

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 21-1030.03 Ed DeCecco x4216

SENATE BILL 21-293

SENATE SPONSORSHIP

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Senate Committees

Finance
Appropriations

House Committees

Finance
Appropriations

HOUSE
3rd Reading Unamended
June 8, 2021

A BILL FOR AN ACT

101 **CONCERNING PROPERTY TAXATION, AND, IN CONNECTION THEREWITH,**
102 **ESTABLISHING SUBCLASSES OF RESIDENTIAL AND**
103 **NONRESIDENTIAL PROPERTY; FOR THE 2022 AND 2023 PROPERTY**
104 **TAX YEARS, TEMPORARILY REDUCING THE ASSESSMENT RATE**
105 **FOR PROPERTY CLASSIFIED AS AGRICULTURAL PROPERTY OR**
106 **RENEWABLE ENERGY PRODUCTION PROPERTY FROM**
107 **TWENTY-NINE PERCENT TO TWENTY-SIX AND FOUR-TENTHS**
108 **PERCENT, FOR PROPERTY CLASSIFIED AS MULTI-FAMILY**
109 **RESIDENTIAL REAL PROPERTY FROM SEVEN AND FIFTEEN**
110 **ONE-HUNDREDTHS PERCENT TO SIX AND EIGHT-TENTHS**
111 **PERCENT, CONTINGENT ON THE ASSESSMENT RATE NOT**
112 **OTHERWISE BEING REDUCED BY AN INITIATED MEASURE, AND**
113 **FOR ALL OTHER RESIDENTIAL REAL PROPERTY FROM SEVEN AND**

HOUSE
2nd Reading Unamended
June 7, 2021

SENATE
Amended 3rd Reading
June 7, 2021

SENATE
Amended 2nd Reading
June 4, 2021

*Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

101 FIFTEEN ONE-HUNDREDTHS PERCENT TO SIX AND NINETY-FIVE
102 ONE-HUNDREDTHS PERCENT; RESTRUCTURING THE ASSESSMENT
103 RATE LAWS; _____ EXPANDING THE PROPERTY TAX DEFERRAL
104 PROGRAM TO ALLOW TAXPAYERS TO DEFER INCREASES IN
105 PROPERTY TAXES IN LIMITED CIRCUMSTANCES; AND MAKING AN
106 APPROPRIATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Section 1 of the bill repeals a moratorium on changing a ratio for valuation for assessment (assessment rate), which is the percentage applied to a property's actual value to determine the taxable amount upon which a mill levy is imposed. **Section 2** classifies agricultural property, lodging property, and renewable energy production property as new subclasses of nonresidential property. The assessment rate for agricultural property and renewable energy production property is temporarily reduced from 29% to 26.4% for the next 2 property tax years. The law is restructured so that, if a proposed initiative to reduce the assessment rate for nonresidential property is approved by voters, then it would only apply to lodging property.

Section 3 classifies multi-family residential real property as a new subclass of residential real property. The law is restructured so that, if a proposed initiative to reduce the residential assessment rate is approved by voters, then it would only apply to multi-family residential real property. If the initiative fails, then, under **section 4**, the assessment rate for multi-family residential real property is temporarily reduced from 7.15% to 6.8% for the next 2 property tax years. The assessment rate for all residential real property other than multi-family property is temporarily reduced from 7.15% to 6.95% for the next 2 property tax years.

