriate.
(II) If the information provided on or with an application indicates that the applicant is not entitled to the classification, or is insufficient to allow the assessor to determine whether the property meets the classification, the assessor shall deny the application and mail to the applicant a statement providing the reasons for the denial and informing the applicant of the applicant's right to contest the denial pursuant to subsection (7)(b) of this section. The assessor shall mail the statement no later than August 1 of the property tax year for which the application was filed.

(b)(I) An applicant whose application has been denied may contest the denial by requesting a hearing before the county commissioners sitting as the county board of equalization no later than August 15 of the property tax year for which the application was filed. The hearing shall be held on or after August 1 and no later than September 1 of the property tax year for which the application was filed, and the decision of the county board of equalization is not subject to further administrative appeal by either the applicant or the assessor.

(II) An individual who has not timely filed an application with the assessor by March 15 may file a late application no later than the July 15 that immediately follows that deadline. The assessor shall accept any such application but may not accept any late application filed after July 15. A decision of an assessor to disallow the filing of a late application after July 15 or to grant or deny the classification to an applicant who has filed a late application after March 15 but no later than July 15
IS FINAL, AND AN APPLICANT WHO IS DENIED LATE FILING OR AN
EXEMPTION MAY NOT CONTEST THE DENIAL.

(III) THE COUNTY BOARD OF EQUALIZATION MAY APPOINT
INDEPENDENT REFEREES TO CONDUCT HEARINGS REQUESTED PURSUANT
TO SUBSECTION (7)(b)(I) OF THIS SECTION ON BEHALF OF THE COUNTY
BOARD AND TO MAKE FINDINGS AND SUBMIT RECOMMENDATIONS TO THE
COUNTY BOARD FOR ITS FINAL ACTION.

(8) Reporting to administrator. (a) No later than September
10, 2025, and September 10 of each year thereafter, each
ASSESSOR SHALL FORWARD TO THE ADMINISTRATOR A REPORT ON THE
RESIDENTIAL REAL PROPERTY IN THE ASSESSOR’S COUNTY THAT QUALIFIES
AS PRIMARY RESIDENCE REAL PROPERTY OR QUALIFIED-SENIOR PRIMARY
RESIDENCE REAL PROPERTY FOR THE CURRENT PROPERTY TAX YEAR. FOR
EACH UNIT OF RESIDENTIAL REAL PROPERTY, THE REPORT MUST INCLUDE:

(I) THE LEGAL DESCRIPTION OF THE PROPERTY;

(II) THE SCHEDULE OR PARCEL NUMBER FOR THE PROPERTY; AND

(III) THE NAME AND SOCIAL SECURITY NUMBER OF THE APPLICANT
WHO CLAIMED AN EXEMPTION FOR THE PROPERTY AND, IF APPLICABLE, THE
APPLICANT’S SPOUSE OR CIVIL UNION PARTNER WHO OCCUPIES THE
PROPERTY.

(b) (I) No later than November 1, 2025, and November 1 of
each year thereafter, the administrator shall provide written
notice to an applicant that the applicant is ineligible and the
reason for the ineligibility. The notice must also include a
statement specifying the deadline and procedures for protesting
the denial of the classification.

(II) An applicant whose claims for the classification are

(c) No later than December 1, 2025, and each December 1 thereafter, and after examining the reports sent by each assessor, denying claims for classifications, and deciding protests in accordance with subsection (8)(b) of this section, the administrator shall provide written notice to the assessor of each county in which an application has been denied because the applicant was ineligible.

39-1-104.7. Qualified-senior primary residence real property - definitions. (1) As used in this section, unless the context otherwise requires:

-44-
(a) "OWNER-OCCUPIER" HAS THE SAME MEANING AS SET FORTH IN
SECTION 39-1-104.6 (1)(a).

(b) "SENIOR HOMESTEAD EXEMPTION" MEANS THE PROPERTY TAX
EXEMPTION FOR QUALIFYING SENIORS ALLOWED BY SECTION 39-3-203 (1).

(2) (a) FOR PROPERTY TAX YEARS COMMENCING ON OR AFTER
JANUARY 1, 2025, RESIDENTIAL REAL PROPERTY THAT AS OF THE
ASSESSMENT DATE IS USED AS THE PRIMARY RESIDENCE OF AN
OWNER-OCCUPIER IS CLASSIFIED AS QUALIFIED-SENIOR PRIMARY
RESIDENCE REAL PROPERTY, WHICH IS A SUBCLASS OF RESIDENTIAL REAL
PROPERTY, IF:

(I) THE REAL PROPERTY WOULD OTHERWISE BE CLASSIFIED AS
PRIMARY RESIDENCE REAL PROPERTY UNDER SECTION 39-1-104.6; AND

(II) THE OWNER-OCCUPIER OF THE PROPERTY PREVIOUSLY
QUALIFIED FOR THE SENIOR HOMESTEAD EXEMPTION FOR A DIFFERENT
PROPERTY AND DOES NOT QUALIFY FOR THE SENIOR HOMESTEAD
EXEMPTION FOR THE CURRENT PROPERTY TAX YEAR.

(b) REAL PROPERTY THAT MIGHT OTHERWISE BE CLASSIFIED AS
MULTI-FAMILY RESIDENTIAL REAL PROPERTY THAT CONTAINS A UNIT THAT
QUALIFIES AS QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY
UNDER THIS SECTION IS CLASSIFIED AS MULTI-FAMILY QUALIFIED-SENIOR
PRIMARY RESIDENCE REAL PROPERTY.

SECTION 12. In Colorado Revised Statutes, 39-1-111, amend
(1) and (5) as follows:

39-1-111. Taxes levied by board of county commissioners -
repeal. (1) (a) No later than December 22 in each year, the board of
county commissioners in each county of the state, or such other body in
the city and county of Denver as shall be authorized by law to levy taxes,
or the city council of the city and county of Broomfield, shall, either by
an order to be entered in the record of its proceedings or by written
approval, levy against the valuation for assessment of all taxable property
located in the county on the assessment date, and in the various towns,
cities, school districts, and special districts within such county, the
requisite property taxes for all purposes required by law.

(b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY
1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (1)(a) OF THIS SECTION
IS POSTPONED FROM DECEMBER 22, 2023, TO JANUARY 12, 2024.

(II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

(5) (a) If, after certification of the valuation for assessment
pursuant to section 39-5-128 and notification of total actual value
pursuant to section 39-5-121 (2)(b) but prior to December 10, changes in
such valuation for assessment or total actual value are made by the
assessor, the assessor shall send a single notification to the board of
county commissioners or other body authorized by law to levy property
taxes, to the division of local government, and to the department of
education that includes all of such changes that have occurred during said
specified period of time. Upon receipt of such notification, such board or
body shall make adjustments in the tax levies to ensure compliance with
section 29-1-301, C.R.S., if applicable, and may make adjustments in
order that the same amount of revenue be raised. A copy of any
adjustment to tax levies shall be transmitted to the administrator and
assessor. Nothing in this subsection (5) shall be construed as conferring
the authority to exceed statutorily imposed mill levy or revenue-raising
limits.

(b) (I) FOR THE PROPERTY TAX YEAR COMMENCEING ON JANUARY
1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (5)(a) OF THIS SECTION IS POSTPONED FROM DECEMBER 10, 2023, TO DECEMBER 29, 2023.

(II) THIS SUBSECTION (5)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 13. In Colorado Revised Statutes, 39-5-128, amend (1) as follows:


(1) (a) No later than August 25 of each year, the assessor shall certify to the department of education, to the clerk of each town and city, to the secretary of each school district, and to the secretary of each special district within the assessor's county the total valuation for assessment of all taxable property located within the territorial limits of each such town, city, school district, or special district and shall notify each such clerk, secretary, and board to officially certify the levy of such town, city, school district, or special district to the board of county commissioners no later than December 15. The assessor shall also certify to the secretary of each school district the actual value of the taxable property in the district.

