

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 11-0522.01 Ed DeCecco

**HOUSE BILL 11-1141**

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**HOUSE SPONSORSHIP**

**Holbert**, McNulty, Scott, Acree, Balmer, Barker, Baumgardner, Beezley, Bradford, Brown, Conti, Coram, DelGrosso, Gardner B., Joshi, Kerr J., Liston, Looper, Massey, McKinley, Murray, Nikkel, Priola, Ramirez, Sonnenberg, Stephens, Summers, Szabo, Waller

**SENATE SPONSORSHIP**

**Scheffel**, Harvey, Cadman, Grantham, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Renfroe

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**House Committees**

Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING AN ECONOMIC STIMULUS THROUGH A PROPERTY TAX**  
102 **EXEMPTION FOR BUSINESS PERSONAL PROPERTY.**

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**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 bill exempts business personal property that is purchased at any time from January 1, 2012, through December 31, 2013, from the levy and collection of property tax.

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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.*

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

2 **SECTION 1.** 39-3-118.5, Colorado Revised Statutes, is amended  
3 to read:

4 **39-3-118.5. Business personal property - exemption.** (1) For  
5 property tax years commencing on and after January 1, 1996, business  
6 personal property shall be exempt from the levy and collection of property  
7 tax until such business personal property is first used in the business after  
8 acquisition.

9 (2) (a) BUSINESS PERSONAL PROPERTY THAT IS PURCHASED AT ANY  
10 TIME FROM JANUARY 1, 2012, THROUGH DECEMBER 31, 2013, SHALL BE  
11 EXEMPT FROM THE LEVY AND COLLECTION OF PROPERTY TAX SO LONG AS  
12 THE PROPERTY IS USED BY THE TAXPAYER WHO PURCHASED THE  
13 PROPERTY. THE EXEMPTION SHALL NOT APPLY TO BUSINESS PERSONAL  
14 PROPERTY THAT IS SOLD AND REPURCHASED BY THE SAME TAXPAYER.

15 (b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS  
16 SUBSECTION (2) TO THE CONTRARY, THE EXEMPTION SET FORTH IN SAID  
17 PARAGRAPH (a) SHALL NOT APPLY TO LOCALLY ASSESSED BUSINESS  
18 PERSONAL PROPERTY WITH RESPECT TO A LOCAL GOVERNMENT THAT HAS  
19 NEGOTIATED AN INCENTIVE PAYMENT OR CREDIT WITH A TAXPAYER  
20 PURSUANT TO THE AUTHORITY SET FORTH IN SECTION 30-11-123,  
21 31-15-903, 32-1-1702, OR 39-30-107.5, C.R.S., UNLESS THE GOVERNING  
22 BODY OF THE LOCAL GOVERNMENT EXPRESSLY ADOPTS THE EXEMPTION.

23 **SECTION 2.** 39-4-102 (3), Colorado Revised Statutes, is  
24 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25 **39-4-102. Valuation of public utilities.** (3) (e) BUSINESS  
26 PERSONAL PROPERTY OWNED BY A PUBLIC UTILITY IS EXEMPT FROM THE  
27 LEVY AND COLLECTION OF PROPERTY TAX PURSUANT TO SECTION

1 39-3-118.5 (2). THE VALUE OF THE EXEMPTION IS REMOVED FROM THE  
2 SYSTEM MARKET VALUE AND IS DETERMINED BY APPLYING THE MARKET  
3 TO BOOK RATIO TO THE NET OF THE HISTORICAL COST LESS DEPRECIATION  
4 OF THE BUSINESS PERSONAL PROPERTY.

5 **SECTION 3. Act subject to petition - effective date.** This act  
6 shall take effect at 12:01 a.m. on the day following the expiration of the  
7 ninety-day period after final adjournment of the general assembly (August  
8 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a  
9 referendum petition is filed pursuant to section 1 (3) of article V of the  
10 state constitution against this act or an item, section, or part of this act  
11 within such period, then the act, item, section, or part shall not take effect  
12 unless approved by the people at the general election to be held in  
13 November 2012 and shall take effect on the date of the official  
14 declaration of the vote thereon by the governor.