Sections 5 through 8 expand the property tax deferral program to allow any person to defer the payment of the portion of real property taxes that exceed the tax-growth cap, which is an amount equal to the average of the person's real property taxes paid for the preceding 2 property tax years for the same homestead, increased by 4.6%. The total taxes that a taxpayer may defer under this authorization is \$10,000, and the taxpayer is treated like a person called into military service for

purposes of the equity the person must have in the homestead to qualify for deferral and surviving-spouse eligibility.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 39-1-103.8 as
3 follows:

4 **39-1-103.8. Valuation for assessment - future increases.**
5 ~~Beginning with the property tax year that commences on January 1, 2020,~~
6 ~~there is a moratorium on changing the ratio of valuation for assessment~~
7 ~~for any class of property.~~

8 **SECTION 2.** In Colorado Revised Statutes, 39-1-104, **amend** (1)
9 and (4); and **add** (1.6) and (1.8) as follows:

10 **39-1-104. Valuation for assessment - definitions.** (1) The
11 valuation for assessment of all taxable property in the state shall be
12 twenty-nine percent of the actual value thereof as determined by the
13 assessor and the administrator in the manner prescribed by law, and such
14 percentage shall be uniformly applied, without exception, to the actual
15 value, so determined, of the ~~various classes and subclasses of real and~~
16 ~~personal property located within the territorial limits of the authority~~
17 ~~levying a property tax, and all property taxes shall be levied against the~~
18 ~~aggregate valuation for assessment resulting from the application of such~~
19 ~~percentage. This subsection (1) shall not apply to residential real property,~~
20 ~~producing mines, and lands or leaseholds producing oil or gas~~ ONLY
21 APPLIES TO _____ NONRESIDENTIAL PROPERTY THAT IS CLASSIFIED AS
22 LODGING PROPERTY.

23 (1.6) (a) HOTELS, MOTELS, BED AND BREAKFASTS, AND PERSONAL
24 PROPERTY LOCATED AT A HOTEL, MOTEL, OR BED AND BREAKFAST ARE
25 CLASSIFIED AS LODGING PROPERTY, WHICH IS A SUBCLASS OF

1 NONRESIDENTIAL PROPERTY FOR PURPOSES OF THE VALUATION FOR
2 ASSESSMENT. CLASSIFICATION AS A LODGING PROPERTY DOES NOT AFFECT
3 A PARTIAL ALLOCATION AS RESIDENTIAL REAL PROPERTY IF A LODGING
4 PROPERTY IS A MIXED-USE PROPERTY.

5 (b) REAL AND PERSONAL PROPERTY VALUED UNDER SECTION
6 39-4-102 (1)(e) OR (1.5) OR SECTION 39-5-104.7 IS CLASSIFIED AS
7 RENEWABLE ENERGY PRODUCTION PROPERTY, WHICH IS A SUBCLASS OF
8 NONRESIDENTIAL PROPERTY FOR PURPOSES OF THE VALUATION FOR
9 ASSESSMENT.

10 (c) REAL AND PERSONAL AGRICULTURAL PROPERTY IS A SUBCLASS
11 OF NONRESIDENTIAL PROPERTY FOR PURPOSES OF THE VALUATION FOR
12 ASSESSMENT.

13 (1.8) (a) THE VALUATION FOR ASSESSMENT OF REAL AND
14 PERSONAL PROPERTY THAT IS CLASSIFIED AS AGRICULTURAL PROPERTY OR
15 RENEWABLE ENERGY PRODUCTION PROPERTY IS TWENTY-NINE PERCENT OF
16 THE ACTUAL VALUE THEREOF; EXCEPT THAT, FOR PROPERTY TAX YEARS
17 COMMENCING ON JANUARY 1, 2022, AND JANUARY 1, 2023, THE
18 VALUATION FOR ASSESSMENT OF THIS PROPERTY IS TEMPORARILY
19 REDUCED TO TWENTY-SIX AND FOUR-TENTHS PERCENT OF THE ACTUAL
20 VALUE THEREOF.

21 (b) THE VALUATION FOR ASSESSMENT OF ALL NONRESIDENTIAL
22 PROPERTY THAT IS NOT SPECIFIED IN SUBSECTION (1) OR (1.8)(a) OF THIS
23 SECTION IS TWENTY-NINE PERCENT OF THE ACTUAL VALUE THEREOF.

24
25 (c) THE ACTUAL VALUE OF REAL AND PERSONAL PROPERTY
26 SPECIFIED IN SUBSECTION (1.8)(a) OR (1.8)(b) OF THIS SECTION IS
27 DETERMINED BY THE ASSESSOR AND THE ADMINISTRATOR IN THE MANNER

1 PRESCRIBED BY LAW, AND A VALUATION FOR ASSESSMENT PERCENTAGE IS
2 UNIFORMLY APPLIED, WITHOUT EXCEPTION, TO THE ACTUAL VALUE, SO
3 DETERMINED, OF THE VARIOUS CLASSES AND SUBCLASSES OF REAL AND
4 PERSONAL PROPERTY LOCATED WITHIN THE TERRITORIAL LIMITS OF THE
5 AUTHORITY LEVYING A PROPERTY TAX, AND ALL PROPERTY TAXES ARE
6 LEVIED AGAINST THE AGGREGATE VALUATION FOR ASSESSMENT
7 RESULTING FROM THE APPLICATION OF THE PERCENTAGE.

8 (d) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
9 REQUIRES, "NONRESIDENTIAL PROPERTY" MEANS ALL TAXABLE REAL AND
10 PERSONAL PROPERTY IN THE STATE OTHER THAN RESIDENTIAL REAL
11 PROPERTY, PRODUCING MINES, OR LANDS OR LEASEHOLDS PRODUCING OIL
12 OR GAS. NONRESIDENTIAL PROPERTY INCLUDES THE SUBCLASSES OF
13 AGRICULTURAL PROPERTY, LODGING PROPERTY, AND RENEWABLE ENERGY
14 PRODUCTION PROPERTY FOR PURPOSES OF THE RATIO OF VALUATION FOR
15 ASSESSMENT.

16 (4) Except as provided in section 39-7-109, nonproducing severed
17 mineral interests are to be valued at twenty-nine percent of actual value
18 in the same manner as other real property SPECIFIED IN SUBSECTION
19 (1.8)(b) OF THIS SECTION. Such valuation shall be determined by the
20 assessing officer only upon preponderant evidence shown by such officer
21 that the cost approach, market approach, and income approach result in
22 uniform and just and equal valuation.

23 **SECTION 3.** In Colorado Revised Statutes, 39-1-104.2, **amend**
24 (1)(a) and (3)(q); and **add** (3)(r) as follows:

25 **39-1-104.2. Adjustment of residential rate - legislative**
26 **declaration - definitions.** (1) As used in this section, unless the context
27 otherwise requires:

1 (a) ~~"Residential rate" means the ratio of valuation for assessment~~
2 ~~for residential real property fixed in accordance with this section.~~
3 "MULTI-FAMILY RESIDENTIAL REAL PROPERTY" MEANS RESIDENTIAL REAL
4 PROPERTY THAT IS A DUPLEX, TRIPLEX OR MULTI-STRUCTURE OF FOUR OR
5 MORE UNITS, ALL OF WHICH ARE BASED ON THE CLASS CODES ESTABLISHED
6 IN THE MANUAL PUBLISHED BY THE ADMINISTRATOR. MULTI-FAMILY
7 RESIDENTIAL REAL PROPERTY IS A SUBCLASS OF RESIDENTIAL REAL
8 PROPERTY FOR PURPOSES OF THE RATIO OF VALUATION FOR ASSESSMENT.

9 (3) (q) The ratio of valuation for assessment for MULTI-FAMILY
10 residential real property is 7.15 percent of actual value for property tax
11 years commencing on or after January 1, 2019, until the next property tax
12 year that the general assembly adjusts the ratio of valuation for
13 assessment for residential real property.

