

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 28, 2009  
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB09-085 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

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

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

5 PART 14  
6 LEGISLATIVE TASK FORCE ON THE BUSINESS  
7 PERSONAL PROPERTY TAX

8 **2-2-1401. Legislative task force on business personal property**  
9 **tax - creation - duties - repeal.** (1) THERE IS HEREBY CREATED THE  
10 LEGISLATIVE TASK FORCE ON THE BUSINESS PERSONAL PROPERTY TAX,  
11 REFERRED TO IN THIS SECTION AS THE "TASK FORCE". THE TASK FORCE  
12 SHALL MEET IN THE INTERIM AFTER THE CONCLUSION OF THE 2009 FIRST  
13 REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL ASSEMBLY. THE TASK  
14 FORCE SHALL CONSIST OF:

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

18 (b) FIVE MEMBERS FROM THE HOUSE OF REPRESENTATIVES, THREE  
19 OF WHOM SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF

1 REPRESENTATIVES AND TWO OF WHOM SHALL BE APPOINTED BY THE  
2 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

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

4 (d) A REPRESENTATIVE OF THE COLORADO MUNICIPAL LEAGUE,  
5 WHO SHALL BE APPOINTED BY THE GOVERNOR;

6 (e) A REPRESENTATIVE OF COLORADO COUNTIES, INCORPORATED,  
7 WHO SHALL BE APPOINTED BY THE GOVERNOR;

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

10 (g) A REPRESENTATIVE OF A SMALL BUSINESS IN THE STATE, WHO  
11 SHALL BE APPOINTED BY THE GOVERNOR;

12 (h) A REPRESENTATIVE OF A LARGE BUSINESS IN THE STATE, WHO  
13 SHALL BE APPOINTED BY THE GOVERNOR; AND

14 (i) A MEMBER OF THE PUBLIC WITH EXPERTISE IN TAX POLICY  
15 CHANGES, WHO SHALL BE APPOINTED BY THE GOVERNOR.

16 (2) THE TASK FORCE SHALL STUDY, BUT NEED NOT LIMIT ITS  
17 CONSIDERATION TO, THE FOLLOWING:

18 (a) BUSINESS PERSONAL PROPERTY TAX EXEMPTIONS THAT  
19 ELIMINATE OR PHASE OUT THE BUSINESS PERSONAL PROPERTY TAX,  
20 INCLUDING THE EXEMPTIONS CREATED IN THIS SUBSECTION (2);

21 (b) AN ANALYSIS OF THE CUMULATIVE FISCAL IMPACT OF THE  
22 ELIMINATION ON THE STATE AND LOCAL GOVERNMENTS; AND

23 (c) METHODS TO REIMBURSE ANY REVENUE LOSSES TO LOCAL  
24 GOVERNMENTS RESULTING FROM THE EXEMPTIONS.

25 (3) THE TASK FORCE SHALL MEET AT LEAST SIX TIMES, WITH THE  
26 FIRST MEETING OCCURRING NO LATER THAN AUGUST 1, 2009, TASK FORCE  
27 MEETINGS SHALL BE OPEN TO THE PUBLIC, AND THE TASK FORCE SHALL  
28 SOLICIT THE TESTIMONY OF THE MEMBERS OF THE PUBLIC.

1           (4) (a) MEMBERS OF THE TASK FORCE SHALL NOT BE  
2 COMPENSATED FOR ATTENDANCE AT TASK FORCE MEETINGS, NOR SHALL  
3 THEY BE ELIGIBLE TO RECEIVE ANY REIMBURSEMENT FOR ANY EXPENSE  
4 INCURRED.

5           (b) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF  
6 LEGISLATIVE LEGAL SERVICES SHALL NOT BE AVAILABLE TO ASSIST THE  
7 TASK FORCE IN CARRYING OUT ITS DUTIES.

8           (5) No later than November 1, 2009, the task force may make a  
9 report to the general assembly that includes recommendations for  
10 legislation.

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

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

15 Page 1, strike lines 101 and 102 and substitute the following:  
16 "CONCERNING THE CREATION OF A LEGISLATIVE TASK FORCE TO  
17 STUDY PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL  
18 PROPERTY."

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