

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 09-0410.01 Ed DeCecco

SENATE BILL 09-085

SENATE SPONSORSHIP

Scheffel and Williams, Mitchell

HOUSE SPONSORSHIP

Rice and Priola, Lambert, McNulty

Senate Committees

Business, Labor and Technology
Finance
Appropriations

House Committees

Business Affairs and Labor

A BILL FOR AN ACT

- 101 **CONCERNING THE CREATION OF A LEGISLATIVE TASK FORCE TO STUDY**
102 **A PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL PROPERTY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Exempts a percentage of business personal property, excluding state-assessed property, from property taxation. Increases the amount of the exemption every 2 years until all business personal property is exempt.

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

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.

HOUSE
Amended 2nd Reading
May 4, 2009

SENATE
3rd Reading Unamended
April 30, 2009

SENATE
Amended 2nd Reading
April 29, 2009

SENATE
Amended 2nd Reading
April 20, 2009

1 SECTION 1. Article 2 of title 2, Colorado Revised Statutes, is
2 amended BY THE ADDITION OF A NEW PART to read:

3 PART 14
4 LEGISLATIVE TASK FORCE ON THE BUSINESS
5 PERSONAL PROPERTY TAX

6 2-2-1401. Legislative task force on the business personal
7 property tax - creation - duties - repeal. (1) THERE IS HEREBY
8 CREATED THE LEGISLATIVE TASK FORCE ON THE BUSINESS PERSONAL
9 PROPERTY TAX, REFERRED TO IN THIS SECTION AS THE "TASK FORCE". THE
10 TASK FORCE SHALL MEET IN THE INTERIM AFTER THE CONCLUSION OF THE
11 FIRST REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL ASSEMBLY.

12 THE TASK FORCE SHALL CONSIST OF:

13 (a) FIVE MEMBERS FROM THE SENATE, THREE OF WHOM SHALL BE
14 APPOINTED BY THE PRESIDENT OF THE SENATE AND TWO OF WHOM SHALL
15 BE APPOINTED BY THE MINORITY LEADER OF THE SENATE;

16 (b) FIVE MEMBERS FROM THE HOUSE OF REPRESENTATIVES, THREE
17 OF WHOM SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF
18 REPRESENTATIVES AND TWO OF WHOM SHALL BE APPOINTED BY THE
19 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

20 (c) THE PROPERTY TAX ADMINISTRATOR, OR HIS OR HER DESIGNEE;

21 (d) A REPRESENTATIVE OF THE COLORADO MUNICIPAL LEAGUE;

22 (e) A REPRESENTATIVE OF COLORADO COUNTIES, INCORPORATED;

23 (f) A MEMBER OF A LOCAL CHAMBER OF COMMERCE, WHO SHALL
24 BE APPOINTED BY THE GOVERNOR;

25 (g) A REPRESENTATIVE OF A SMALL BUSINESS IN THE STATE, WHO
26 BE APPOINTED BY THE GOVERNOR;

27 (g) A REPRESENTATIVE OF A SMALL BUSINESS IN THE STATE, WHO

1 SHALL BE APPOINTED BY THE GOVERNOR;
2 (h) A REPRESENTATIVE OF A LARGE BUSINESS IN THE STATE, WHO
3 SHALL BE APPOINTED BY THE GOVERNOR; AND
4 (i) A MEMBER OF THE PUBLIC WITH EXPERTISE IN TAX POLICY,
5 WHO SHALL BE APPOINTED BY THE GOVERNOR.
6 (2) THE TASK FORCE SHALL STUDY, BUT NEED NOT LIMIT ITS
7 CONSIDERATION TO, THE FOLLOWING:
8 (a) BUSINESS PERSONAL PROPERTY TAX EXEMPTIONS THAT
9 ELIMINATE OR PHASE OUT THE BUSINESS PERSONAL PROPERTY TAX;
10 (b) AN ANALYSIS OF THE CUMULATIVE FISCAL IMPACT OF THE
11 EXEMPTIONS ON THE STATE AND LOCAL GOVERNMENTS; AND
12 (c) METHODS TO REIMBURSE ANY REVENUE LOSSES TO LOCAL
13 GOVERNMENTS RESULTING FROM THE EXEMPTIONS.
14 (3) THE TASK FORCE SHALL MEET AT LEAST SIX TIMES, WITH THE
15 FIRST MEETING OCCURRING NO LATER THAN AUGUST 1, 2009, TASK FORCE
16 MEETINGS SHALL BE OPEN TO THE PUBLIC, AND THE TASK FORCE SHALL
17 SOLICIT THE TESTIMONY OF THE MEMBERS OF THE PUBLIC.
18 (4) (a) MEMBERS OF THE TASK FORCE SHALL NOT BE
19 COMPENSATED FOR ATTENDANCE AT TASK FORCE MEETINGS, NOR SHALL
20 THEY BE ELIGIBLE TO RECEIVE ANY REIMBURSEMENT FOR ANY EXPENSE
21 INCURRED.
22 (b) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF
23 LEGISLATIVE LEGAL SERVICES SHALL NOT BE AVAILABLE TO ASSIST THE
24 TASK FORCE IN CARRYING OUT ITS DUTIES.
25 (5) No later than November 1, 2009, the task force may make a
26 report to the general assembly that includes recommendations for
27 legislation.

1 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2010.

2 **SECTION 2. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.