14 (r) THE RATIO OF VALUATION FOR ASSESSMENT FOR ALL
15 RESIDENTIAL REAL PROPERTY OTHER THAN MULTI-FAMILY RESIDENTIAL
16 REAL PROPERTY IS 7.15 PERCENT OF ACTUAL VALUE; EXCEPT THAT, FOR
17 PROPERTY TAX YEARS COMMENCING ON JANUARY 1, 2022, AND JANUARY
18 1, 2023, THE RATIO OF VALUATION FOR ASSESSMENT FOR ALL RESIDENTIAL
19 REAL PROPERTY OTHER THAN MULTI-FAMILY RESIDENTIAL REAL PROPERTY
20 IS TEMPORARILY REDUCED TO 6.95 PERCENT OF ACTUAL VALUE.

21 **SECTION 4.** In Colorado Revised Statutes, 39-1-104.2, **amend**
22 (3)(q) as follows:

23 **39-1-104.2. Adjustment of residential rate - legislative**
24 **declaration - definitions.** (3) (q) The ratio of valuation for assessment
25 for MULTI-FAMILY residential real property is 7.15 percent of actual value
26 for property tax years commencing on or after January 1, 2019; ~~until the~~
27 ~~next property tax year that the general assembly adjusts the ratio of~~

1 ~~valuation for assessment for residential real property~~; EXCEPT THAT, FOR
2 PROPERTY TAX YEARS COMMENCING ON JANUARY 1, 2022, AND JANUARY
3 1, 2023, THE RATIO OF VALUATION FOR ASSESSMENT FOR MULTI-FAMILY
4 RESIDENTIAL REAL PROPERTY IS TEMPORARILY REDUCED TO 6.8 PERCENT
5 OF ACTUAL VALUE.

6 **SECTION 5.** In Colorado Revised Statutes, 39-3.5-101, **amend**
7 the introductory portion; and **add** (3.5) as follows:

8 **39-3.5-101. Definitions.** As used in this ~~article~~ ARTICLE 3.5,
9 unless the context otherwise requires:

10 (3.5) "TAX-GROWTH CAP" MEANS AN AMOUNT EQUAL TO THE
11 AVERAGE OF A PERSON'S REAL PROPERTY TAXES PAID ON THE SAME
12 HOMESTEAD FOR THE TWO PROPERTY TAX YEARS PRECEDING THE YEAR A
13 DEFERRAL IS CLAIMED, INCREASED BY FOUR PERCENT.

14 **SECTION 6.** In Colorado Revised Statutes, 39-3.5-102, **amend**
15 (2) introductory portion, (2)(a), and (2.5); and **add** (1)(c) as follows:

16 **39-3.5-102. Deferral of tax on homestead - qualifications -**
17 **filing of claim.** (1) (c) (I) SUBJECT TO THE PROVISIONS OF THIS ARTICLE
18 3.5, INCLUDING THE LIMITATIONS SET FORTH IN SUBSECTION (1)(c)(II) OF
19 THIS SECTION, BEGINNING JANUARY 1, 2023, A PERSON WHO IS NOT
20 OTHERWISE ELIGIBLE FOR DEFERRAL UNDER THIS SECTION MAY ELECT TO
21 DEFER THE PAYMENT OF THE PORTION OF REAL PROPERTY TAXES THAT
22 EXCEED THE PERSON'S TAX-GROWTH CAP. TO EXERCISE THIS OPTION, THE
23 TAXPAYER MUST FILE A CLAIM FOR DEFERRAL WITH THE TREASURER OF
24 THE COUNTY IN WHICH THE TAXPAYER'S HOMESTEAD IS LOCATED. THE
25 TAXPAYER MUST FILE THE CLAIM AFTER JANUARY 1 AND ON OR BEFORE
26 APRIL 1 OF EACH YEAR IN WHICH THE TAXPAYER CLAIMS THE DEFERRAL.

