

CHAPTER 109

TAXATION

SENATE BILL 01-115

BY SENATOR(S) Cairns, Andrews, Arnold, Dyer (Arapahoe), Epps, Evans, Gordon, Hanna, Hillman, May, McElhany, Musgrave, Owen, and Teck;
also REPRESENTATIVE(S) Schultheis, Coleman, Crane, Hefley, and Mace.

AN ACT

CONCERNING THE RELEASE OF INFORMATION IDENTIFYING INDIVIDUALS WHO DEFER THE PAYMENT OF PROPERTY TAXES PURSUANT TO THE STATE ELDERLY PROPERTY TAX DEFERRAL PROGRAM.

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

SECTION 1. Article 3.5 of title 39, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

39-3.5-119. Release of information identifying individuals claiming deferral.

(1) NOTWITHSTANDING THE PROVISIONS OF PART 2 OF ARTICLE 72 OF TITLE 24, C.R.S., OR ANY OTHER PROVISION OF LAW TO THE CONTRARY, COUNTY TREASURERS AND THE STATE TREASURER SHALL DENY REQUESTS FROM INDIVIDUALS, CORPORATIONS, OR OTHER PRIVATE ENTITIES TO INSPECT OR PRODUCE THE NAMES, ADDRESSES, PHONE NUMBERS, SOCIAL SECURITY NUMBERS, OR OTHER INFORMATION IDENTIFYING INDIVIDUALS WHO CLAIM DEFERRALS PURSUANT TO THIS ARTICLE.

(2) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT INDIVIDUALS FROM EXAMINING RECORDS RECORDED IN COUNTY RECORDS BY THE COUNTY CLERK AND RECORDER NOR SHALL IT BE CONSTRUED TO PROHIBIT THE DISCLOSURE OF INFORMATION:

(a) REQUIRED IN CONNECTION WITH GRANTING OR DENYING A CLAIM FOR DEFERRAL;

(b) REQUIRED IN CONNECTION WITH AN ADMINISTRATIVE, JUDICIAL, OR OTHER LEGAL PROCEEDING;

(c) REQUIRED IN CONNECTION WITH THE CONVEYANCE, SALE, OR ENCUMBRANCE

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

OF A SPECIFIC PROPERTY;

(d) WHEN THE INFORMATION IS CONTAINED IN A STATISTICAL COMPILATION OR OTHER INFORMATIONAL SUMMARY THAT DOES NOT DISCLOSE INDIVIDUAL IDENTIFYING INFORMATION; OR

(e) WHEN THE INDIVIDUAL CLAIMING THE EXEMPTION HAS AGREED TO THE DISCLOSURE.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 30, 2001