

SB23-303

## SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Pelton B.

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 39-1-103, **amend**  
4 (15); and **add** (19) as follows:

5 **39-1-103. Actual value determined - when - legislative**  
6 **declaration - definition.** (15) The general assembly hereby finds and  
7 declares that assessing officers shall give appropriate consideration to the  
8 cost approach, market approach, and income approach to appraisal as  
9 required by section 3 of article X of the state constitution in determining  
10 the actual value of taxable property. In the absence of evidence shown by  
11 the assessing officer that the use of the cost approach, market approach,  
12 and income approach to appraisal requires the modification of the actual  
13 value of taxable property for the first year of a reassessment cycle in order  
14 to result in uniform and just and equal valuation for the second OR LATER  
15 year of a reassessment cycle, the assessing officer shall consider the  
16 actual value of any taxable property for the first year of a reassessment  
17 cycle, as may have been adjusted as a result of protests and appeals, if  
18 any, prior to the assessment date of the second OR LATER year of a  
19 reassessment cycle, to be the actual value of such taxable property for the  
20 second OR LATER year of a reassessment cycle.

21 (19) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
22 SECTION, FOR THE 2023 PROPERTY TAX YEAR, THE ACTUAL VALUE OF A  
23 PROPERTY MUST NOT BE GREATER THAN ONE HUNDRED FIVE PERCENT OF  
24 THE ACTUAL VALUE, AS DETERMINED IN ACCORDANCE WITH SECTION 3 OF  
25 ARTICLE X OF THE STATE CONSTITUTION, OF THE SAME PROPERTY FOR THE  
26 2022 PROPERTY TAX YEAR.

27 (b) (I) THE LIMITATION ON THE GROWTH OF THE ACTUAL VALUE OF  
28 A PROPERTY PURSUANT TO SUBSECTION (19)(a) OF THIS SECTION DOES NOT  
29 APPLY TO A PROPERTY THAT HAS AN UNUSUAL CONDITION THAT RESULTS  
30 IN AN INCREASE IN ACTUAL VALUE.

31 (II) AS USED IN THIS SUBSECTION (19), AN "UNUSUAL CONDITION"  
32 MEANS AN ON-SITE IMPROVEMENT, THE ENDING OF THE ECONOMIC LIFE OF  
33 AN IMPROVEMENT WITH ONLY SALVAGE VALUE REMAINING, THE ADDITION  
34 TO OR REMODELING OF A STRUCTURE, A CHANGE OF USE OF LAND, THE  
35 CREATION OF A CONDOMINIUM OWNERSHIP OF REAL PROPERTY AS  
36 RECOGNIZED IN THE "CONDOMINIUM OWNERSHIP ACT", ARTICLE 33 OF  
37 TITLE 38, A NEW REGULATION RESTRICTING OR INCREASING THE USE OF  
38 THE LAND, THE INSTALLATION AND OPERATION OF SURFACE EQUIPMENT  
39 RELATING TO OIL AND GAS WELLS ON AGRICULTURAL LAND, A  
40 DETRIMENTAL ACT OF NATURE, AND DAMAGE DUE TO ACCIDENT,

1 VANDALISM, FIRE, OR EXPLOSION. THE CREATION OF A CONDOMINIUM  
2 OWNERSHIP OF REAL PROPERTY BY THE CONVERSION OF AN EXISTING  
3 STRUCTURE IS CONSIDERED AN UNUSUAL CONDITION FOR PURPOSES OF  
4 THIS SUBSECTION (19), WHEN AT LEAST FIFTY-ONE PERCENT OF THE  
5 CONDOMINIUM UNITS, AS DEFINED IN SECTION 38-33-103 (1), IN A  
6 MULTIUNIT PROPERTY SUBJECT TO CONDOMINIUM OWNERSHIP HAVE BEEN  
7 SOLD AND CONVEYED TO BONA FIDE PURCHASERS AND DEEDS HAVE BEEN  
8 RECORDED FOR THOSE UNITS.

9 **SECTION 2.** In Colorado Revised Statutes, 39-1-104, **amend**  
10 (1)(b), (1.8)(b) introductory portion, (1.8)(b)(I), and (10.2)(b); and **add**  
11 (12)(d) as follows:

12 **39-1-104. Valuation for assessment - definitions.**

13 (1) (b) Notwithstanding subsection (1)(a) of this section, for the property  
14 tax ~~year~~ YEARS commencing on January 1, 2023, AND JANUARY 1, 2024,  
15 the valuation for assessment of nonresidential property that is classified  
16 as lodging property is temporarily reduced to twenty-seven and  
17 nine-tenths percent of an amount equal to the actual value. ~~minus the~~  
18 ~~lesser of thirty thousand dollars or the amount that reduces the valuation~~  
19 ~~for assessment to one thousand dollars.~~

