

CHAPTER 2

TAXATION

HOUSE BILL 24B-1003

BY REPRESENTATIVE(S) Soper and Joseph, Bacon, Clifford, English, Mauro, McCormick, McLachlan, Snyder, Titone, McCluskie;
also SENATOR(S) Priola and Baisley, Bridges, Roberts, Van Winkle.

AN ACT

CONCERNING PROPERTY TAX RELIEF FOR BUSINESSES, AND, IN CONNECTION THEREWITH, EXPANDING AND EXTENDING THE EXEMPTION FOR AGRICULTURAL EQUIPMENT AND MACHINERY USED IN CONTROLLED AGRICULTURAL FACILITIES.

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

SECTION 1. In Colorado Revised Statutes, 39-1-102, **amend** (1.3)(b)(II) and (1.3)(b)(III); and **add** (1.3)(b)(IV) as follows:

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

(1.3) "Agricultural equipment that is used on the farm or ranch or in a CEA facility in the production of agricultural products":

(b) Includes:

(II) Silviculture personal property that is designed, adapted, and used for the planting, growing, maintenance, or harvesting of trees in a raw or unprocessed state; **and**

(III) Any personal property within a facility, whether attached to a building or not, that is capable of being removed from the facility, and is used in direct connection with the operation of a controlled environment agricultural facility, which facility is used solely for planting, growing, or harvesting crops in a raw or unprocessed state; **AND**

(IV) ANY PERSONAL PROPERTY WITHIN A GREENHOUSE, WHETHER ATTACHED TO

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.

THE GREENHOUSE OR NOT, THAT IS CAPABLE OF BEING REMOVED FROM THE GREENHOUSE AND IS USED IN DIRECT CONNECTION WITH THE OPERATION OF A GREENHOUSE, WHICH GREENHOUSE IS USED SOLELY FOR PLANTING OR GROWING CROPS IN A RAW OR UNPROCESSED STATE, AND THE SOLE PURPOSE OF GROWING CROPS IN THE GREENHOUSE IS TO OBTAIN A MONETARY PROFIT FROM THE WHOLESALE OF PLANT-BASED FOOD FOR HUMAN OR LIVESTOCK CONSUMPTION.

SECTION 2. In Colorado Revised Statutes, 39-3-122, **amend** (2) as follows:

39-3-122. Agricultural equipment used in production of agricultural products - CEA facilities - exemption - definition. (2) On and after January 1, 2023, ~~but prior to January 1, 2028,~~ agricultural equipment that is used in any CEA facility OR GREENHOUSE is exempt from the levy and collection of property tax.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: September 6, 2024