

2023-2024 #111 - Final

Be it enacted by the People of the State of Colorado:

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

39-1-103. Actual value determined - when – legislative declaration - definition.

(15) The general assembly hereby finds and declares that assessing officers shall give appropriate consideration to the cost approach, market approach, and income approach to appraisal as required by section 3 of article X of the state constitution in determining the actual value of taxable property. In the absence of evidence shown by the assessing officer that the use of the cost approach, market approach, and income approach to appraisal requires the modification of the actual value of taxable property for the first year of a reassessment cycle in order to result in uniform and just and equal valuation for the second OR LATER year of a reassessment cycle, the assessing officer shall consider the actual value of any taxable property for the first year of a reassessment cycle, as may have been adjusted as a result of protests and appeals, if any, prior to the assessment date of the second OR LATER year of a reassessment cycle, to be the actual value of such taxable property for the second OR LATER year of a reassessment cycle.

(19)(a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, FOR THE 2024 PROPERTY TAX YEAR, AND EVERY YEAR THEREAFTER, THE ACTUAL VALUE OF A PROPERTY MUST NOT BE GREATER THAN ONE HUNDRED FOUR PERCENT OF THE ACTUAL VALUE, AS DETERMINED IN ACCORDANCE WITH SECTION 3 OF ARTICLE X OF THE STATE CONSTITUTION, OF THE SAME PROPERTY FOR THE 2022 PROPERTY TAX YEAR.

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

(II) AS USED IN THIS SUBSECTION (19), AN "UNUSUAL CONDITION" MEANS AN ON-SITE IMPROVEMENT, THE ENDING OF THE ECONOMIC LIFE OF AN IMPROVEMENT WITH ONLY SALVAGE VALUE REMAINING, THE ADDITION TO OR REMODELING OF A STRUCTURE, A CHANGE OF USE OF LAND, THE CREATION OF A CONDOMINIUM OWNERSHIP OF REAL PROPERTY AS RECOGNIZED IN THE "CONDOMINIUM OWNERSHIP ACT", ARTICLE 33 OF TITLE 38, A NEW REGULATION RESTRICTING OR INCREASING THE USE OF THE LAND, THE INSTALLATION AND OPERATION OF SURFACE EQUIPMENT RELATING TO OIL AND GAS WELLS ON AGRICULTURAL LAND, A DETRIMENTAL ACT OF NATURE, AND DAMAGE DUE TO ACCIDENT, VANDALISM, FIRE, OR EXPLOSION. THE CREATION OF A CONDOMINIUM OWNERSHIP OF REAL PROPERTY BY THE CONVERSION OF AN EXISTING STRUCTURE IS CONSIDERED AN UNUSUAL CONDITION FOR PURPOSES OF THIS SUBSECTION (19), WHEN AT LEAST FIFTY-ONE PERCENT OF THE CONDOMINIUM UNITS, AS DEFINED IN SECTION 38-33-103 (1), IN A MULTIUNIT PROPERTY SUBJECT TO CONDOMINIUM OWNERSHIP HAVE BEEN SOLD AND CONVEYED TO BONA FIDE PURCHASERS AND DEEDS HAVE BEEN RECORDED FOR THOSE UNITS.

SECTION 2. In Colorado Revised Statutes, 39-1-104, **amend** (10.2)(b); and **add** (12)(d) as follows:

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

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

(12)(d) THE REASSESSMENT CYCLE COMMENCING ON JANUARY 1, 2021, CONSISTS OF FOUR FULL CALENDAR YEARS. AT THE BEGINNING OF THE REASSESSMENT CYCLE COMMENCING ON JANUARY 1, 2025, THE LEVEL OF VALUE TO BE USED DURING THE REASSESSMENT CYCLE IN THE DETERMINATION OF ACTUAL VALUE OF REAL PROPERTY IN ANY COUNTY OF THE STATE, AS REFLECTED IN THE ABSTRACT OF ASSESSMENT FOR EACH YEAR IN THE REASSESSMENT CYCLE, ADVANCES BY FOUR YEARS OVER WHAT WAS USED IN THE PREVIOUS REASSESSMENT CYCLE.

SECTION 4. In Colorado Revised Statutes, 39-3-210 **add** (8) as follows:

39-3-210. Reporting of property tax revenue reductions - reimbursement of local governmental entities - definitions - local government backfill cash fund - creation - repeal.

(8) NO LATER THAN APRIL 15 OF EACH YEAR, THE STATE TREASURER SHALL ISSUE A WARRANT, TO BE PAID YEARLY FROM THE GENERAL FUND TO REIMBURSE LOCAL DISTRICTS FOR LOST REVENUE AS A RESULT OF THE PASSAGE OF THIS MEASURE.

SECTION 5. In Colorado Revised Statutes, 39-3-210, **repeal and reenact** (7) as follows:

In order to insulate school districts from REVENUE LOSS DUE TO THE PASSAGE OF THIS MEASURE, any reduction in revenue attributed to the voter approval of this measure shall not reduce funding for the STATE EDUCATION FUND as created in SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

SECTION 6. Effective date.

This act takes effect on the date of the proclamation of the Governor announcing the approval, by the registered electors of the state, of the proposed initiative.