

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0432.01 Bob Lackner

SENATE BILL 14-043

SENATE SPONSORSHIP

Grantham, Tochtrop

HOUSE SPONSORSHIP

(None),

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING THE INCLUSION OF CERTAIN LAND AREAS USED TO GROW
102 PRODUCTS THAT ORIGINATE ABOVE THE GROUND WITHIN THE
103 CLASSIFICATION OF "ALL OTHER AGRICULTURAL PROPERTY"
104 FOR PROPERTY TAX PURPOSES.

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>.)

Commencing January 1, 2015, the bill includes within the property tax category of "all other agricultural property" greenhouses, nurseries, or

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.

other horticultural or agricultural production areas used to grow food products or horticultural stock that originate above the ground. The bill directs the county assessor to assess such property using the market value of agricultural land by acre in the county in which the property is located.

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-1-102, **amend**
3 (1.6) (b) as follows:

4 **39-1-102. Definitions.** As used in articles 1 to 13 of this title,
5 unless the context otherwise requires:

6 (1.6) (b) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
7 PARAGRAPH (b), all other agricultural property that does not meet the
8 definition set forth in paragraph (a) of this subsection (1.6) shall be
9 classified as all other property and shall be valued using appropriate
10 consideration of the three approaches to appraisal based on its actual use
11 on the assessment date.

12 (II) ON AND AFTER JANUARY 1, 2015, "ALL OTHER AGRICULTURAL
13 PROPERTY" INCLUDES GREENHOUSES, NURSERIES, OR OTHER
14 HORTICULTURAL OR AGRICULTURAL PRODUCTION AREAS USED TO GROW
15 FOOD PRODUCTS OR HORTICULTURAL STOCK THAT ORIGINATE ABOVE THE
16 GROUND. THE ASSESSOR SHALL ASSESS THE REAL PROPERTY DESCRIBED IN
17 THIS SUBPARAGRAPH (II) USING THE MARKET VALUE OF AGRICULTURAL
18 LAND BY THE ACRE IN THE COUNTY IN WHICH THE PROPERTY IS LOCATED.

19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2014 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.