

## CHAPTER 431

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**TAXATION**


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**SENATE BILL 09-085**

BY SENATOR(S) Scheffel and Williams, Mitchell, Boyd, Gibbs, Groff, Heath, King K., Lundberg, Newell, Sandoval, Spence, Cadman, Schwartz, Tapia;  
 also REPRESENTATIVE(S) Rice and Priola, Lambert, McNulty, Balmer, Baumgardner, Bradford, Frangas, Gardner B., Gerou, Kefalas, Kerr J., King S., Liston, Looper, Massey, May, McFadyen, Middleton, Murray, Nikkel, Scanlan, Swalm, Tipton, Todd, Carroll T.

**AN ACT**

**CONCERNING THE CREATION OF A LEGISLATIVE TASK FORCE TO STUDY A PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL PROPERTY.**

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

**SECTION 1.** Article 2 of title 2, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 15**  
**LEGISLATIVE TASK FORCE ON THE BUSINESS**  
**PERSONAL PROPERTY TAX**

**2-2-1501. Legislative task force on the business personal property tax - creation - duties - repeal.** (1) THERE IS HEREBY CREATED THE LEGISLATIVE TASK FORCE ON THE BUSINESS PERSONAL PROPERTY TAX, REFERRED TO IN THIS SECTION AS THE "TASK FORCE". THE TASK FORCE SHALL MEET IN THE INTERIM AFTER THE CONCLUSION OF THE FIRST REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL ASSEMBLY. THE TASK FORCE SHALL CONSIST OF:

(a) FIVE MEMBERS FROM THE SENATE, THREE OF WHOM SHALL BE APPOINTED BY THE PRESIDENT OF THE SENATE AND TWO OF WHOM SHALL BE APPOINTED BY THE MINORITY LEADER OF THE SENATE;

(b) FIVE MEMBERS FROM THE HOUSE OF REPRESENTATIVES, THREE OF WHOM SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TWO OF WHOM SHALL BE APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF

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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.*

REPRESENTATIVES;

(c) THE PROPERTY TAX ADMINISTRATOR, OR HIS OR HER DESIGNEE;

(d) A REPRESENTATIVE OF THE COLORADO MUNICIPAL LEAGUE;

(e) A REPRESENTATIVE OF COLORADO COUNTIES, INCORPORATED;

(f) A MEMBER OF A LOCAL CHAMBER OF COMMERCE, WHO SHALL BE APPOINTED BY THE GOVERNOR;

(g) A REPRESENTATIVE OF A SMALL BUSINESS IN THE STATE, WHO SHALL BE APPOINTED BY THE GOVERNOR;

(h) A REPRESENTATIVE OF A LARGE BUSINESS IN THE STATE, WHO SHALL BE APPOINTED BY THE GOVERNOR; AND

(i) A MEMBER OF THE PUBLIC WITH EXPERTISE IN TAX POLICY, WHO SHALL BE APPOINTED BY THE GOVERNOR.

(2) THE TASK FORCE SHALL STUDY, BUT NEED NOT LIMIT ITS CONSIDERATION TO, THE FOLLOWING:

(a) BUSINESS PERSONAL PROPERTY TAX EXEMPTIONS THAT ELIMINATE OR PHASE OUT THE BUSINESS PERSONAL PROPERTY TAX;

(b) AN ANALYSIS OF THE CUMULATIVE FISCAL IMPACT OF THE EXEMPTIONS ON THE STATE AND LOCAL GOVERNMENTS; AND

(c) METHODS TO REIMBURSE ANY REVENUE LOSSES TO LOCAL GOVERNMENTS RESULTING FROM THE EXEMPTIONS.

(3) THE TASK FORCE SHALL MEET AT LEAST SIX TIMES, WITH THE FIRST MEETING OCCURRING NO LATER THAN AUGUST 1, 2009, TASK FORCE MEETINGS SHALL BE OPEN TO THE PUBLIC, AND THE TASK FORCE SHALL SOLICIT THE TESTIMONY OF THE MEMBERS OF THE PUBLIC.

(4) (a) MEMBERS OF THE TASK FORCE SHALL NOT BE COMPENSATED FOR ATTENDANCE AT TASK FORCE MEETINGS, NOR SHALL THEY BE ELIGIBLE TO RECEIVE ANY REIMBURSEMENT FOR ANY EXPENSE INCURRED.

(b) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL NOT BE AVAILABLE TO ASSIST THE TASK FORCE IN CARRYING OUT ITS DUTIES.

(5) NO LATER THAN NOVEMBER 1, 2009, THE TASK FORCE MAY MAKE A REPORT TO THE GENERAL ASSEMBLY THAT INCLUDES RECOMMENDATIONS FOR LEGISLATION.

(6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2010.

**SECTION 2. 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 4, 2009