

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE CONCURRENT RESOLUTION 06-001

BY SENATOR(S) Evans, Bacon, Boyd, Brophy, Dyer, Entz, Fitz-Gerald, Gordon, Isgar, Johnson, Jones, Keller, Kester, Lamborn, May R., Mitchell, Owen, Shaffer, Spence, Tapia, Taylor, Tochtrop, Traylor, Tupa, Wiens, Williams, and Windels;

also REPRESENTATIVE(S) Gallegos, Benefield, Berens, Borodkin, Buescher, Butcher, Carroll M., Carroll T., Cerbo, Cloer, Coleman, Curry, Decker, Frangas, Green, Hodge, Jahn, Kerr A., Kerr J., Lindstrom, Madden, McFadyen, Merrifield, Paccione, Pommer, Ragsdale, Rose, Solano, Stafford, Sullivan, Todd, White, Balmer, Clapp, Crane, King, Knoedler, Larson, Massey, McKinley, Penry, Soper, and Vigil.

SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO SECTION 3.5 OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING THE EXTENSION OF THE EXISTING PROPERTY TAX EXEMPTION FOR QUALIFYING SENIORS TO ANY UNITED STATES MILITARY VETERAN WHO IS ONE HUNDRED PERCENT PERMANENTLY DISABLED DUE TO A SERVICE-CONNECTED DISABILITY.

Be It Resolved by the Senate of the Sixty-fifth General Assembly of the State of Colorado, the House of Representatives concurring herein:

SECTION 1. At the next election at which such question may be

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

submitted, there shall be submitted to the registered electors of the state of Colorado, for their approval or rejection, the following amendment to the constitution of the state of Colorado, to wit:

Section 3.5 (1) of article X of the constitution of the state of Colorado is amended, and the said section 3.5 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

Section 3.5. Homestead exemption for qualifying senior citizens and disabled veterans. (1) For property tax years commencing on or after January 1, 2002, fifty percent of the first two hundred thousand dollars of actual value of residential real property, as defined by law, that, as of the assessment date, is owner-occupied and is used as the primary residence of the owner-occupier shall be exempt from property taxation if:

(a) The owner-occupier is sixty-five years of age or older as of the assessment date and has owned and occupied such residential real property as his or her primary residence for the ten years immediately preceding the assessment date; ~~or~~

(b) The owner-occupier is the spouse or surviving spouse of an owner-occupier who previously qualified for a property tax exemption for the same residential real property under paragraph (a) of this subsection (1); OR

(c) FOR PROPERTY TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2007, ONLY, THE OWNER-OCCUPIER, AS OF THE ASSESSMENT DATE, IS A DISABLED VETERAN.

(1.3) AN OWNER-OCCUPIER MAY CLAIM ONLY ONE EXEMPTION PER PROPERTY TAX YEAR EVEN IF THE OWNER-OCCUPIER QUALIFIES FOR AN EXEMPTION UNDER BOTH PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION AND EITHER PARAGRAPH (a) OR PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION.

(1.5) FOR PURPOSES OF THIS SECTION, "DISABLED VETERAN" MEANS AN INDIVIDUAL WHO HAS SERVED ON ACTIVE DUTY IN THE UNITED STATES ARMED FORCES, INCLUDING A MEMBER OF THE COLORADO NATIONAL GUARD WHO HAS BEEN ORDERED INTO THE ACTIVE MILITARY SERVICE OF THE UNITED STATES, HAS BEEN SEPARATED THEREFROM UNDER HONORABLE

CONDITIONS, AND HAS ESTABLISHED A SERVICE-CONNECTED DISABILITY THAT HAS BEEN RATED BY THE FEDERAL DEPARTMENT OF VETERANS AFFAIRS AS ONE HUNDRED PERCENT PERMANENT DISABILITY THROUGH DISABILITY RETIREMENT BENEFITS OR A PENSION PURSUANT TO A LAW OR REGULATION ADMINISTERED BY THE DEPARTMENT, THE DEPARTMENT OF HOMELAND SECURITY, OR THE DEPARTMENT OF THE ARMY, NAVY, OR AIR FORCE.

SECTION 2. Each elector voting at said election and desirous of voting for or against said amendment shall cast a vote as provided by law either "Yes" or "No" on the proposition: "AN AMENDMENT TO SECTION 3.5 OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING THE EXTENSION OF THE EXISTING PROPERTY TAX EXEMPTION FOR QUALIFYING SENIORS TO ANY UNITED STATES MILITARY VETERAN WHO IS ONE HUNDRED PERCENT PERMANENTLY DISABLED DUE TO A SERVICE-CONNECTED DISABILITY."

SECTION 3. The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes", the said amendment shall become a part of the state constitution.

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES