

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0488.01 Jason Gelender x4330

SENATE BILL 14-083

SENATE SPONSORSHIP

Crowder,

HOUSE SPONSORSHIP

(None),

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING REIMBURSEMENT TO BE PAID BY A COUNTY TO THE STATE
102 FOR COSTS INCURRED BY THE STATE IN CONNECTION WITH THE
103 REAPPRAISAL OF PROPERTY IN THE COUNTY.

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://www.leg.state.co.us/billsummaries>.)

The state annually contracts with a private person for an annual statewide valuation for assessment study that determines whether or not the county assessor has followed all required procedures in assessing each and every class of real and personal property in each county. If the study

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

indicates that a county assessor has failed to appraise any class or classes of property in a manner consistent with the property tax provisions of the state constitution or state law, the state board of equalization must order the reappraisal of the improperly appraised class or classes of property at the expense of the county. If the state assists the county assessor in conducting the reappraisal, which it generally does, the county must reimburse the state for the costs it incurs.

The bill allows the state board of equalization to waive the requirement that a county reimburse the state for reappraisal costs if the county submits a plan to use the money saved to improve the functioning of the county assessor's office and implements the plan in a timely manner. The bill also clarifies that salaries and benefits paid to state employees who work on a reappraisal are not reimbursable state costs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-1-105.5, **amend**
3 (1) (b) (II) (A), (1) (b) (II) (B), and (2) as follows:

4 **39-1-105.5. Reappraisal ordered based on valuation for**
5 **assessment study - state school finance payments.** (1) (b) (II) (A) If the
6 valuation for assessment of a county as reflected in its abstract for
7 assessment for any property tax year beginning with the property tax year
8 commencing January 1, 1985, is more than five percent below the
9 valuation for assessment for such county as determined by the study
10 conducted during the same property tax year, the state board of
11 equalization shall cause to be performed a reappraisal of any class or
12 classes ~~which~~ OF PROPERTY THAT the study shows were not appraised
13 consistent with the property tax provisions of the Colorado constitution
14 or the statutes. ~~Such~~ THE reappraisal ~~shall~~ MUST be performed during the
15 next following year ~~and shall be~~ at the expense of the county; ~~Such~~
16 EXCEPT THAT THE STATE BOARD OF EQUALIZATION MAY WAIVE THE
17 REQUIREMENT THAT THE COUNTY REIMBURSE THE STATE FOR ANY COSTS
18 INCURRED BY THE STATE IN REAPPRAISING ANY CLASS OR CLASSES OF

1 PROPERTY IF THE COUNTY PRESENTS THE STATE BOARD WITH A PLAN TO
2 USE THE MONEY RETAINED TO IMPROVE THE FUNCTIONING OF THE OFFICE
3 OF THE COUNTY ASSESSOR. IF THE COUNTY FAILS TO IMPLEMENT THE PLAN
4 SUBMITTED IN A TIMELY MANNER AS AGREED UPON BY THE STATE BOARD
5 AND THE COUNTY, THE STATE BOARD SHALL REVOKE THE WAIVER AND
6 REQUIRE THE COUNTY TO REIMBURSE THE STATE FOR REAPPRAISAL COSTS
7 INCURRED BY THE STATE. THE reappraisal ~~shall become~~ IS the county's
8 valuation for assessment with regard to the reappraised class or classes
9 for the year in which ~~such~~ THE reappraisal is performed.

10 (B) Even though a county's aggregate valuation for assessment as
11 reflected in its abstract for assessment for any property tax year beginning
12 with the property tax year commencing January 1, 1985, is not more than
13 five percent below the valuation for assessment for such county as
14 determined by the study conducted during the same property tax year, the
15 state board of equalization shall cause to be performed a reappraisal of
16 any class or classes ~~which~~ OF PROPERTY THAT the study shows were not
17 appraised consistent with the property tax provisions of the Colorado
18 constitution or the statutes. ~~Such~~ THE reappraisal ~~shall~~ MUST be
19 performed during the next following year ~~and shall be~~ at the expense of
20 the county; ~~Such~~ EXCEPT THAT THE STATE BOARD OF EQUALIZATION MAY
21 WAIVE THE REQUIREMENT THAT THE COUNTY REIMBURSE THE STATE FOR
22 ANY COSTS INCURRED BY THE STATE IN REAPPRAISING ANY CLASS OR
23 CLASSES OF PROPERTY IF THE COUNTY PRESENTS THE STATE BOARD WITH
24 A PLAN TO USE THE MONEY RETAINED TO IMPROVE THE FUNCTIONING OF
25 THE OFFICE OF THE COUNTY ASSESSOR. THE reappraisal ~~shall become~~ IS
26 the county's valuation for assessment with regard to the reappraised class
27 or classes OF PROPERTY for the year in which ~~such~~ THE reappraisal is

1 performed.

2 (2) Any reimbursement made by a county to the state for the cost
3 incurred by the state in reappraising any class or classes of taxable
4 property for property tax purposes ~~which reimbursement is required by~~
5 PURSUANT TO subsection (1) of this section shall be made to the state
6 treasurer who shall ~~upon receipt thereof,~~ credit the amount of ~~such~~ THE
7 reimbursement to the state general fund. FOR PURPOSES OF THIS SECTION,
8 THE COSTS OF SALARY AND BENEFITS FOR STATE EMPLOYEES WHO WORK
9 ON REAPPRAISALS IS NOT A REIMBURSABLE COST INCURRED BY THE STATE.

10 **SECTION 2. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2014 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.