

CHAPTER 164

TAXATION

SENATE BILL 01-035

BY SENATOR(S) Anderson, Dyer (Arapahoe), Dyer (Durango), Lamborn, and Taylor;
also REPRESENTATIVE(S) Swenson, Spradley, and Vigil.

AN ACT

CONCERNING THE TAXABLE VALUE OF CERTAIN TYPES OF PERSONAL PROPERTY, AND, IN CONNECTION THEREWITH, CHANGING THE TAXABLE VALUE OF CLASS A AND B PERSONAL PROPERTY THAT HAS AN EMPTY VEHICLE WEIGHT OF LESS THAN OR EQUAL TO SIXTEEN THOUSAND POUNDS FROM ACTUAL PURCHASE PRICE TO SEVENTY-FIVE PERCENT OF THE MANUFACTURER'S SUGGESTED RETAIL PRICE, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. 42-3-107 (1) (a) (I), Colorado Revised Statutes, is amended, and the said 42-3-107 (1) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

42-3-107. Taxable value of classes of property - rate of tax - when and where payable - department duties - apportionment of tax collections - definitions - repeal. (1) (a) (I) The taxable value of every item of Class A or Class B personal property GREATER THAN SIXTEEN THOUSAND POUNDS DECLARED EMPTY VEHICLE WEIGHT shall be the actual purchase price of such property. Such price shall not include any applicable federal excise tax, transportation or shipping costs, or preparation and delivery costs. THE TAXABLE VALUE OF EVERY ITEM OF CLASS A OR CLASS B PERSONAL PROPERTY LESS THAN OR EQUAL TO SIXTEEN THOUSAND POUNDS DECLARED EMPTY VEHICLE WEIGHT SHALL BE SEVENTY-FIVE PERCENT OF THE MANUFACTURER'S SUGGESTED RETAIL PRICE.

(IV) (A) ALL TAX ADJUSTMENTS REQUIRED BY SENATE BILL 01-035, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY, PRIOR TO THE EFFECTIVE DATE OF SAID SENATE BILL 01-035, SHALL BE MADE IN THE FORM OF A CREDIT TO FUTURE TAXES DUE PURSUANT TO THIS PARAGRAPH (a).

(B) THIS SUBPARAGRAPH (IV) IS REPEALED, EFFECTIVE JULY 1, 2002.

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

SECTION 2. 42-1-211, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

42-1-211. Distributive data processing system - repeal. (8) (a) ONE HUNDRED SEVEN THOUSAND TWO HUNDRED FOUR DOLLARS OF THE MONEYS RECEIVED BY THE DEPARTMENT FROM THE FEES IMPOSED BY SECTIONS 42-3-114 (7), 42-3-115 (4), AND 42-3-122 SHALL BE CREDITED TO THE SPECIAL PURPOSE ACCOUNT IN THE HIGHWAY USERS TAX FUND CREATED IN SUBSECTION (2) OF THIS SECTION. SUCH ONE HUNDRED SEVEN THOUSAND TWO HUNDRED FOUR DOLLARS, OR SO MUCH AS MAY BE NECESSARY, SHALL BE USED FOR THE IMPLEMENTATION OF SENATE BILL 01-035, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY.

(b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2002.

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the distributive data processing fund not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2001, the sum of one hundred seven thousand two hundred four dollars (\$107,204) and 2.9 FTE, or so much thereof as may be necessary, for the implementation of this act.

SECTION 4. Effective date - applicability. This act shall take effect upon passage. This act shall apply to specific ownership taxes due on or after August 1, 2000, and any titles required to be reissued, or taxable values reestablished under this act.

SECTION 5. 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: May 22, 2001