20 (1.8) (b) The valuation for assessment of all nonresidential  
21 property that is not specified in subsection (1) or (1.8)(a) of this section  
22 is twenty-nine percent of the actual value thereof; except that, for the  
23 property tax ~~year~~ YEARS commencing on January 1, 2023, AND JANUARY  
24 1, 2024, the valuation for assessment of this property is temporarily  
25 reduced to:

26 (I) For all of the property listed by the assessor under any  
27 improved commercial subclass codes, twenty-seven and nine-tenths  
28 percent of an amount equal to the actual value; ~~minus the lesser of thirty~~  
29 ~~thousand dollars or the amount that reduces the valuation for assessment~~  
30 ~~to one thousand dollars; and~~

31 (10.2) (b) ~~During the two years of each reassessment cycle, in~~  
32 ~~preparation for implementation in the succeeding reassessment cycle, the~~  
33 ~~respective assessors shall conduct revaluations of all taxable real property~~  
34 ~~utilizing the level of value for the period which will be used to determine~~  
35 ~~actual value in such succeeding reassessment cycle and the manuals and~~  
36 ~~associated data published for the period which will be used to determine~~  
37 ~~actual value in such succeeding reassessment cycle.~~

38 (12) (d) THE REASSESSMENT CYCLE COMMENCING ON JANUARY 1,  
39 2021, CONSISTS OF FOUR FULL CALENDAR YEARS. AT THE BEGINNING OF  
40 THE REASSESSMENT CYCLE COMMENCING ON JANUARY 1, 2025, THE LEVEL  
41 OF VALUE TO BE USED DURING THE REASSESSMENT CYCLE IN THE  
42 DETERMINATION OF ACTUAL VALUE OF REAL PROPERTY IN ANY COUNTY OF  
43 THE STATE, AS REFLECTED IN THE ABSTRACT OF ASSESSMENT FOR EACH

1 YEAR IN THE REASSESSMENT CYCLE, ADVANCES BY FOUR YEARS OVER  
2 WHAT WAS USED IN THE PREVIOUS REASSESSMENT CYCLE.

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

5 **39-1-104.2. Adjustment of residential rate - legislative**  
6 **declaration - definitions.** (3) (q) The ratio of valuation for assessment  
7 for multi-family residential real property is 7.15 percent of actual value  
8 for property tax years commencing on or after January 1, 2019; except  
9 that:

10 (I) For the property tax ~~years~~ YEAR commencing on January 1,  
11 2022, ~~and January 1, 2024~~, the ratio of valuation for assessment for  
12 multi-family residential real property is temporarily reduced to 6.8  
13 percent of actual value;

14 (II) For the property tax ~~year~~ YEARS commencing on January 1,  
15 2023, AND JANUARY 1, 2024, the ratio of valuation for assessment for  
16 multi-family residential real property is temporarily reduced to 6.765  
17 percent of actual value.

18 **SECTION 4.** In Colorado Revised Statutes, 39-1-104.3, **amend**  
19 (2) as follows:

20 **39-1-104.3. Partial real property tax reductions - residential**  
21 **property - definitions - repeal.** (2) For the property tax year  
22 commencing on January 1, 2023, the valuation for assessment for  
23 residential real property is six and seven hundred sixty-five thousandths  
24 percent, as set forth in section 39-1-104.2 (3)(q)(II) and (3)(r)(II), of the  
25 amount equal to the actual value, determined pursuant to section  
26 39-1-103. ~~minus the lesser of fifteen thousand dollars or the amount that~~  
27 ~~reduces the valuation for assessment to one thousand dollars.~~

28 **SECTION 5.** In Colorado Revised Statutes, 39-5-121, **amend**  
29 (1.2) as follows:

30 **39-5-121. Notice of valuation - legislative declaration -**  
31 **definition - repeal.** (1.2) A notice of valuation included with the tax bill  
32 shall fulfill the requirements of subsection (1) of this section. The general  
33 assembly hereby finds and declares that the notice procedure set forth in  
34 this subsection (1.2) facilitates the efficient and economic operation of  
35 local governments, consistent with the expressed purpose of section 20  
36 of article X of the state constitution to reasonably restrain most the  
37 growth of government, and still fulfills the purposes of section 20 (8)(c)  
38 of said article X in ~~the~~ AN intervening year of each reassessment cycle  
39 when there is no change in value for the property in such year.

40 **SECTION 6. Safety clause.** The general assembly hereby finds,  
41 determines, and declares that this act is necessary for the immediate  
42 preservation of the public peace, health, or safety."

- 1 Page 1, line 101, strike "TAXES, AND, IN CONNECTION" and substitute
- 2 "TAXES."
- 3 Page 1, strike lines 102 through 113.
- 4 Page 2, strike lines 101 through 104.

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