

CHAPTER 302

TAXATION

SENATE BILL 98-100

BY SENATORS Ament and Lamborn;
also REPRESENTATIVES C. Berry, Agler, Arrington, Gotlieb, Grampsas, Lawrence, McPherson, Owen, Spradley, and T.
Williams.

AN ACT

CONCERNING THE SPECIFICATION OF CERTAIN BUSINESS PROPERTY INSTALLED THROUGH REAL
PROPERTY AS PERSONAL PROPERTY FOR PROPERTY TAX PURPOSES.

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

SECTION 1. 39-1-102 (11), Colorado Revised Statutes, is amended to read:

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

(11) "Personal property" means everything ~~which~~ THAT is the subject of ownership and ~~which~~ THAT is not included within the term "real property". "Personal property" includes machinery, equipment, and other articles related to a commercial or industrial operation ~~which~~ THAT are either affixed or not affixed to the real property for proper utilization of such articles. EXCEPT AS OTHERWISE SPECIFIED IN ARTICLES 1 TO 13 OF THIS TITLE, ANY PIPELINE, TELECOMMUNICATIONS LINE, UTILITY LINE, CABLE TELEVISION LINE, OR OTHER SIMILAR BUSINESS ASSET OR ARTICLE INSTALLED THROUGH AN EASEMENT, RIGHT-OF-WAY, OR LEASEHOLD FOR THE PURPOSE OF COMMERCIAL OR INDUSTRIAL OPERATION AND NOT FOR THE ENHANCEMENT OF REAL PROPERTY SHALL BE DEEMED TO BE PERSONAL PROPERTY, INCLUDING, WITHOUT LIMITATION, OIL AND GAS DISTRIBUTION AND TRANSMISSION PIPELINES, GATHERING SYSTEM PIPELINES, FLOW LINES, PROCESS LINES, AND RELATED WATER PIPELINE COLLECTION, TRANSPORTATION, AND DISTRIBUTION SYSTEMS. STRUCTURES AND OTHER BUILDINGS INSTALLED ON AN EASEMENT, RIGHT-OF-WAY, OR LEASEHOLD THAT ARE NOT SPECIFICALLY REFERENCED IN THIS SUBSECTION (11) SHALL BE DEEMED TO BE IMPROVEMENTS PURSUANT TO SUBSECTION (7) OF THIS SECTION.

SECTION 2. No appropriation. The general assembly has determined that this

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the provisions of this act.

SECTION 3. Effective date - applicability. This act shall take effect upon passage, and shall apply to property tax obligations for property tax years commencing on or after January 1, 1998.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 1, 1998