(b) (I) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THE DEADLINE SET FORTH IN SUBSECTION (1)(a) OF THIS SECTION FOR OFFICIALLY CERTIFYING A LEVY IS POSTPONED FROM DECEMBER 15, 2023, TO JANUARY 5, 2024.

(II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 14. In Colorado Revised Statutes, 39-3-210, amend (1)(a), (1)(e), (3), (4)(b), (5), and (6); repeal and reenact, with amendments, (2) and (4)(a); and add (1)(a.3), (1)(b.5), (1)(e.5),(1)(f.3), (1)(f.7), (2.5), (4.5), and (5.5) as follows:

39-3-210. Reporting of property tax revenue reductions - reimbursement of local governmental entities - definitions - local
government backfill cash fund - creation - repeal. (1) As used in this
section, unless the context otherwise requires:

(a) "Additional state revenues" means the lesser of two hundred
forty million dollars or the total amount of the state revenues in excess of
the limitation on state fiscal year spending imposed by section 20 (7)(a)
of article X of the state constitution that the state is required to refund
under section 20 (7)(d) of article X of the state constitution, including any
amount specified in section 24-77-103.8, that exceeds the
amounts projected to be refunded as required by sections
39-3-209 and 39-22-627 for the state fiscal year commencing on July 1, 2022.

(a.3) "COUNTY" INCLUDES A CITY AND COUNTY.

(b.5) "FUND" MEANS THE LOCAL GOVERNMENT BACKFILL CASH
FUND CREATED IN SUBSECTION (5.5)(a) OF THIS SECTION.

(e) "Municipality" means a home rule or statutory city, town, or
territorial charter city. or city and county.

(e.5) "PROPOSITION HH GENERAL FUND EXEMPT ACCOUNT" MEANS
THE PROPOSITION HH GENERAL FUND EXEMPT ACCOUNT CREATED IN
SECTION 24-77-203 (3)(a).

(f.3) "SELECT SPECIAL DISTRICT" MEANS A FIRE DISTRICT, HEALTH
SERVICE DISTRICT, WATER DISTRICT, SANITATION DISTRICT, OR LIBRARY
DISTRICT.

(f.7) "TOTAL PROPERTY TAX REVENUE REDUCTION" MEANS THE
AMOUNT THAT A TREASURER CALCULATES FOR A LOCAL GOVERNMENTAL
ENTITY IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION.

(2) (a) (I) FOR THE PROPERTY TAX YEARS COMMENCING ON
JANUARY 1, 2023, AND JANUARY 1, 2024, EACH TREASURER SHALL
CALCULATE THE TOTAL PROPERTY TAX REVENUE REDUCTION FOR EACH LOCAL GOVERNMENTAL ENTITY, EXCLUDING SCHOOL DISTRICTS, WITHIN THE TREASURER'S COUNTY AS A RESULT OF ALL OF THE CUMULATIVE TEMPORARY REDUCTIONS IN VALUATION FOR ASSESSMENT MADE IN SENATE BILL 22-238, ENACTED IN 2022, AND THIS SENATE BILL 23-____.

(II) For the property tax years commencing on and after January 1, 2025, but before January 1, 2033, each treasurer shall calculate the total property tax revenue reduction for each local governmental entity, excluding school districts, within the treasurer's county as a result of all of the temporary reductions in valuation for assessment made in this Senate Bill 23-____.

(b) (I) When calculating the total property tax revenue reduction for a local governmental entity for a property tax year as required by this section, a treasurer shall use the local governmental entity's mill levy for the property tax year commencing on January 1, 2022, excluding any mills levied to provide for the payment of bonds and interest thereon or for the payment of any other contractual obligation that has been approved by a majority of the qualified electors of the local governmental entity.