27 (II) IN ADDITION TO ANY OTHER LIMITATIONS SET FORTH IN THIS

1 ARTICLE 3.5, THE MINIMUM AMOUNT OF REAL PROPERTY TAXES THAT MAY
2 BE DEFERRED UNDER THIS SUBSECTION (1)(c) AT ONE TIME IS ONE
3 HUNDRED DOLLARS, AND THE TOTAL AMOUNT OF REAL PROPERTY TAXES
4 THAT A PERSON MAY DEFER UNDER THIS SUBSECTION (1)(c) FOR ALL
5 YEARS SHALL NOT EXCEED TEN THOUSAND DOLLARS. IF A TAXPAYER'S
6 SURVIVING SPOUSE ELECTS TO CONTINUE DEFERRAL UNDER SECTION
7 39-3.5-112 (1.5)(a), THE SAME TOTAL LIMIT APPLIES TO THE TAXPAYER
8 AND THE SURVIVING SPOUSE.

9 (III) A PERSON WHO PREVIOUSLY DEFERRED REAL PROPERTY
10 TAXES AS A PERSON CALLED INTO MILITARY SERVICE BUT IS NO LONGER
11 ELIGIBLE FOR A NEW DEFERRAL ON THAT BASIS MAY DEFER ADDITIONAL
12 REAL PROPERTY TAXES UNDER THIS SUBSECTION (1)(c).

13 (2) When a taxpayer who is sixty-five years of age or older, ~~or~~
14 who is a person called into military service, OR WHO IS OTHERWISE
15 ELIGIBLE UNDER SUBSECTION (1)(c) OF THIS SECTION files a valid claim
16 for deferral under subsection (1) of this section, it ~~shall have~~ HAS the
17 effect of:

18 (a) Deferring the payment of ~~his~~ THE TAXPAYER'S real property
19 taxes OR IN THE CASE OF A PERSON WHO IS OTHERWISE ELIGIBLE, A
20 PORTION OF THE TAXPAYER'S REAL PROPERTY TAXES, for the calendar year
21 previous to the year in which the claim is filed;

22 (2.5) (a) A person called into military service may defer only the
23 real property taxes payable in a year in which the person is a person called
24 into military service. A person who is no longer a person called into
25 military service may file a valid claim in a subsequent year to continue the
26 PRIOR ALLOWABLE deferral of taxes. ~~payable in a year in which the person~~
27 ~~was a person called into military service.~~

1 (b) A PERSON WHO DEFERS A PORTION OF REAL PROPERTY TAXES
2 UNDER SUBSECTION (1)(c) OF THIS SECTION MAY FILE A VALID CLAIM IN A
3 SUBSEQUENT YEAR TO CONTINUE THE PRIOR ALLOWABLE DEFERRAL OF
4 TAXES.

5 **SECTION 7.** In Colorado Revised Statutes, 39-3.5-103, **amend**
6 (1) introductory portion, (1)(d.5)(I) introductory portion, and
7 (1)(d.5)(I)(B) as follows:

8 **39-3.5-103. Property entitled to deferral.** (1) In order to qualify
9 for real property tax deferral under this ~~article~~ ARTICLE 3.5, the property
10 shall meet all of the following requirements at the time the claim is filed
11 and so long thereafter as payment is deferred:

12 (d.5) (I) ~~On or after January 1, 2006,~~ Either of the following
13 applies to the property:

14 (B) The owner of the property is a person called into military
15 service OR A PERSON ELIGIBLE FOR DEFERRAL UNDER SECTION 39-3.5-102
16 (1)(c), and the total value of all liens of mortgages and deeds of trust on
17 the property, excluding any mortgage or deed of trust that the holder has
18 agreed, on a form designated by the state treasurer, to subordinate to the
19 lien of the state for deferred taxes, is less than or equal to ninety percent
20 of the actual value of the property, as determined by the county assessor.

