

CHAPTER 346

**GOVERNMENT - LOCAL**

**SENATE BILL 02-097**

BY SENATOR(S) Tate, Fitz-Gerald, Takis, Gordon, Hagedorn, Hanna, Hernandez, Isgar, Linkhart, Matsunaka, Nichol, Pascoe, Phillips, Reeves, Thiebaut, Tupa, and Windels;  
also REPRESENTATIVE(S) Romanoff, Boyd, Chavez, Coleman, Groff, Grossman, Jahn, Mace, Madden, Marshall, Plant, Sanchez, Veiga, Vigil, Weddig, and Williams S.

**AN ACT**

**CONCERNING THE MODIFICATION OF STATE HOUSING AUTHORITY LAW TO MAKE THE STATUTORY PROVISIONS GOVERNING ALL HOUSING AUTHORITIES CONSISTENT WITH THE PROVISIONS GOVERNING CITY HOUSING AUTHORITIES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** 29-1-204.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**29-1-204.5. Establishment of multijurisdictional housing authorities.** (10) AN AUTHORITY AND THE PROPERTY OF AN AUTHORITY SHALL BE EXEMPT FROM ALL TAXES AND SPECIAL ASSESSMENTS ON THE SAME BASIS AND SUBJECT TO THE SAME CONDITIONS AS PROVIDED FOR CITY HOUSING AUTHORITIES IN SECTIONS 29-4-226 AND 29-4-227.

**SECTION 2.** 29-4-502 (4) and (5), Colorado Revised Statutes, are amended to read:

**29-4-502. Definitions.** As used in this part 5, unless the context otherwise requires:

(4) "Federal government" means the United States, ~~the public housing administration, the U.S. housing authority and~~ THE FEDERAL EMERGENCY ADMINISTRATOR OF PUBLIC WORKS, OR any other agency or instrumentality, corporate or otherwise, of the United States.

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

(5) "Project" means all real and personal property, buildings and improvements, stores, offices, lands for farming and gardening, COMMERCIAL FACILITIES, and community facilities acquired or constructed or to be acquired or constructed pursuant to a single plan or undertaking, to demolish, clear, remove, alter, or repair unsanitary or unsafe housing or to provide dwelling accommodations ~~at rentals~~ ON FINANCIAL TERMS within the means of persons of low income. The term "project" ~~may also be applied~~ ALSO APPLIES to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration, and repair of the improvements, and all other work in connection therewith. THE TERM "PROJECT" ALSO APPLIES TO THE PROVISION OF DWELLING ACCOMMODATIONS TO PERSONS, WITHOUT REGARD TO INCOME, AS LONG AS THE PROJECT SUBSTANTIALLY BENEFITS PERSONS OF LOW INCOME AS DETERMINED BY AN AUTHORITY.

**SECTION 3.** 29-4-507, Colorado Revised Statutes, is amended to read:

**29-4-507. Exemption from special assessments - tax exemptions.** THE AUTHORITY AND the property of the authority is ~~declared to be public property used for essential public and governmental purposes, and such property and authority shall~~ be exempt from all taxes of any city, town, county, state, or political subdivision thereof AND SPECIAL ASSESSMENTS ON THE SAME BASIS AND SUBJECT TO THE SAME CONDITIONS AS PROVIDED FOR CITY HOUSING AUTHORITIES IN SECTIONS 29-4-226 AND 29-4-227. In lieu of taxes on its property, the authority may agree to make such annual payments to the taxing bodies in which the projects are situated as it finds consistent with the maintenance of the low rent character of the projects or the achievement of the purposes of this part 5.

**SECTION 4. Applicability.** Sections 1, 2, and 3 of this act shall apply only with respect to taxable years beginning after December 31, 2000.

**SECTION 5. Appropriation - adjustment in 2002 long bill.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2002, the sum of eleven thousand one hundred fifty-five dollars (\$11,155), or so much thereof as may be necessary, for the implementation of this act.

(2) For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2002, shall be adjusted as follows:

(a) The appropriation to the department of local affairs, division of housing, for the Colorado affordable housing construction grants and loans program, is decreased by eleven thousand one hundred fifty-five dollars (\$11,155). Said sum shall be from the general fund.

**SECTION 6. 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 7, 2002