(II) Notwithstanding subsection (2)(a) of this section, a treasurer is not required to determine the total property tax revenue reduction for a local governmental entity that is ineligible to receive a reimbursement from the state for a property tax year in accordance with subsection (4.5)(b)(II) of this section.
(c) (I) FOR THE PROPERTY TAX YEARS COMMENCING ON AND AFTER JANUARY 1, 2023, BUT BEFORE JANUARY 1, 2033, EACH ASSESSOR SHALL CALCULATE THE DIFFERENCE IN ASSESSED VALUE OF REAL PROPERTY FOR EACH LOCAL GOVERNMENTAL ENTITY WITHIN THE ASSESSOR'S COUNTY FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, AND THE PROPERTY TAX YEAR.

(II) NOTWITHSTANDING SUBSECTION (2)(c)(I) OF THIS SECTION, AN ASSESSOR IS NOT REQUIRED TO CALCULATE THE DIFFERENCE IN ASSESSED VALUE OF REAL PROPERTY FOR A LOCAL GOVERNMENTAL ENTITY, EXCLUDING A COUNTY, THAT IS INELIGIBLE TO RECEIVE A REIMBURSEMENT FROM THE STATE FOR A PROPERTY TAX YEAR IN ACCORDANCE WITH SUBSECTION (4.5)(b)(II) OF THIS SECTION.

(d) FOR PURPOSES OF THIS SECTION, A LOCAL GOVERNMENTAL ENTITY WITHIN A COUNTY INCLUDES THE COUNTY ITSELF.

(2.5) (a) ON OR BEFORE SEPTEMBER 15, 2023, EACH TREASurer SHALL REPORT THE FOLLOWING ESTIMATES TO THE ADMINISTRATOR FOR ALL LOCAL GOVERNMENTAL ENTITIES WITHIN THE TREASURER'S COUNTY:

(I) THE TOTAL PROPERTY TAX REVENUE REDUCTION FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023, THAT IS BASED ON THE:

(A) TEMPORARY REDUCTIONS IN THE VALUATION FOR ASSESSMENT MADE IN SENATE BILL 22-238, ENACTED IN 2022; AND

(B) CUMULATIVE TEMPORARY REDUCTIONS IN THE VALUATION FOR ASSESSMENT MADE IN SENATE BILL 22-238, ENACTED IN 2022, AND THIS SENATE BILL 23-______, IF A MAJORITY OF VOTERS APPROVE THE BALLOT ISSUE REFERRED IN ACCORDANCE WITH SECTION 24-77-202; AND

(II) THE INCREASE IN ASSESSED VALUE FROM THE PROPERTY TAX
YEAR COMMENCING ON JANUARY 1, 2022, TO THE PROPERTY TAX YEAR
COMMENCING ON JANUARY 1, 2023, THAT IS BASED ON THE:

(A) TEMPORARY REDUCTIONS IN THE VALUATION FOR ASSESSMENT
MADE IN SENATE BILL 22-238, ENACTED IN 2022; AND

(B) CUMULATIVE TEMPORARY REDUCTIONS IN THE VALUATION
FOR ASSESSMENT MADE IN SENATE BILL 22-238, ENACTED IN 2022, AND

THIS SENATE BILL 23-_____, IF A MAJORITY OF VOTERS APPROVE THE
BALLOT ISSUE REFERRED IN ACCORDANCE WITH SECTION 24-77-202.

(b) THE ADMINISTRATOR SHALL PROVIDE THE ESTIMATES
RECEIVED IN ACCORDANCE WITH SUBSECTION (2.5)(a) OF THIS SECTION TO
THE DEPARTMENT OF REVENUE AND LEGISLATIVE COUNCIL STAFF.

(3) No later than March 1, 2024, each AND MARCH 1 OF THE NEXT
NINE YEARS THEREAFTER, A treasurer shall report the amounts specified
in subsection (2) of this section, as applicable TOTAL PROPERTY TAX
REVENUE REDUCTION AND THE INCREASE IN ASSESSED VALUE FROM THE
PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, TO THE PRIOR
PROPERTY TAX YEAR FOR EACH LOCAL GOVERNMENTAL ENTITY WITHIN
THE TREASURER’S COUNTY and the basis for the amounts to the
administrator. The administrator may require a treasurer to provide
additional information as necessary to evaluate the accuracy of the
amounts reported. The administrator shall confirm that the reported
amounts are correct or rectify the amounts, if necessary. The
administrator shall then forward the correct amounts for each A county to
the state treasurer to enable the state treasurer to issue a reimbursement
warrant to each A treasurer in accordance with subsection (4) of this
section.

(4) (a) (I) NO LATER THAN APRIL 15, 2024, THE STATE TREASURER
SHALL ISSUE A WARRANT, TO BE PAID UPON DEMAND FROM ADDITIONAL STATE REVENUES FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2022, AND, IF NECESSARY, FROM OTHER MONEY IN THE GENERAL FUND, TO EACH TREASURER THAT IS EQUAL TO THE TOTAL REIMBURSEMENT AMOUNTS SET FORTH IN SUBSECTION (4.5) OF THIS SECTION FOR ALL LOCAL GOVERNMENTAL ENTITIES WITHIN THE TREASURER'S COUNTY FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2023.

(II) NO LATER THAN APRIL 15, 2025, AND APRIL 15 OF THE NEXT EIGHT YEARS THEREAFTER, THE STATE TREASURER SHALL ISSUE A WARRANT, TO BE PAID UPON DEMAND FIRST FROM THE FUND, AND, IF NECESSARY, FROM STATE REVENUES IN THE PROPOSITION HH GENERAL FUND EXEMPT ACCOUNT TO EACH TREASURER THAT IS EQUAL TO THE TOTAL REIMBURSEMENT AMOUNTS SET FORTH IN SUBSECTION (4.5) OF THIS SECTION FOR ALL LOCAL GOVERNMENTAL ENTITIES WITHIN THE TREASURER'S COUNTY FOR THE PRIOR PROPERTY TAX YEAR.

(b) Each treasurer shall distribute the total amount received from the state treasurer to the local governmental entities, excluding school districts, within the treasurer's county as if the revenues had been regularly paid as property tax, but so that the local governmental entities only receive the amounts determined pursuant to subsection (4)(a) of this section.

(4.5) (a) EXCEPT AS SET FORTH IN SUBSECTIONS (4.5)(b) AND (4.5)(c) OF THIS SECTION, THE REIMBURSEMENT FOR A LOCAL GOVERNMENTAL ENTITY FOR A PROPERTY TAX YEAR COMMENCING ON OR AFTER JANUARY 1, 2023, BUT BEFORE JANUARY 1, 2033, IS EQUAL TO:

(I) FOR COUNTIES WITH A POPULATION THAT IS THREE HUNDRED THOUSAND OR LESS:
(A) The entire amount of the total property tax revenue
reduction for each local governmental entity within a county
that had an increase of less than ten percent in the assessed
value of real property from the property tax year commencing
on January 1, 2022, to the property tax year for which the
reimbursement is being calculated; and

(B) Ninety percent of the total property tax revenue
reduction for each local governmental entity that had an
increase of ten percent or more in the assessed value of real
property from the property tax year commencing on January 1,
2022, to the property tax year for which the reimbursement is
being calculated;

(II) For counties with a population greater than three
hundred thousand:
(A) The entire amount of the total property tax revenue
reduction for each municipality or select special district that
had an increase of less than ten percent in the assessed value of
real property from the property tax year commencing on
January 1, 2022, to the property tax year for which the
reimbursement is being calculated;

(B) Ninety percent of the total property tax revenue
reduction for each municipality or select special district that
had an increase of ten percent or more in the assessed value of
real property from the property tax year commencing on
January 1, 2022, to the property tax year for which the
reimbursement is being calculated; and

(C) Sixty-five percent of the total property tax revenue
REDUCTION FOR ALL LOCAL GOVERNMENTAL ENTITIES BESIDES A MUNICIPALITY OR A SELECT SPECIAL DISTRICT.

(b) FOR PROPERTY TAX YEARS COMMENCING ON AND AFTER JANUARY 1, 2024, A LOCAL GOVERNMENTAL ENTITY IS INELIGIBLE TO RECEIVE REIMBURSEMENT UNDER THIS SECTION IF:

(I) THE LOCAL GOVERNMENTAL ENTITY HAS AN INCREASE OF TWENTY PERCENT OR MORE IN THE ASSESSED VALUE OF REAL PROPERTY FROM THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2022, TO THE PROPERTY TAX YEAR FOR WHICH A REIMBURSEMENT AMOUNT IS CALCULATED; OR

(II) THE LOCAL GOVERNMENTAL ENTITY WAS INELIGIBLE TO RECEIVE A REIMBURSEMENT UNDER SUBSECTION (4.5)(b)(I) OF THIS SECTION FOR A PRIOR PROPERTY TAX YEAR.

(c) THE TOTAL STATEWIDE REIMBURSEMENT SET FORTH IN SUBSECTION (4.5)(a) OF THIS SECTION FOR A PROPERTY TAX YEAR COMMENCING ON OR AFTER JANUARY 1, 2024, BUT BEFORE JANUARY 1, 2033, SHALL NOT EXCEED THE TOTAL OF THE AMOUNT IN THE FUND AND IN THE PROPOSITION HH GENERAL FUND EXEMPT ACCOUNT THAT IS AVAILABLE FOR THE REIMBURSEMENT WARRANTS FOR THE PROPERTY TAX YEAR. TO AVOID EXCEEDING THIS LIMIT, THE TREASURER SHALL PROPORTIONALLY REDUCE THE REIMBURSEMENT AMOUNT FOR EACH ELIGIBLE LOCAL GOVERNMENTAL ENTITY SO THAT THE TOTAL OF ALL REIMBURSEMENTS STATEWIDE EQUALS THE TOTAL AMOUNT AVAILABLE FOR THE REIMBURSEMENT WARRANTS FOR THE PROPERTY TAX YEAR.

(d) THE REIMBURSEMENT AMOUNTS SET FORTH IN THIS SECTION ARE BASED ON THE AMOUNTS THAT THE ADMINISTRATOR REPORTS TO THE TREASURER IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION. FOR
PURPOSES OF THIS SUBSECTION (4.5), POPULATION IS DETERMINED
PURSUANT TO THE MOST RECENTLY PUBLISHED POPULATION ESTIMATES
FROM THE STATE DEMOGRAPHER APPOINTED BY THE EXECUTIVE DIRECTOR
OF THE DEPARTMENT OF LOCAL AFFAIRS.

(5) On or before March 21, 2024, based on the information
available as of that date, the property tax administrator shall submit a
report to the general assembly describing the aggregate reduction of local
government TOTAL property tax revenue during REDUCTION FOR ALL
LOCAL GOVERNMENTAL ENTITIES STATEWIDE FOR the property tax year
commencing on January 1, 2023. as a result of the changes made in
Senate Bill 22-238, enacted in 2022, that reduced valuations for
assessment set forth pursuant to sections 39-1-104 (1)(b) and (1.8)(b),
39-1-104.2 (3)(q)(II) and (3)(r)(II), and 39-3-104.3 (2):

(5.5) (a) THE LOCAL GOVERNMENT BACKFILL CASH FUND IS
HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF
MONEY TRANSFERRED TO THE FUND IN ACCORDANCE WITH SUBSECTION
(5.5)(b) OF THIS SECTION. THE STATE TREASURER SHALL CREDIT ALL
INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF
MONEY IN THE LOCAL GOVERNMENT BACKFILL CASH FUND TO THE FUND.

(b) ON FEBRUARY 1, 2024, THE STATE TREASURER SHALL
TRANSFER ONE HUNDRED TWENTY-EIGHT MILLION DOLLARS FROM THE
GENERAL FUND TO THE FUND.

(c) THE MONEY IN THE FUND IS AVAILABLE FOR THE STATE
TREASURER TO PAY THE WARRANTS REQUIRED TO BE ISSUED IN
ACCORDANCE WITH SUBSECTION (4)(a)(II) OF THIS SECTION.

(6) This section is repealed, effective July 1, 2025.

SECTION 15. In Colorado Revised Statutes, amend 39-5-129 as
follows:


(1) As soon as practicable after the requisite taxes for the year have been levied but in no event later than January 10 of each year, the assessor shall deliver the tax warrant under his hand and official seal of the assessor to the treasurer, which shall be made readily available to the general public during the collection year in a convenient location in the courthouse. The assessor shall retain one or more true copies thereof, which shall be made readily available to the general public during the collection year in a convenient location in the courthouse. Such tax warrant shall set forth the assessment roll, reciting the persons in whose names taxable property in the county has been listed, the class of such taxable property and the valuation for assessment thereof, the several taxes levied against such valuation, and the amount of such taxes extended against each separate valuation. At the end of the warrant, the aggregate of all taxes levied shall be totaled, balanced, and prorated to the several funds of each levying authority, and the treasurer shall be commanded to collect all such taxes.

(2) (a) For the property tax year commencing on January 1, 2023, the deadline set forth in subsection (1) of this section is postponed from January 10, 2024, to February 2, 2024.

(b) This subsection (2) is repealed, effective July 1, 2025.

SECTION 16. In Colorado Revised Statutes, 39-10-103, add (1)(c) as follows:

39-10-103. Tax statement - repeal. (1) (c) (I) For the property tax year commencing on January 1, 2023, the treasurer shall mail the statement as soon as practicable after February
1, 2024.

(II) THIS SUBSECTION (1)(c) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 17. In Colorado Revised Statutes, 39-21-113, amend (24) as follows:


(24) Notwithstanding any other provision of this section, the executive director, after receiving from the property tax administrator a list of individuals who are claiming EITHER the property tax exemptions for qualifying seniors and disabled veterans allowed under part 2 of article 3 of this title OR THE PRIMARY RESIDENCE REAL PROPERTY OR QUALIFIED-SENIOR PRIMARY RESIDENCE REAL PROPERTY CLASSIFICATION FOR THE PROPERTY, shall provide to the property tax administrator information pertaining to the listed individuals, including their names, social security numbers, marital and income tax filing status, and residency status, needed by the administrator to verify that the exemption OR CLASSIFICATION is allowed only to applicants who satisfy legal requirements for claiming it. The administrator and the administrator's agents, clerks, and employees shall keep all information received from the executive director confidential, and any individual who fails to do so is guilty of a misdemeanor and subject to punishment as specified in subsection (6) of this section.

SECTION 18. In Colorado Revised Statutes, 39-22-2002, add (5.5) as follows:


(5.5) (a) IN ADDITION TO THE CALCULATIONS OTHERWISE REQUIRED BY THIS SECTION, NO LATER THAN OCTOBER 1, 2023, THE EXECUTIVE
DIRECTOR SHALL CALCULATE THE AMOUNT OF THE IDENTICAL INDIVIDUAL 
REFUND CALCULATED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION 
AND THE INCOME CLASSIFICATIONS AND THE AMOUNT OF THE REFUND 
ALLOWED FOR EACH INCOME CLASSIFICATION PURSUANT TO SECTION 
39-22-2003 (3) FOR THE TAXABLE YEAR COMMENCING DURING THE FISCAL 
YEAR BASED ON THE AMOUNT OF EXCESS STATE REVENUES THAT WILL BE 
REFUNDED UNDER SECTION 39-3-210 WITH OR WITHOUT THE PROVISIONS 
OF THIS SENATE BILL 23-____ TAKING EFFECT.

(b) THIS SUBSECTION (5.5) IS REPEALED, EFFECTIVE JULY 1, 2024.

SECTION 19. Effective date. (1) Except as otherwise provided 
in subsection (2) of this section, this act takes effect only if a majority of 
voters approve the ballot issue referred in accordance with section 
24-77-202, Colorado Revised Statutes, enacted in section 3 of this act, 
and in which case this act takes effect on the date of the official 
declaration of the vote thereon by the governor.

(2) Section 3, section 39-3-210 (1)(a.3), (1)(e), and (2.5) enacted 
or amended in section 14 of this act, section 18, this section 19, and 
section 20 of this act take effect upon passage.

SECTION 20. 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.