21 **SECTION 8.** In Colorado Revised Statutes, 39-3.5-112, **amend**
22 (1.5)(a) introductory portion and (1.5)(a)(I) as follows:

23 **39-3.5-112. Election by spouse to continue tax deferral.**
24 (1.5) (a) Notwithstanding the provisions of section 39-3.5-110 (1)(a),
25 when a taxpayer who claimed a tax deferral pursuant to this ~~article~~
26 ARTICLE 3.5 dies, the loan for deferred real property taxes, including
27 accrued interest, shall not become payable if:

1 (I) The taxpayer was a person called into military service OR WAS
2 A PERSON ELIGIBLE FOR DEFERRAL UNDER SECTION 39-3.5-102 (1)(c);

3 **SECTION 9.** In Colorado Revised Statutes, **add 39-3.5-120** as
4 follows:

5 **39-3.5-120. Expansion of deferral program - consultation -**
6 **repeal.** (1) THE GOVERNOR'S OFFICE, IN CONSULTATION WITH THE STATE
7 TREASURER, SHALL COMMISSION A STUDY OF THE PROPERTY TAX
8 DEFERRAL PROGRAM CREATED IN THIS ARTICLE 3.5 AND MAKE
9 RECOMMENDATIONS FOR POSSIBLE CHANGES TO THE PROGRAM TO THE
10 GENERAL ASSEMBLY BY JANUARY 1, 2022. THE STUDY SHALL EXPLORE
11 BEST PRACTICES TO STRUCTURE AND ADMINISTER A LOW-INTEREST LOAN
12 PROGRAM TO ASSIST QUALIFYING HOMEOWNERS IN PAYING ANNUAL
13 PROPERTY TAXES ON THEIR PRINCIPAL RESIDENCE. THE STUDY SHALL
14 INCLUDE, BUT NOT BE LIMITED TO, ESTIMATED PARTICIPATION RATES,
15 CASH-FLOW ANALYSIS, ESTIMATED AVERAGE LOAN SIZE, ESTIMATED LOAN
16 DURATION AND WHETHER DURATION SHOULD BE LIMITED, ESTIMATED
17 SECURED DEBT FOR PRIMARY RESIDENCES, INCOME-BASED ELIGIBILITY
18 ALTERNATIVES, A MARKET ANALYSIS FOR THE STATE TO SECURITIZE THE
19 DEBT, AN ESTIMATE OF THE IMPACT AN EXPANDED PROGRAM WILL HAVE
20 ON THE STATE'S ANNUAL BUDGET, AND PROJECTED COSTS OF
21 IMPLEMENTATION, INCLUDING COSTS FOR TECHNOLOGY AND STAFF, FOR
22 THE STATE TREASURER AND COUNTY TREASURERS.

23 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2022.

24 **SECTION 10.** In Colorado Revised Statutes, **39-5-121, amend**
25 **(1)(a)(I); and add (3) as follows:**

26 **39-5-121. Notice of valuation - legislative declaration - repeal.**
27 **(1) (a) (I) No later than May 1 in each year, the assessor shall mail to**

1 each person who owns land or improvements a notice setting forth the
2 valuation of such land or improvements. For agricultural property, the
3 notice must separately state the actual value of such land or improvements
4 in the previous year, the actual value in the current year, and the amount
5 of any adjustment in actual value. For all other property, the notice must
6 state the total actual value of such land and improvements together in the
7 previous year, the total actual value in the current year, and the amount
8 of any adjustment in total actual value. The notice must not state the
9 valuation for assessment of such land or improvements or combination of
10 land and improvements. Based upon the classification of such taxable
11 property, the notice must also set forth either the APPROPRIATE ratio of
12 valuation for assessment to be applied to said actual value of all taxable
13 real property other than residential real property prior to the calculation
14 of property taxes for the current year or the projected ratio of valuation
15 for assessment to be applied to said actual value of residential real
16 property prior to the calculation of property taxes for the current year and
17 that any change or adjustment of the projected ratio of valuation for
18 assessment for residential real property must not constitute grounds for
19 the protest or abatement of taxes. With the approval of the board of
20 county commissioners, the assessor may include in the notice an estimate
21 of the taxes owed for the current property tax year. If such estimate is
22 included, the notice must clearly state that the tax amount is merely an
23 estimate based upon the best available information. The notice must state,
24 in bold-faced type, that the taxpayer has the right to protest any
25 adjustment in valuation but not the estimate of taxes if such an estimate
26 is included in the notice, the classification of the property that determines
27 the assessment percentage to be applied, and the dates and places at

