



*Colorado Legislative Council Staff Fiscal Note*  
**LOCAL  
 FISCAL IMPACT**

**Drafting Number:** LLS 10-0397  
**Prime Sponsor(s):** Rep. Tyler  
 Sen. Hudak

**Date:** January 12, 2010  
**Bill Status:** House Local Government  
**Fiscal Analyst:** Fiona Sigalla (303 866-3556)

**TITLE:** CONCERNING THE RECORDED DATE OF RECEIPT OF PROPERTY TAX PAYMENTS BY A COUNTY TREASURER'S OFFICE WHEN THE PAYMENT HAS NO UNITED STATES POSTAL SERVICE POSTMARK.

<b>Fiscal Impact Summary</b>	<b>FY 2010-2011</b>	<b>FY 2011-2012</b>
<b>State Revenue</b>		
<b>State Expenditures</b>		
<b>FTE Position Change</b>		
<b>Effective Date:</b> Upon signature of the Governor, or upon becoming law without his signature.		
<b>Appropriation Summary for FY 2010-2011:</b> None required.		
<b>Local Government Impact:</b> See Local Government Impact section.		

**Summary of Legislation**

This bill specifies how county treasurers shall record property tax payments that arrive after the due date without a United States postal service (USPS) postmark. If a payment has no postmark and is received in the treasurer's office no later than five days after the due date, the treasurer shall record the due date as the date of payment. If payment is received six or more days after the due date, the treasurer shall record the date of actual receipt as the date of payment. The bill eliminates the requirement that late payments sent via private post have a USPS postmark in addition to a private postage meter postmark.

**Background**

Current law instructs county treasurers to use the USPS postmark date to determine if a property tax payment is delinquent. Private postage meters often do not imprint a date. Current law requires a USPS postmark when a postage meter is used, if the payment is received after the due date. Payments received without a USPS postmark are returned. This results in additional handling by the treasurer's office, imposition of charges for late payment, and sometimes confusion on the part of the taxpayer.

**Local Government Impact**

County treasurers will be able to accept some payments that previously would be marked delinquent, enabling counties to obtain use of the funds in a more timely fashion. Eliminating delays in payment processing will reduce operating costs associated with returning payments, discussions with taxpayers, and reprocessing payments. The reduction in costs should offset any loss of delinquency charges that might have accrued.

**Departments Contacted**

Local Affairs