1 which the assessor will hear such protest. The notice must also set forth
2 the following: That, to preserve the taxpayer's right to protest, the
3 taxpayer shall notify the assessor either in writing or in person of the
4 taxpayer's objection and protest; that such notice must be delivered,
5 postmarked, or given in person no later than June 1; and that, after such
6 date, the taxpayer's right to object and protest the adjustment in valuation
7 is lost. The notice must be mailed together with a form that, if completed
8 by the taxpayer, allows the taxpayer to explain the basis for the taxpayer's
9 valuation of the property. Such form may be completed by the taxpayer
10 to initiate an appeal of the assessor's valuation. However, in accordance
11 with section 39-5-122 (2), completion of this form does not constitute the
12 exclusive means of appealing the assessor's valuation. For the years that
13 intervene between changes in the level of value, if the difference between
14 the actual value of such land or improvements in the previous year and
15 the actual value of such land or improvements in the intervening year as
16 set forth in such notice constitutes an increase in actual value of more
17 than seventy-five percent, the assessor shall mail together with the notice
18 an explanation of the reasons for such increase in actual value.

19 (3)(a) ON OR BEFORE MARCH 1, 2022, THE ADMINISTRATOR SHALL
20 PREPARE A DESCRIPTION OF THE PROPERTY TAX CLASSES AND SUBCLASSES
21 SET FORTH IN SECTIONS 39-1-104 AND 39-1-104.2, THE RATIO OF
22 VALUATION FOR ASSESSMENT FOR THE DIFFERENT CLASSES AND
23 SUBCLASSES, AND THE PROPERTY TAX YEARS THAT THE VARIOUS RATIOS
24 OF VALUATION FOR ASSESSMENT APPLY. THE ASSESSOR SHALL EITHER
25 INCLUDE THE DESCRIPTION ALONG WITH A NOTICE OF VALUATION THAT IS
26 REQUIRED TO BE SENT IN THE 2022 CALENDAR YEAR UNDER SUBSECTION
27 (1) OR (1.5) OF THIS SECTION OR MAKE IT AVAILABLE ON THE ASSESSOR'S

1 WEBSITE.

2 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2023.

3 **SECTION 11.** In Colorado Revised Statutes, 39-1-103, amend

4 (10.5)(b) introductory portion as follows:

5 **39-1-103. Actual value determined - when.**

6 (10.5) (b) Therefore, notwithstanding any other provision of this article
7 ARTICLE 1, a bed and breakfast shall be assessed as provided in this
8 subsection (10.5). The commercial lodging area of a bed and breakfast
9 shall be assessed at the rate for ~~nonagricultural or nonresidential~~
10 ~~improvements~~ LODGING PROPERTY. Any part of the bed and breakfast that
11 is not a commercial lodging area shall be considered a residential
12 improvement and assessed accordingly. The actual value of each portion
13 of the bed and breakfast shall be determined by the application of the
14 appropriate approaches to appraisal specified in subsection (5) of this
15 section. The actual value of the land containing a bed and breakfast shall
16 be determined by the application of the appropriate approaches to
17 appraisal specified in subsection (5) of this section. The land containing
18 a bed and breakfast shall be assessed as follows:

19 **SECTION 12.** In Colorado Revised Statutes, 39-5-122, amend
20 (2) as follows:

21 **39-5-122. Taxpayer's remedies to correct errors.** (2) If any
22 person is of the opinion that his or her property has been valued too high,
23 has been twice valued, or is exempt by law from taxation or that property
24 has been erroneously assessed to such person, he or she may appear
25 before the assessor and object, complete the form mailed with his or her
26 notice of valuation pursuant to section 39-5-121 (1) or (1.5), or file a
27 written letter of objection and protest by mail with the assessor's office

1 before the last day specified in the notice, stating in general terms the
2 reason for the objection and protest. Reasons for the objection and protest
3 may include, but shall not be limited to, the installation and operation of
4 surface equipment relating to oil and gas wells on agricultural land. Any
5 change or adjustment of any ratio of valuation for assessment for
6 residential real property pursuant to section 39-1-104.2 shall not
7 constitute grounds for an objection. If the form initiating an appeal or the
8 written letter of objection and protest is filed by mail, it shall be presumed
9 that it was received as of the day it was postmarked. If the form initiating
10 an appeal or the written letter of objection and protest is hand-delivered,
11 the date it was received by the assessor shall be stamped on the form or
12 letter. As stated in the public notice given by the assessor pursuant to
13 subsection (1) of this section, the taxpayer's notification to the assessor of
14 his or her objection and protest to the adjustment in valuation must be
15 delivered, postmarked, or given in person by June 1 in the case of real
16 property. In the case of personal property, the notice must be postmarked
17 or physically delivered by June 30. All such forms and letters received
18 from protesters shall be presumed to be on time unless the assessor can
19 present evidence to show otherwise. The county shall not prescribe the
20 written form of objection and protest to be used. The protester shall have
21 the opportunity on the days specified in the public notice to present his or
22 her objection in writing or protest in person and be heard, whether or not
23 there has been a change in valuation of such property from the previous
24 year and whether or not any change is the result of a determination by the
25 assessor for the current year or by the state board of equalization for the
26 previous year. If the assessor finds any valuation to be erroneous or
27 otherwise improper, the assessor shall correct the error. If the assessor

1 declines to change any valuation that the assessor has determined, the
2 assessor shall state his or her reasons in writing on the form described in
3 section 39-8-106, shall insert the information otherwise required by the
4 form, and shall mail two copies of the completed form to the person
5 presenting the objection and protest so denied on or before the last regular
6 working day of the assessor in June in the case of real property and on or
7 before July 10 in the case of personal property; except that, if a county
8 has made an election pursuant to section 39-5-122.7 (1), the assessor shall
9 mail the copies on or before August 15 in the case of both real and
10 personal property.

11 **SECTION 13.** In Colorado Revised Statutes, 39-10-114, amend
12 (1)(a)(I)(C) as follows:

13 **39-10-114. Abatement - cancellation of taxes.**
14 (1) (a) (I) (C) The change or adjustment of any ratio of valuation for
15 assessment for residential real property pursuant to the provisions of
16 section 39-1-104.2 shall not constitute grounds for abatement of taxes as
17 provided in sub-subparagraph (A) of this subparagraph (I) SUBSECTION
18 (1)(a)(I)(A) OF THIS SECTION.

19 **SECTION 14. Appropriation.** For the 2021-22 state fiscal year,
20 \$75,000 is appropriated to the office of the governor for use by the office
21 of state planning and budgeting. This appropriation is from the general
22 fund. To implement this act, the office of state planning and budgeting
23 may use this appropriation for personal services.

24 **SECTION 15. Effective date.** (1) Except as otherwise provided
25 in this section, this act takes effect upon passage.

26 (2) Section 39-1-104.2 (3)(q), Colorado Revised Statutes, as
27 amended in section 3 of this act, takes effect only if, at the November

1 2021 statewide election, a majority of voters approve a measure
2 concerning property tax reductions, and, in which case, section
3 39-1-104.2 (3)(q) takes effect simultaneously with the measure.

4 (3) Section 4 of this act takes effect only if, at the November 2021
5 statewide election, a majority of voters do not approve a measure
6 concerning property tax reductions or if there is no such measure on the
7 ballot for the election, and, in either case, section 4 takes effect on
8 December 31, 2021.

9 **SECTION 16. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety.