Section II

Administration

COLORADO PROPERTY TAX

OVERVIEW

The Colorado property tax system provides revenue exclusively for local government services. The largest share of property tax revenue (51.0 percent) goes to support the state's public schools. County governments claim the next largest share (25.26 percent), followed by special districts (17.36 percent), municipal governments (5.26 percent), and junior colleges (1.12 percent).

The authority for property taxation is both constitutional and statutory. Article X of the Colorado Constitution provides that all property is taxable unless declared exempt by the Constitution, and that the actual value of taxable property shall be determined under the general laws to secure just and equalized valuations. The specific statutes pertaining to property taxation are found in Title 39, Articles 1 through 14, Colorado Revised Statutes.

Under the general laws of Colorado, county assessors are required to value all taxable property within their territorial jurisdictions. The State Board of Equalization (state board) has supervision over the administration of all laws concerning the valuation and assessment of taxable property and the levying of property taxes. The Division of Property Taxation (Division), under direction of the Property Tax Administrator (administrator), coordinates the implementation of property tax law throughout the sixty-four counties.

Revenue derived from 2006 property taxes (payable 2007) will increase statewide for every local government type. The combined revenue increase from taxes payable in 2007 is 5.99 percent. Table 1 lists the percentage increases in property tax revenue between taxes payable in 2006 and taxes payable in 2007.

Table 1

Revenue Change by Entity Type for Tax Years 2005-2006

Taxing Entity	% Increase
School District K-12	+ 3.95%
Junior Colleges	+ 13.62%
Counties	+ 6.05%
Municipalities	+ 5.57%
Special Districts	+ 12.04%
Combined Increase	**+ 5.99%**

STATE BOARD OF EQUALIZATION

The State Board of Equalization consists of the Governor, the President of the Senate, the Speaker of the House of Representatives, or their designees, and two members appointed by the Governor with consent of the Senate. Each appointed member must be a qualified appraiser, a former assessor, or a person who has knowledge and experience in property taxation. The state board members for 2006 were Lyle C. Kyle, Chairperson and appointee of Governor Bill Owens; Heather Witwer, Vice-Chair and designee of Governor Owens; Michael Schuster, designee of Joan Fitz-Gerald, President of the Senate; Representative Val Vigil, designee of Andrew Romanoff, Speaker of the House of Representatives; and Charles Brown, appointee of Governor Owens.

Duties and Responsibilities

The state board supervises the administration of property tax laws and the equalization of the values of classes and subclasses of taxable property. Duties of the state board are found primarily in Article X, Sections 3 and 15 of the Colorado Constitution and in Title 39, Articles 1 and 9, Colorado Revised Statutes.

Among its duties, the state board reviews the findings and conclusions of the annual study contractor and orders reappraisals in counties found not in compliance. The annual study was initiated by a 1982 amendment to the Constitution to ensure that all assessors value property at the same level of value, using standardized procedures and statistical measurements. The study is conducted by an independent auditing firm contracted by the Director of Research, Colorado Legislative Council,
§ 39-1-104(16), C.R.S. The study and the resulting orders of reappraisal are the primary means of achieving statewide equalization.

The importance of the state board's equalization function is due in part to the relationship that exists between assessed values and state aid to schools. Generally, if the property in a school district is under-assessed, it is likely that the district will receive more state revenue than it is entitled. When the results of a reappraisal order indicate that the affected school district(s) received too much state revenue, the state board will order the county (not the school district) to pay back the excess funding. During the 1980s and early 1990s this sometimes required the repayment of substantial revenue to the state. In more recent years, significant improvements in the quality of county assessments have resulted in far fewer reappraisal orders and far smaller repayments of excess state aid to schools.

The state board also reviews county Abstracts of Assessment, decisions of county boards of equalization (county board), and the policies and recommendations of the Property Tax Administrator.

STATE BOARD ENFORCEMENT

The following is a brief history of enforcement actions by the state board.

2006 Enforcement and Repayment

On October 11, 2006, the state board met to review the findings and conclusions of Rocky Mountain Valuation Specialists, Inc., annual study contractor for Legislative Council. Based on these findings, the board issued no orders of reappraisal. They did, however, review the results of the reappraisal order given to Costilla County in 2005 for all single-family residential properties in the county.

Division staff provided approximately 360 hours of assistance on the Costilla County reappraisal. The cost for salaries, per diem expenses and mileage totaled $17,964.97. There was an additional 81 hours of on-site assistance provided as well.

The majority of time was spent working on the CAMA database tables. Several adjustments were made to the base valuation tables, resulting in a 10.82 percent increase to the 2005 values from where the values had been set the prior year.

Following a presentation of the reappraisal results, the board determined that the reappraisal was successfully completed, and it ordered the county to make the following paybacks and reimbursements.

County	Supervision Reimbursement	State Aid to Schools Payback
Costilla.............	$17,964.97	$968.09

+ interest on state aid payback at six percent annually

The board approved Costilla County's request to repay the excess state equalization payments to schools by the end of 2007. In addition, the state board approved a three percent reduction in excess of the prime rate for 2004, 2005, 2006 and 2007.

The board also approved the county's request to employ the "Bledsoe Plan" for the repayment of the supervision costs.

Since 1988, the state board has allowed counties to choose the Bledsoe Plan as an alternative method of repaying the costs associated with the state's supervision of the reappraisal. The Bledsoe Plan authorizes counties to increase the assessor's budget by the supervision reimbursement money for expenditures that will enhance their operational effectiveness.

The Costilla Board of County Commissioners was granted permission to repay the supervision costs via the Bledsoe Plan. The purchase of software for statistical analysis, along with the necessary training, staff education, including travel expenses, a public terminal; a laptop/tablet for field appraisal, and Deed Plotter Plus software for Windows, along with necessary training was approved by the state board.

2005 Enforcement and Repayment

On October 11, 2005, the state board met to review the findings and conclusions of Rocky Mountain Valuation Specialists, Inc., annual study contractor for Legislative Council. Based on the findings, the state board issued a reappraisal order for the residential property class in Costilla County, it ordered Rio Grande County to comply with a procedural requirement to use a soil survey conducted by the United States Natural Resource Conservation Service (NRCS) when classifying and valuing agricultural land, and it ordered Jackson County to submit a plan for detailing the methodologies and time frames the county will use to physically inspect agricultural outbuildings.

The board also reviewed the results of a reappraisal order issued to Fremont County in 2004, and pursuant to the reappraisal, it ordered the repayment of excess state aid to schools at the interest rate to be reduced by three percent during the repayment period.

The board also ordered the repayment of the cost of supervising the reappraisal. The county did so via the Bledsoe Plan which allowed the county to apply the supervision reimbursement money to the assessor's budget for 2006. The county requested the funds be used to purchase desktop computers, GPS-enabled computers, various types of software and maps.

County	Supervision Reimbursement	State Aid to Schools Payback
Fremont	$54,751	$131,263

+ interest on state aid payback based on the rate set by the Colorado Banking Commissioner, reduced by three percent under the authority of the state board.

Although there were no other reappraisal orders given this year, both Rio Grande and Jackson Counties received recommendations from the state board.

Rio Grande County was asked to determine the productive capabilities by implementing the NRCS soil survey. This task was set for completion in 2007 for 2008. Jackson County received a recommendation to implement a five-year cycle for physical inspections to update inventories, as the county had no plan in place for updating inventories.

2004 Enforcement and Repayment

On October 4, 2004, the state board met to review the findings and conclusions of Rocky Mountain Valuation Specialists, Inc., annual study contractor for Legislative Council.

After considering all evidence and testimony, the state board concluded that the Fremont County commercial/industrial property classes were out of compliance and issued an order of reappraisal to the county.

2003 Enforcement and Repayment

On October 14, 2003, the state board met to review the findings and conclusions of Rocky Mountain Valuation Specialists, Inc., annual study contractor for Legislative Council.

After considering all evidence and testimony, the state board concluded that 2003 class values for all 64 counties were in compliance with Colorado assessment law, and no orders were issued requiring the reappraisal of a class or sub-class of property.

2002 Enforcement and Repayment

On October 7, 2002, the state board met to review the findings and conclusions of Thos. Y. Pickett & Co., Inc., annual study contractor for Legislative Council.

After considering all evidence and testimony, the state board concluded that 2002 class values for all 64 counties were in compliance with Colorado assessment law, and it issued no orders requiring the reappraisal of a class or sub-class of property.

However, the state board issued an order to the Mesa County Board of Equalization requiring that it rescind its decision to remove the possessory interest valuations from two properties. The order and related correspondence with other counties are discussed in more detail on page II-31.

DIVISION OF PROPERTY TAXATION

Under the general laws of Colorado, the Property Tax Administrator heads the Division of Property Taxation. The administrator is appointed by the State Board of Equalization to serve a five-year term, and until a successor is appointed and qualified.

A primary responsibility of the Division is to administer the implementation of property tax law throughout the 64 counties so that valuations are fair, uniform, and defensible, thereby ensuring that each property class contributes only its fair share of the total property tax revenue. In other words, the Division's goal is equalization of valuation and proper distribution of property taxes throughout the state.

The Division is comprised of four sections: Administrative Resources, Appraisal Standards, Exempt Properties, and State Assessed Properties.

Administrative Resources

Administrative Resources prepares and publishes administrative manuals, procedures and instructions. It conducts schools and seminars regarding the administrative functions of the assessors' offices. It conducts field studies and provides statewide assistance in title conveyance, mapping, abstracting valuations, certification of values to taxing entities, and feasibility studies. The section also investigates taxpayer complaints. It is responsible for various studies and reports such as the residential assessment rate study and the Property Tax Administrator's Annual Report to the General Assembly and State Board of Equalization. It also coordinates with agencies having an interest in property taxation. In addition, the field staff works closely with assessors in all areas of property taxation.

Appraisal Standards

Appraisal Standards prepares and publishes appraisal manuals, procedures and instructions. It holds schools and seminars regarding all areas of appraisal. It conducts field studies and provides statewide assistance in agricultural land classification, natural resources and personal property valuation, as well as assistance in the valuation of residential, commercial and industrial properties. The section assists in reappraisal efforts, reviews internal appraisal forms used by assessors, and investigates and responds to taxpayer complaints.

Exempt Properties

The Exemptions section is responsible for determining qualification for exemption from property taxation for properties that are owned and used for religious, charitable and private school purposes. Exempt property owners are required to file annual reports with the Division to continue exemption. The section provides assistance to counties and taxpayers with inquiries about exempt properties, conducts hearings on denied exemption applications and revocations of exemption, and defends appeals of such denials and revocations.

State Assessed Properties

State Assessed values all public utilities, rail transportation companies, and airlines doing business in Colorado. The company valuations are then apportioned to the counties for collection of local property tax. The section conducts research projects in connection with state assessed companies, assists counties and taxpayers with inquiries on the assessment of public utilities, rail transportation companies, and airlines hears protests of the assigned values, and defends appeals of such valuations.

2006 VALUE INFORMATION

Statewide Assessed Values for 2006

The 2006 tax year was an "intervening," or non-reappraisal year, meaning the actual values of most properties were the same as those established for the 2005 tax year. The values generally reflect market values as of June 30, 2004, although certain classes and sub-classes of property are valued every year. The property valued every year includes all property classified as state assessed; leasehold interests classified as oil and gas, natural resource, and producing mines; and all subclasses of personal property. Table 2 displays the percentage changes in value of each property class for 2006.

Table 2

Value Changes by Class

Class	2005-2006 Change	Percentage of Total
Vacant Land	- 3.1%	6.09%
Residential	+ 3.7%	46.08%
Commercial	+ 2.3%	27.01%
Industrial	+ 1.3%	3.77%
Agricultural	+ 0.7%	1.10%
Natural Resources	+ 11.1%	0.46%
Producing Mines	+ 70.5%	0.23%
Oil and Gas	+ 45.0%	9.83%
State Assessed	- 1.3%	5.43%
Net Total	**+ 5.6%**	**100.0%**

Typically, the most significant changes to the values during an intervening year are the result of new construction. For 2006, the 3.7 percent increase to the residential class and the 2.3 percent increase to the commercial class are predominantly new construction related. In addition, much of the 3.1 percent reduction to the vacant land class was caused by the reclassification of land underlying newly constructed properties.

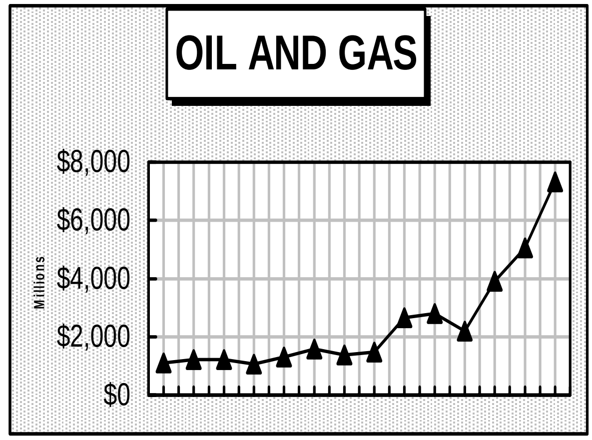
The State Assessed class is comprised of property owned by public utilities, airlines and railroads. Property classified as state assessed is valued annually by the Division of Property Taxation using unitary valuation procedures. The portion of that value attributable to Colorado is then distributed to county assessors according to the location of the companies' operating property and/or its business activity throughout the state. The 1.3 percent decrease in state assessed value was due primarily to write down of assets under purchase price accounting rules in the telecommunications industry. Other state assessed industries generally remained the same or increased slightly in 2006.

The value established for agricultural land is based on the earning or productive capacity of the land regardless of the property's market value or its highest and best use. As a result, the actual values of agricultural property are often much lower than their market values, and they tend to be stable from year to year.

Since 2000, Colorado has experienced a 393 percent increase in the total assessed value of the oil and gas class. Among the classes of taxable property, oil and gas now contains the third highest total assessed value, up from sixth highest in 2000. A recent history of the assessed value for the class is shown in Table 3.

Table 3
Oil and Gas Class

Year	(Billions) Value	% of Total	Change
2000	$1.49	3.05%	+ 7.8%
2001	$2.65	4.51%	+78.5%
2002	$2.80	4.62%	+ 5.6%
2003	$2.20	3.55%	- 21.4%
2004	$3.91	6.04%	+77.6%
2005	$5.06	7.16%	+29.4%
2006	$7.33	9.83%	45.0%



For 2006, the most significant change to the state's total assessed value in dollars was the increase in the oil and gas class with an increase of $2,274,074,806 from 2005 to 2006. In 2006, oil and gas property comprised 9.83 percent of the total taxable value, up from 7.2 percent of the total in 2005. Approximately, $2.27 billion of the $3.92 billion net increase to Colorado's total assessed value is attributable to the increase of the oil and gas class.

The value of oil and gas leasehold interests is calculated as a percentage of the sale price obtained for the product at the wellhead. This makes oil and gas among the most volatile of classes because the market prices of natural gas and crude oil can change considerably from year to year. When the prices rise or fall, the production volumes of the commodities tend to increase or decrease in harmony with the changes in price, magnifying the effect of price changes on the assessed value of the property class.

The value of land in the other production classes, natural resources and producing mines, is also calculated as a percentage of the money obtained from selling the product. Unlike oil and gas, the value of natural resource property is relatively stable from year to year as the price of sand and gravel products, and their production amounts for example, do not fluctuate greatly.

Producing mines values are subject to a high level of volatility, but the class comprises only 0.23 percent of the state's total value. The value of the entire class of property is located in twelve counties which include Boulder, Clear Creek, Eagle, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Lake, Montrose, Park and Teller. Of the twelve counties, 98.17 percent of the value in the producing mines property classification is located in Clear Creek, Teller, Grand and Lake Counties.

Specifically, 51.25 percent of the value in the producing mines property class is located in Clear Creek County with 25.99 percent of the value in Teller. Grand and Lake Counties follow with 16.11 percent and 4.82 percent, of the total assessed value for this class respectively.

The primary mineral produced in Clear Creek and Grand Counties is molybdenum. At the Henderson mine west of Empire, Colorado, Climax Molybdenum has produced more than 770 million pounds since the mine opened in 1976.

Molybdenum maintained a price at or near $10 per metric ton from 1997 through 2002, and reached a high of $103 per metric ton in June of 2005. According to the USGS, the average price of molybdenum for 2005 was $72.07 per metric ton.

Teller County is the location of most of Colorado's gold production. According to the USGS, the average price per ounce in 2005 was $440.

Regional and Local Values in 2006

The 5.6 percent increase in property value, as shown in Table 2, did not occur uniformly across Colorado. At the county level, the changes in assessed value ranged from an increase of 44.29 percent in Garfield County to a decrease of 4.82 percent in Huerfano County. Six of Colorado's 64 counties experienced a decline in total assessed value, and five others witnessed an increase of less than one percent.

In 2006, the counties with the greatest percentage increases to their total assessed value were generally those with substantial oil and gas property.

Although oil and gas property comprises only 9.83 percent of the state's total assessed value, 95.79 percent of that value is concentrated in ten counties. Three of those counties, Las Animas, Rio Blanco, and Cheyenne have over 70 percent of their taxable value classified as oil and gas. This is significant because the Constitutional Taxpayer Bill of Rights (TABOR) prohibits a mill levy increase without voter approval. The restriction can subject the tax base of certain local governments to the volatility inherent to the oil and gas classification. Table 4 lists the top ten oil and gas producing counties for 2006, along with their increases in total value.

Table 4

Counties with Highest Oil and Gas Value

	County	% Change	% in O&G
1)	La Plata	+ 31.24%	66.01%
2)	Garfield	+ 20.74%	68.24%
3)	Weld	+ 41.22%	41.46%
4)	Las Animas	+ 15.58%	77.18%
5)	Rio Blanco	+ 27.69%	75.05%
6)	Yuma	+ 14.33%	54.36%
7)	Montezuma	+ 15.70%	39.48%
8)	Moffat	+ 8.55%	28.71%
9)	San Miguel	+ 12.35%	13.93%
10)	Cheyenne	+ 28.92%	72.01%

Table 5 lists the value changes for each county for 2006.

Personal Property in 2006

Colorado is one of 39 states that impose a tax on business personal property (Fair & Equitable, P. 6, 05/04). In 2006, personal property accounted for 11.75 percent of Colorado's property tax base, but that percentage varied substantially from county to county. Although most personal property is assessed locally, 42.29 percent of personal property is classified as state assessed. In 2006, 91.56 percent of the state assessed property value was personal. All taxable personal property is assessed at 29 percent of its actual value.

Under the Colorado Constitution and statutes, certain categories of business personal property are exempt from taxation, including equipment used for agricultural purposes, business inventory, materials and supplies held for consumption, and personal property under common ownership with a total actual value of no more than $2,500 per county. In addition, a provision found in the constitution, allows any taxing entity to "enact cumulative uniform exemptions and credits to reduce or end business personal property taxes," § 20(8)(b), art. X, COLO. CONST.

Table 6 lists the state assessed, locally assessed, and total taxable personal property by county, and the percentage of value comprised of personal property.

Table 5
CHANGE IN TAXABLE VALUES

COUNTY	2006 ASSESSED VALUES			2005 ASSESSED VALUES			INCREASE OR DECREASE		
	Non-Residential	**Residential**	**Total**	**Non-Residential**	**Residential**	**Total**	**Non-Res**	**Residential**	**Total**
Adams	2,156,972,370	2,090,024,670	4,246,997,040	2,112,703,540	2,005,601,680	4,118,305,220	2.10%	4.21%	**3.12%**
Alamosa	79,157,790	36,344,730	115,502,520	77,969,900	35,231,910	113,201,810	1.52%	3.16%	**2.03%**
Arapahoe	3,127,075,850	3,793,975,220	6,921,051,070	3,098,587,790	3,694,072,400	6,792,660,190	0.92%	2.70%	**1.89%**
Archuleta	143,158,301	104,152,898	247,311,199	137,390,346	98,480,117	235,870,463	4.20%	5.76%	**4.85%**
Baca	61,141,204	5,687,299	66,828,503	56,796,281	5,598,642	62,394,923	7.65%	1.58%	**7.11%**
Bent	45,857,956	7,668,929	53,526,885	45,487,821	7,553,121	53,040,942	0.81%	1.53%	**0.92%**
Boulder	2,279,556,900	2,751,583,576	5,031,140,476	2,275,690,470	2,698,184,160	4,973,874,630	0.17%	1.98%	**1.15%**
Broomfield	570,306,960	351,866,104	922,173,064	566,662,520	330,235,820	896,898,340	0.64%	6.55%	**2.82%**
Chaffee	161,881,200	133,440,710	295,321,910	159,671,420	129,796,220	289,467,640	1.38%	2.81%	**2.02%**
Cheyenne	135,666,617	3,304,477	138,971,094	115,586,315	3,303,665	118,889,980	17.37%	0.02%	**16.89%**
Clear Creek	157,858,620	91,953,600	249,812,220	113,479,840	90,679,980	204,159,820	39.11%	1.40%	**22.36%**
Conejos	24,121,853	21,033,614	45,155,467	24,413,670	20,328,090	44,741,760	-1.20%	3.47%	**0.92%**
Costilla	65,370,588	7,560,097	72,930,685	64,395,624	6,756,321	71,151,945	1.51%	11.90%	**2.50%**
Crowley	27,511,462	5,553,760	33,065,222	26,848,392	5,551,265	32,399,657	2.47%	0.04%	**2.05%**
Custer	38,143,010	39,425,340	77,568,350	37,664,830	37,351,060	75,015,890	1.27%	5.55%	**3.40%**
Delta	135,486,460	114,770,960	250,257,420	121,108,440	110,605,380	231,713,820	11.87%	3.77%	**8.00%**
Denver	5,118,383,100	3,930,201,030	9,048,584,130	5,078,899,210	3,840,437,420	8,919,336,630	0.78%	2.34%	**1.45%**
Dolores	33,959,352	7,514,545	41,473,897	27,213,275	7,064,218	34,277,493	24.79%	6.37%	**20.99%**
Douglas	1,680,328,330	2,390,842,970	4,071,171,300	1,634,836,710	2,238,651,880	3,873,488,590	2.78%	6.80%	**5.10%**
Eagle	879,257,260	1,405,984,100	2,285,241,360	854,409,590	1,350,698,090	2,205,107,680	2.91%	4.09%	**3.63%**
El Paso	2,672,686,540	3,025,409,240	5,698,095,780	2,647,389,350	2,882,040,080	5,529,429,430	0.96%	4.97%	**3.05%**
Elbert	85,611,130	169,680,590	255,291,720	82,545,870	161,104,750	243,650,620	3.71%	5.32%	**4.78%**
Fremont	216,305,091	157,157,551	373,462,642	214,748,695	151,213,967	365,962,662	0.72%	3.93%	**2.05%**
Garfield	2,195,904,810	361,578,510	2,557,483,320	1,432,117,620	340,387,010	1,772,504,630	53.33%	6.23%	**44.29%**
Gilpin	262,075,310	52,884,610	314,959,920	249,397,580	51,769,660	301,167,240	5.08%	2.15%	**4.58%**
Grand	312,714,150	298,129,900	610,844,050	293,061,230	279,210,330	572,271,560	6.71%	6.78%	**6.74%**
Gunnison	303,951,600	205,906,440	509,858,040	292,343,640	196,290,790	488,634,430	3.97%	4.90%	**4.34%**
Hinsdale	25,893,780	16,918,350	42,812,130	24,685,750	15,999,740	40,685,490	4.89%	5.74%	**5.23%**
Huerfano	65,888,920	29,339,686	95,228,606	71,572,376	28,479,594	100,051,970	-7.94%	3.02%	**-4.82%**
Jackson	21,199,100	8,267,330	29,466,430	21,274,018	8,042,420	29,316,438	-0.35%	2.80%	**0.51%**
Jefferson	2,715,442,170	3,995,315,490	6,710,757,660	2,724,635,230	3,940,744,430	6,665,379,660	-0.34%	1.38%	**0.68%**
Kiowa	31,563,760	1,825,690	33,389,450	28,712,150	1,821,350	30,533,500	9.93%	0.24%	**9.35%**
Kit Carson	81,071,043	19,175,487	100,246,530	80,266,161	18,938,198	99,204,359	1.00%	1.25%	**1.05%**
La Plata	2,566,894,960	436,296,680	3,003,191,640	2,078,963,240	408,548,180	2,487,511,420	23.47%	6.79%	**20.73%**
Lake	47,396,874	37,466,827	84,863,701	48,342,209	36,584,178	84,926,387	-1.96%	2.41%	**-0.07%**
Larimer	1,589,659,136	1,998,483,390	3,588,142,526	1,546,179,902	1,914,831,240	3,461,011,142	2.81%	4.37%	**3.67%**
Las Animas	606,132,100	46,354,650	652,486,750	436,264,330	45,325,150	481,589,480	38.94%	2.27%	**35.49%**
Lincoln	58,271,035	10,931,569	69,202,604	55,542,110	10,709,322	66,251,432	4.91%	2.08%	**4.45%**
Logan	136,619,310	53,706,850	190,326,160	119,831,540	53,078,810	172,910,350	14.01%	1.18%	**10.07%**
Mesa	683,068,750	645,904,400	1,328,973,150	640,416,810	618,901,530	1,259,318,340	6.66%	4.36%	**5.53%**
Mineral	13,002,510	11,702,660	24,705,170	12,683,810	11,247,360	23,931,170	2.51%	4.05%	**3.23%**
Moffat	375,093,540	41,636,970	416,730,510	350,188,080	40,107,200	390,295,280	7.11%	3.81%	**6.77%**
Montezuma	276,030,550	92,941,100	368,971,650	214,331,270	86,363,130	300,694,400	28.79%	7.62%	**22.71%**
Montrose	252,780,280	178,371,580	431,151,860	231,246,580	166,464,760	397,711,340	9.31%	7.15%	**8.41%**
Morgan	285,956,500	81,405,730	367,362,230	296,329,250	78,980,970	375,310,220	-3.50%	3.07%	**-2.12%**
Otero	70,758,920	40,571,915	111,330,835	69,019,467	40,186,100	109,205,567	2.52%	0.96%	**1.95%**
Ouray	83,816,390	60,899,290	144,715,680	83,060,130	57,064,910	140,125,040	0.91%	6.72%	**3.28%**
Park	173,378,333	184,205,770	357,584,103	176,400,974	177,053,280	353,454,254	-1.71%	4.04%	**1.17%**
Phillips	34,487,240	12,496,680	46,983,920	31,368,940	12,326,630	43,695,570	9.94%	1.38%	**7.53%**
Pitkin	659,035,590	1,275,051,130	1,934,086,720	658,110,690	1,230,529,310	1,888,640,000	0.14%	3.62%	**2.41%**
Prowers	101,245,060	23,150,380	124,395,440	104,106,360	22,996,060	127,102,420	-2.75%	0.67%	**-2.13%**
Pueblo	545,646,360	540,571,040	1,086,217,400	532,952,480	517,531,560	1,050,484,040	2.38%	4.45%	**3.40%**
Rio Blanco	553,811,890	23,931,720	577,743,610	410,581,080	23,307,270	433,888,350	34.88%	2.68%	**33.15%**
Rio Grande	89,090,420	49,686,450	138,776,870	87,861,810	47,107,850	134,969,660	1.40%	5.47%	**2.82%**
Routt	422,155,740	390,834,840	812,990,580	420,977,710	369,801,360	790,779,070	0.28%	5.69%	**2.81%**
Saguache	36,118,741	13,894,569	50,013,310	36,447,929	13,120,608	49,568,537	-0.90%	5.90%	**0.90%**
San Juan	30,725,910	9,890,950	40,616,860	31,126,420	9,507,310	40,633,730	-1.29%	4.04%	**-0.04%**
San Miguel	440,173,010	340,635,740	780,808,750	418,899,400	324,624,810	743,524,210	5.08%	4.93%	**5.01%**
Sedgwick	27,422,960	4,831,720	32,254,680	26,476,190	4,795,220	31,271,410	3.58%	0.76%	**3.14%**
Summit	499,297,661	775,173,872	1,274,471,533	535,648,368	750,537,041	1,286,185,409	-6.79%	3.28%	**-0.91%**
Teller	228,521,560	167,527,250	396,048,810	226,250,150	161,499,690	387,749,840	1.00%	3.73%	**2.14%**
Washington	101,689,051	10,100,442	111,789,493	91,109,748	9,842,131	100,951,879	11.61%	2.62%	**10.74%**
Weld	3,055,145,060	1,133,000,390	4,188,145,450	2,561,541,090	1,051,660,420	3,613,201,510	19.27%	7.73%	**15.91%**
Yuma	244,312,530	24,074,760	268,387,290	190,178,790	23,744,240	213,923,030	28.46%	1.39%	**25.46%**
Total	40,199,240,558	34,350,208,817	74,549,449,375	37,515,002,511	33,110,601,388	70,625,603,899	7.16%	3.74%	**5.56%**

Table 6

DISTRIBUTION OF PERSONAL PROPERTY IN 2006

County	State Assd. Personal	% of Total	Locally Assd. Personal	% of Total	Total Personal	% of Total	Total Real	Total Assd. Value
Adams	276,340,090	6.51%	367,584,350	8.66%	643,924,440	15.16%	3,603,072,600	4,246,997,040
Alamosa	9,459,630	8.19%	6,498,560	5.63%	15,958,190	13.82%	99,544,330	115,502,520
Arapahoe	247,328,430	3.57%	431,309,940	6.23%	678,638,370	9.81%	6,242,412,700	6,921,051,070
Archuleta	9,323,022	3.77%	7,284,337	2.95%	16,607,359	6.72%	230,703,840	247,311,199
Baca	25,281,125	37.83%	2,195,316	3.28%	27,476,441	41.11%	39,352,062	66,828,503
Bent	11,064,158	20.67%	982,399	1.84%	12,046,557	22.51%	41,480,328	53,526,885
Boulder	123,216,220	2.45%	367,678,610	7.31%	490,894,830	9.76%	4,540,245,646	5,031,140,476
Broomfield	34,377,166	3.73%	100,605,040	10.91%	134,982,206	14.64%	787,190,858	922,173,064
Chaffee	11,856,270	4.01%	8,208,790	2.78%	20,065,060	6.79%	275,256,850	295,321,910
Cheyenne	10,933,214	7.87%	12,582,821	9.05%	23,516,035	16.92%	115,455,059	138,971,094
Clear Creek	10,418,140	4.17%	16,551,370	6.63%	26,969,510	10.80%	222,842,710	249,812,220
Conejos	3,509,196	7.77%	950,919	2.11%	4,460,115	9.88%	40,695,352	45,155,467
Costilla	4,079,978	5.59%	752,613	1.03%	4,832,591	6.63%	68,098,094	72,930,685
Crowley	3,628,750	10.97%	560,762	1.70%	4,189,512	12.67%	28,875,710	33,065,222
Custer	3,497,950	4.51%	563,760	0.73%	4,061,710	5.24%	73,506,640	77,568,350
Delta	20,985,980	8.39%	24,195,700	9.67%	45,181,680	18.05%	205,075,740	250,257,420
Denver	729,953,440	8.07%	730,562,900	8.07%	1,460,516,340	16.14%	7,588,067,790	9,048,584,130
Dolores	9,875,847	23.81%	895,448	2.16%	10,771,295	25.97%	30,702,602	41,473,897
Douglas	108,381,789	2.66%	209,040,520	5.13%	317,422,309	7.80%	3,753,748,991	4,071,171,300
Eagle	46,117,390	2.02%	80,294,020	3.51%	126,411,410	5.53%	2,158,829,950	2,285,241,360
El Paso	234,159,990	4.11%	442,035,930	7.76%	676,195,920	11.87%	5,021,899,860	5,698,095,780
Elbert	15,075,836	5.91%	3,358,790	1.32%	18,434,626	7.22%	236,857,094	255,291,720
Fremont	20,283,530	5.43%	72,431,070	19.39%	92,714,600	24.83%	280,748,042	373,462,642
Garfield	47,272,578	1.85%	199,809,520	7.81%	247,082,098	9.66%	2,310,401,222	2,557,483,320
Gilpin	4,180,150	1.33%	27,807,200	8.83%	31,987,350	10.16%	282,972,570	314,959,920
Grand	23,657,930	3.87%	16,274,530	2.66%	39,932,460	6.54%	570,911,590	610,844,050
Gunnison	8,838,420	1.73%	34,893,100	6.84%	43,731,520	8.58%	466,126,520	509,858,040
Hinsdale	665,820	1.56%	391,180	0.91%	1,057,000	2.47%	41,755,130	42,812,130
Huerfano	13,995,257	14.70%	5,207,760	5.47%	19,203,017	20.17%	76,025,589	95,228,606
Jackson	1,951,157	6.62%	1,084,910	3.68%	3,036,067	10.30%	26,430,363	29,466,430
Jefferson	216,998,280	3.23%	401,942,740	5.99%	618,941,020	9.22%	6,091,816,640	6,710,757,660
Kiowa	3,813,400	11.42%	799,570	2.39%	4,612,970	13.82%	28,776,480	33,389,450
Kit Carson	16,005,806	15.97%	4,219,714	4.21%	20,225,520	20.18%	80,021,010	100,246,530
La Plata	55,356,705	1.84%	206,244,270	6.87%	261,600,975	8.71%	2,741,590,665	3,003,191,640
Lake	8,083,301	9.53%	4,180,301	4.93%	12,263,602	14.45%	72,600,099	84,863,701
Larimer	75,062,160	2.09%	284,337,444	7.92%	359,399,604	10.02%	3,228,742,922	3,588,142,526
Las Animas	43,893,270	6.73%	91,141,460	13.97%	135,034,730	20.70%	517,452,020	652,486,750
Lincoln	18,687,937	27.00%	2,024,946	2.93%	20,712,883	29.93%	48,489,721	69,202,604
Logan	37,501,700	19.70%	18,675,460	9.81%	56,177,160	29.52%	134,149,000	190,326,160
Mesa	81,613,560	6.14%	87,258,180	6.57%	168,871,740	12.71%	1,160,101,410	1,328,973,150
Mineral	891,740	3.61%	1,152,600	4.67%	2,044,340	8.27%	22,660,830	24,705,170
Moffat	125,065,360	30.01%	26,294,680	6.31%	151,360,040	36.32%	265,370,470	416,730,510
Montezuma	32,021,210	8.68%	18,295,640	4.96%	50,316,850	13.64%	318,654,800	368,971,650
Montrose	43,976,130	10.20%	21,743,360	5.04%	65,719,490	15.24%	365,432,370	431,151,860
Morgan	118,711,990	32.31%	41,411,270	11.27%	160,123,260	43.59%	207,238,970	367,362,230
Otero	18,921,859	17.00%	7,316,185	6.57%	26,238,044	23.57%	85,092,791	111,330,835
Ouray	4,896,380	3.38%	2,706,410	1.87%	7,602,790	5.25%	137,112,890	144,715,680
Park	10,382,987	2.90%	2,124,527	0.59%	12,507,514	3.50%	345,076,589	357,584,103
Phillips	2,422,470	5.16%	2,555,130	5.44%	4,977,600	10.59%	42,006,320	46,983,920
Pitkin	14,931,994	0.77%	42,916,660	2.22%	57,848,654	2.99%	1,876,238,066	1,934,086,720
Prowers	41,039,400	32.99%	5,966,840	4.80%	47,006,240	37.79%	77,389,200	124,395,440
Pueblo	107,341,810	9.88%	103,055,010	9.49%	210,396,820	19.37%	875,820,580	1,086,217,400
Rio Blanco	30,813,350	5.33%	67,292,400	11.65%	98,105,750	16.98%	479,637,860	577,743,610
Rio Grande	7,569,380	5.45%	6,189,630	4.46%	13,759,010	9.91%	125,017,860	138,776,870
Routt	71,486,060	8.79%	34,742,030	4.27%	106,228,090	13.07%	706,762,490	812,990,580
Saguache	4,932,751	9.86%	810,240	1.62%	5,742,991	11.48%	44,270,319	50,013,310
San Juan	1,508,219	3.71%	765,930	1.89%	2,274,149	5.60%	38,342,711	40,616,860
San Miguel	10,855,240	1.39%	13,756,640	1.76%	24,611,880	3.15%	756,196,870	780,808,750
Sedgwick	9,708,650	30.10%	1,130,650	3.51%	10,839,300	33.61%	21,415,380	32,254,680
Summit	24,629,514	1.93%	54,246,430	4.26%	78,875,944	6.19%	1,195,595,589	1,274,471,533
Teller	12,002,766	3.03%	41,501,670	10.48%	53,504,436	13.51%	342,544,374	396,048,810
Washington	18,037,795	16.14%	2,949,933	2.64%	20,987,728	18.77%	90,801,765	111,789,493
Weld	345,481,310	8.25%	268,399,120	6.41%	613,880,430	14.66%	3,574,265,020	4,188,145,450
Yuma	21,020,890	7.83%	14,976,330	5.58%	35,997,220	13.41%	232,390,070	268,387,290
TOTALS	3,705,373,827	4.97%	5,055,715,565	6.78%	8,761,089,392	11.75%	65,788,359,983	74,549,449,375

RESIDENTIAL ASSESSMENT RATE

In 1982, the electorate passed Constitutional Amendment One. A portion of the amendment dealt with the residential assessment rate, and that portion is referred to as the "Gallagher Amendment."

The purpose of the Gallagher Amendment is to stabilize residential real property's share of the statewide property tax base. From 1958 to 1982, the percentage of total assessed value comprised of residential property increased from 29 to 44 percent. This occurred primarily because market value increases to residential property greatly outpaced market value increases to non-residential property.

To counter this trend, the Gallagher Amendment requires a biennial adjustment of the residential assessment rate to ensure that the rate of change to the state's total assessed value be the same for both residential and non-residential property, after excluding certain categories of value. The excluded categories are new construction, destroyed property, and changes in production volumes of natural resources property. The current residential assessment rate is 7.96 percent of assessed value. In contrast, the assessment rate for most classes of non-residential property is fixed at 29 percent. A history of changes to the residential assessment rate is shown in Table 7.

Table 7

Years	Residential Assessment Rate
Prior to 1983	30%
1983-1986	21%
1987	18%
1988	16%
1989-1990	15%
1991-1992	14.34%
1993-1994	12.86%
1995-1996	10.36%
1997-1998	. 9.74%
1999-2000	..9.74%
2001-2002	..9.15%
2003-2004.	7.96%
2005-2006	7.96%

Adjustment of the residential assessment rate is governed by § 3(1)(b) of Article X of the Colorado Constitution and § 39-1-104.2(5), C.R.S. During years of change in the level of value (odd numbered years), the legislature is required to enact into law the residential assessment rate estimated to achieve the same percentage split between residential and non-residential property that existed in the prior year, except for the excluded categories. The residential portion of the split, or "target percentage," is also enacted into law. The target percentage itself is adjusted to account for the excluded items. The current residential target percentage is 47.22 percent.

Section 39-1-104.2(5)(c), C.R.S., requires the Property Tax Administrator to complete a documented study, calculating the target percentage and estimating the residential assessment rate needed to achieve it. The findings are used by the legislature for enacting the new target percentage and residential assessment rate.

2005 Residential Rate Calculation

Three major calculations are required to determine the residential assessment rate. (NOTE: The following example portrays the calculation of the rate for tax years 2005 and 2006.):

1) Calculate the 2005 Target Percentage - The 2003 target percentage was adjusted to account for new construction, destroyed property and changes to the volumes of natural resources production. To do so, a hypothetical total assessed value of residential property in 2003 was calculated that, if achieved, would have resulted in residential property comprising exactly 47.08 percent (rounded) of the total taxable assessed value. The value of 2003 and 2004 residential net new construction was then added to that figure. The value of 2003 and 2004 non-residential net new construction and the values associated with changes in production volumes of the natural resources classes were added to the total assessed value of 2003 non-residential property. The new target percentage of 47.22 percent represents the residential portion of the total adjusted value.

2) Estimate 2005 values – Because the residential assessment rate study is completed prior to the establishment of new actual and assessed values, the most sensitive step involves an estimation of what those values will be. In November/December 2004, employees of the Administrative Resources Section interviewed the assessor and appropriate staff in every county to obtain their estimates of value changes. In addition, a linier regression technique known as time trending was used to develop estimates

from county sales data. For the oil and gas class, a statewide estimate was developed using data obtained from the Colorado Oil and Gas Conservation Commission. For state assessed property, appraisers in the State Assessed Section estimated value changes for the industries they value, resulting in an overall estimate for the state assessed class. The value estimates in this step do not include 2005 new construction.

3) Calculate the new rate – The 2005 study calculated a new residential assessment rate of 8.17 percent. That figure, when multiplied by the estimated actual value of residential property, results in an assessed value estimate that is 47.22 percent (rounded) of the estimated 2005 total taxable value. In other words, it is the rate estimated to achieve the 2005 target percentage.

Although the study indicated that the residential assessment rate should be adjusted upward to 8.17 percent, Section 20(4) of Article X of the Colorado Constitution, prohibits an increase of the rate without statewide voter approval. Therefore, the legislature maintained the residential assessment rate at 7.96 percent for tax years 2005 and 2006.

Shift of Assessed Values & Tax Burden

Table 8, on the following page, calculates the savings to residential taxpayers from the inception of the Gallagher Amendment through 2006. It does so by comparing the taxes paid by residential property owners to an estimate of the taxes they would have paid had the Gallagher Amendment not been enacted. The estimated savings to residential property owners is $11,460,888,655.

The table begins with 1987, because the residential assessment rate remained at 21 percent until 1987. The contents of each row in the table are described below.

Row 1. Hypothetical residential assessment rate of 21 percent.

Row 2. Actual residential assessment rate for each particular year.

Row 3. Actual average mill levy.

Row 4. Hypothetical average mill levy, had the residential rate been 21 percent every year. This is calculated by dividing the total actual revenue received in each year (Row 9), by the total assessed value, had the residential rate been 21 percent (Row 8).

Row 5. Actual total residential assessed value.

Row 6. Actual total statewide assessed value as certified by county commissioners when mill levies were certified.

Row 7. Total hypothetical residential assessed value, had the residential rate remained at 21 percent.

Row 8. Hypothetical total assessed value, had the residential assessment rate remained at 21 percent.

Row 9. Total actual statewide property tax revenue.

Row 10. Total hypothetical tax revenue attributable to residential property, had the residential rate remained at 21 percent. This is calculated by multiplying the hypothetical mill levy at 21 percent (Row 4) by the hypothetical residential assessed value at 21 percent (Row 7).

Row 11. Total actual property tax revenue.

Row 12. Savings to residential taxpayers, Row 10 minus Row 11.

Table 9, illustrates the effect of Gallagher on the statewide assessed value of residential property since 1983. As the table shows, the percentage of actual value attributable to residential property has increased dramatically during the last 21 years, from 53.20 percent in 1983 to 77.79 percent today. At the same time, the percentage of assessed value comprising residential property remained essentially stable, with only slight changes over time resulting from new construction and increased minerals production.

Table 8

Shift of Property Tax Burden Due to the Gallagher Amendment

		1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
1.	Res. Rate w/o Gallagher	21.00%	21.00%	21.00%	21.00%	21.00%	21.00%	21.00%	21.00%	21.00%	21.00%
2.	Actual Res. Rate	18.00%	16.00%	15.00%	15.00%	14.34%	14.34%	12.86%	12.86%	10.36%	10.36%
3.	Avg. Actual Mill Levy	0.061631	0.068941	0.076599	0.077543	0.082883	0.084618	0.084215	0.084423	0.082287	0.082951
4.	Avg. Mill Levy @ 21%	0.057041	0.060260	0.064812	0.065465	0.068395	0.069563	0.065064	0.065084	0.055600	0.055931
5.	Total True Res. Assd. Val.	$16,082,851,000	$14,565,525,000	$13,246,081,000	$13,393,681,000	$12,886,606,000	$13,256,627,000	$13,373,489,410	$13,970,427,000	$15,155,126,840	$15,788,272,000
6.	Total True Assd. Val.	$33,305,709,386	$31,594,514,873	$29,132,506,180	$29,039,235,830	$28,254,712,020	$28,447,544,980	$28,758,329,600	$29,761,160,460	$32,428,020,970	$33,563,472,960
7.	Total Res. Assd. Val. @ 21%	$18,763,326,167	$19,117,251,563	$18,544,513,400	$18,751,153,400	$18,871,598,745	$19,413,470,502	$21,838,513,033	$22,813,294,479	$30,719,851,703	$32,003,254,054
8.	Total Assd. Val. @ 21%	$35,986,184,553	$36,146,241,436	$34,430,938,580	$34,396,708,230	$34,239,704,765	$34,604,388,482	$37,223,353,223	$38,604,027,939	$47,992,745,833	$49,778,455,014
9.	Total True Revenue	$2,052,676,764	$2,178,165,007	$2,231,532,285	$2,251,797,175	$2,341,834,706	$2,407,175,164	$2,421,892,140	$2,512,514,138	$2,668,403,530	$2,784,139,391
10.	Res. Revenue @ 21%	$1,070,273,054	$1,152,001,612	$1,201,903,929	$1,227,553,345	$1,290,728,562	$1,350,453,688	$1,420,896,252	$1,484,786,121	$1,708,028,147	$1,789,961,545
11.	Res. Rev. @ True Rate	$991,208,269	$1,004,165,343	$1,014,641,762	$1,038,589,762	$1,068,080,296	$1,121,749,638	$1,126,252,788	$1,179,419,579	$1,247,069,440	$1,309,660,357
12.	Savings to Res. Taxpayers	**$79,064,785**	**$147,836,269**	**$187,262,167**	**$188,963,583**	**$222,648,266**	**$228,704,050**	**$294,643,464**	**$305,366,542**	**$460,958,707**	**$480,301,188**

Table 8 (continued)

Shift of Property Tax Burden Due to the Gallagher Amendment

		1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
1.	Res. Rate w/o Gallagher	21.00%	21.00%	21.00%	21.00%	21.00%	21.00%	21.00%	21.00%	21.00%	21.00%
2.	Actual Res. Rate	9.74%	9.74%	9.74%	9.74%	9.15%	9.15%	7.96%	7.96%	7.96%	7.96%
3.	Avg. Actual Mill Levy	0.078773	0.080042	0.074927	0.075733	0.070416	0.072350	0.074335	0.074969	0.075228	0.073424
4.	Avg. Mill Levy @ 21%	0.051464	0.052162	0.048756	0.049182	0.043633	0.044696	0.041705	0.042274	0.042507	0.041841
5.	Total True Res. Assd. Val.	$17,673,602,010	$18,452,519,220	$21,633,354,370	$22,729,547,584	$27,699,298,175	$28,882,504,491	$29,523,577,562	$30,470,840,993	$33,110,601,388	$34,350,208,817
6.	Total True Assd. Val.	$38,502,250,770	$39,910,771,429	$46,590,805,330	$48,673,508,510	$58,440,166,120	$60,456,523,380	$61,816,965,320	$64,541,293,358	$70,466,165,655	$74,549,449,375
7.	Total Res. Assd. Val. @ 21%	$38,105,302,075	$39,784,692,363	$46,642,755,829	$49,006,211,423	$63,572,159,746	$66,287,715,225	$77,888,835,277	$80,387,897,092	$87,352,089,089	$90,622,410,196
8.	Total Assd. Val. @ 21%	$58,933,950,835	$61,242,944,572	$71,600,206,789	$74,950,172,349	$94,313,027,691	$97,861,734,114	$110,182,223,035	$114,458,349,457	$124,707,653,356	$130,821,650,754
9.	Total True Revenue	$3,032,955,892	$3,194,557,668	$3,490,910,908	$3,686,192,349	$4,115,123,689	$4,374,011,505	$4,595,136,111	$4,838,584,603	$5,301,008,623	$5,473,694,289
10.	Res. Revenue @ 21%	$1,961,037,718	$2,075,251,197	$2,274,095,459	$2,410,218,895	$2,773,819,343	$2,962,784,501	$3,248,344,331	$3,398,298,534	$3,713,117,560	$3,791,722,290
11.	Res. Rev. @ True Rate	$1,392,210,956	$1,476,985,652	$1,620,923,103	$1,721,377,541	$1,950,474,231	$2,089,640,619	$2,194,621,762	$2,284,362,993	$2,490,834,883	$2,522,118,452
12.	Savings to Res. Taxpayers	$568,826,762	$598,265,545	$653,172,356	$688,841,354	$823,345,112	$873,143,882	$1,053,722,569	$1,113,935,541	$1,222,282,677	$1,269,603,838

An Estimate of Total Savings to Residential Taxpayers from Inception to 2006 = $11,460,888,655

Table 9

COLORADO ASSESSED VALUES

ASSESSED VALUES					DISTRIBUTION OF VALUE			
Year	Total	Residential	Non-Residential		Year	Total	Residential	Non-Residential
1983	$17,185,698,000	$7,424,951,000	$9,760,747,000		1983	100.00%	43.20%	56.80%
1984	$17,905,089,000	$7,921,865,470	$9,983,223,530		1984	100.00%	44.24%	55.76%
1985	$18,730,104,000	$8,327,520,240	$10,402,583,760		1985	100.00%	44.46%	55.54%
1986	$19,216,096,000	$8,646,958,180	$10,569,137,820		1986	100.00%	45.00%	55.00%
1987	$33,261,142,000	$16,082,850,600	$17,178,291,400		1987	100.00%	48.35%	51.65%
1988	$31,660,568,730	$14,565,865,580	$17,094,703,150		1988	100.00%	46.01%	53.99%
1989	$29,131,941,640	$13,247,498,311	$15,884,443,329		1989	100.00%	45.47%	54.53%
1990	$29,082,011,770	$13,393,681,560	$15,688,330,210		1990	100.00%	46.05%	53.95%
1991	$28,285,335,860	$12,886,606,790	$15,398,729,070		1991	100.00%	45.56%	54.44%
1992	$28,490,629,640	$13,256,627,100	$15,234,002,540		1992	100.00%	46.53%	53.47%
1993	$28,820,035,320	$13,373,489,410	$15,446,545,910		1993	100.00%	46.40%	53.60%
1994	$29,831,046,660	$13,970,427,000	$15,860,619,660		1994	100.00%	46.83%	53.17%
1995	$32,469,922,680	$15,155,131,610	$17,314,791,070		1995	100.00%	46.67%	53.33%
1996	$33,606,775,890	$15,788,272,000	$17,818,503,890		1996	100.00%	46.98%	53.02%
1997	$38,536,664,720	$17,673,602,020	$20,863,062,700		1997	100.00%	45.86%	54.14%
1998	$40,165,596,490	$18,452,519,220	$21,713,077,270		1998	100.00%	45.94%	54.06%
1999	$46,711,921,473	$21,633,354,370	$25,078,567,103		1999	100.00%	46.31%	53.69%
2000	$48,757,383,218	$22,729,547,584	$26,027,835,634		2000	100.00%	46.62%	53.38%
2001	$58,812,663,875	$27,699,298,175	$31,113,365,700		2001	100.00%	47.10%	52.90%
2002	$60,564,946,027	$28,888,969,314	$31,675,976,713		2002	100.00%	47.70%	52.30%
2003	$61,949,204,975	$29,523,577,562	$32,425,627,413		2003	100.00%	47.66%	52.34%
2004	$64,630,921,990	$30,470,840,993	$34,160,080,997		2004	100.00%	47.15%	52.85%
2005	$70,625,603,899	$33,110,601,388	$37,515,002,511		2005	100.00%	46.88%	53.12%
2006	$74,549,449,375	$34,350,208,817	$40,199,240,558		2006	100.00%	46.08%	53.92%

COLORADO ACTUAL VALUES

ACTUAL VALUES					DISTRIBUTION OF VALUE			
Year	Total	Residential	Non-Residential		Year	Total	Residential	Non-Residential
1983	$66,459,485,820	$35,356,909,524	$31,102,576,296		1983	100.00%	53.20%	46.80%
1984	$69,718,797,755	$37,723,168,905	$31,995,628,850		1984	100.00%	54.11%	45.89%
1985	$72,958,307,363	$39,654,858,286	$33,303,449,078		1985	100.00%	54.35%	45.65%
1986	$75,118,950,953	$41,175,991,333	$33,942,959,620		1986	100.00%	54.81%	45.19%
1987	$146,891,450,388	$89,349,170,000	$57,542,280,388		1987	100.00%	60.83%	39.17%
1988	$148,225,023,177	$91,036,659,875	$57,188,363,302		1988	100.00%	61.42%	38.58%
1989	$141,342,075,160	$88,316,655,407	$53,025,419,753		1989	100.00%	62.48%	37.52%
1990	$141,421,555,163	$89,291,210,400	$52,130,344,763		1990	100.00%	63.14%	36.86%
1991	$140,967,103,411	$89,864,761,437	$51,102,341,974		1991	100.00%	63.75%	36.25%
1992	$142,906,267,259	$92,445,098,326	$50,461,168,932		1992	100.00%	64.69%	35.31%
1993	$155,096,689,828	$103,992,919,207	$51,103,770,621		1993	100.00%	67.05%	32.95%
1994	$160,946,706,538	$108,634,735,614	$52,311,970,923		1994	100.00%	67.50%	32.50%
1995	$203,663,083,533	$146,285,054,151	$57,378,029,382		1995	100.00%	71.83%	28.17%
1996	$211,793,556,887	$152,396,447,876	$59,397,109,011		1996	100.00%	71.96%	28.04%
1997	$250,804,220,896	$181,453,819,507	$69,350,401,389		1997	100.00%	72.35%	27.65%
1998	$261,128,074,968	$189,450,916,016	$71,677,158,951		1998	100.00%	72.55%	27.45%
1999	$306,002,830,219	$222,108,361,088	$83,894,469,131		1999	100.00%	72.58%	27.42%
2000	$320,312,771,175	$233,362,911,540	$86,949,859,635		2000	100.00%	72.85%	27.15%
2001	$404,716,127,139	$302,724,570,219	$101,991,556,920		2001	100.00%	74.80%	25.20%
2002	$419,294,563,373	$315,726,440,590	$103,568,122,783		2002	100.00%	75.30%	24.70%
2003	$478,546,478,821	$370,899,215,603	$107,647,263,218		2003	100.00%	77.51%	22.49%
2004	$492,572,877,562	$382,799,509,962	$109,773,367,599		2004	100.00%	77.71%	22.29%
2005	$534,826,428,655	$415,962,328,995	$118,864,099,660		2005	100.00%	77.78%	22.22%
2006	$554,757,341,157	$431,535,286,646	$123,222,054,512		2006	100.00%	77.79%	22.21%

PROTESTS, APPEALS, ABATEMENTS

Protests and Appeals

Colorado statutes mandate a process that allows taxpayers the opportunity to challenge the actual value established by the assessor. The process begins with the taxpayer's protest to the assessor. Upon receiving a protest, the assessor reviews the issues raised, and either adjusts or maintains the actual value established for the property. Taxpayers who disagree with the assessor's decision can appeal to the county board of equalization. Taxpayers who disagree with the county board's decision have three choices for further appeal; they can appeal to the State Board of Assessment Appeals (BAA), district court, or binding arbitration. Decisions of the BAA and district court can be appealed to the Colorado Court of Appeals and ultimately to the Colorado Supreme Court. Decisions of an arbitrator are final.

The number of protests and appeals varies greatly from county to county. During 2005 (the last reappraisal year), Larimer County received the greatest number of appeals with 14,783 while Kiowa County received none. For many counties, the protest process places a significant strain on the resources of the assessor's office. Table 10 lists the protests and county board appeals for each county during the last three reappraisal years, organized according to the county officer pay categories established in § 30-2-102, C.R.S. For the purpose of this table, The Cities and Counties of Denver and Broomfield are placed in category one. Table 11 provides a summary of protest and appeal statistics.

Taxpayers can protest and appeal in reappraisal years (odd numbered years) and in intervening years (even numbered years). However, the number of protests and appeals is higher in reappraisal years.

Abatements

Abatement petitions can be filed for taxes erroneously or illegally levied, for overvaluation, or for an assessment error. Taxpayers who filed a protest can file an abatement petition only for a clerical error or an illegality, but not for an overvaluation. The question of overvaluation involves appraisal judgment, which was reviewed during the protest, if a protest was filed.

Abatement petitions can be filed up through the first working day in January two years after the date the taxes were levied. Because abatement petitions are filed on taxes already levied, the abated or refunded taxes constitute lost revenue to the affected local governments; however, § 39-10-114(1)(a)(I)(B), C.R.S., and case law, authorize local governments to recover abated taxes through an increase in mill levies. Table 12 displays the taxes abated during 2004, 2005, and 2006.

Table 10

County	Protests to Assessor			Protests to Assessor (PER EMPLOYEE)			Appeals to CBOE		
Category 1	**2001**	**2003**	**2005**	**2001**	**2003**	**2005**	**2001**	**2003**	**2005**
Adams	4,558	9,295	8,404	109	227	195	1,059	2,459	1,488
Arapahoe	9,836	7,442	5,119	141	103	71	1,040	2,593	1,337
Boulder	8,618	10,910	6,741	180	235	145	978	1,620	648
Broomfield		1,260	939		144	104		206	111
Denver	7,521	9,356	5,784	74	108	70	1,742	2,441	1,807
Douglas	6,730	7,030	6,360	143	143	127	2,001	2,115	2,512
El Paso	6,240	5,300	7,000	106	90	113	1,210	1,230	1,440
Jefferson	9,566	14,419	8,285	139	257	145	1,208	2,271	1,557
Larimer	13,422	17,275	14,783	274	353	279	916	2,681	2,035
Pueblo	794	690	733	23	20	23	5	12	3
Weld	4,969	5,075	4,626	121	134	119	133	380	468
Category 2									
Eagle	4,985	2,968	2,550	208	135	116	1,325	947	495
Fremont	1,498	669	1,221	136	51	94	31	0	17
Garfield	1,230	1,774	1,166	88	111	69	35	704	339
La Plata	721	1,854	1,466	42	103	75	35	57	57
Mesa	4,143	3,011	2,658	153	112	95	421	311	2,658
Pitkin	1,543	1,733	963	171	173	96	416	530	181
Summit	4,236	4,532	3,283	212	239	173	343	587	300
Category 3									
Archuleta	750	1,041	1,303	94	110	118	9	268	32
Chaffee	1,551	1,128	1,177	141	125	131	118	110	164
Clear Creek	976	1,017	779	174	182	139	41	37	12
Delta	845	731	609	89	66	57	66	24	14
Grand	1,862	1,209	1,047	177	114	95	152	100	91
Gunnison	1,624	1,516	943	148	138	86	86	146	64
Las Animas	738	573	403	74	57	40	15	18	4
Logan	364	246	231	33	25	26	18	23	13
Moffat	181	295	289	26	42	48	9	38	6
Montrose	575	605	645	52	53	61	37	88	97
Morgan	320	382	504	27	29	46	5	13	29
Otero	204	185	103	26	21	13	4	2	6
Park	2,100	3,029	2,324	191	263	186	170	184	348
Rio Blanco	123	151	77	19	25	13	1	6	0
Routt	1,899	1,552	837	181	148	73	547	131	150
San Miguel	937	1,041	761	117	116	109	85	196	134
Teller	1,737	1,523	917	109	95	61	338	99	110
Category 4									
Alamosa	277	181	151	35	23	19	28	18	7
Custer	163	192	98	41	38	20	1	2	1
Elbert	449	639	612	32	46	47	18	21	175
Gilpin	218	1,062	378	44	266	63	6	24	10
Huerfano	211	173	127	35	29	21	9	42	2
Kit Carson	232	200	194	58	50	49	8	3	5
Lake	649	247	246	130	41	41	58	28	7
Montezuma	569	554	486	57	55	54	30	23	71
Ouray	267	359	413	67	120	103	13	22	21
Prowers	880	350	350	147	58	70	2	0	0
Rio Grande	430	349	332	61	50	83	10	1	4
Washington	50	61	90	10	12	18	1	36	1
Yuma	353	372	256	59	74	51	0	102	1
Category 5									
Baca	25	34	5	6	10	1	0	0	0
Bent	75	92	134	25	23	34	1	2	2
Cheyenne	68	36	60	23	12	20	3	1	3
Conejos	297	427	137	66	95	137	3	0	0
Costilla	194	101	54	39	20	11	3	9	5
Crowley	25	46	11	25	46	11	0	2	0
Dolores	89	57	112	27	18	37	2	1	0
Hinsdale	142	133	81	71	67	41	6	10	6
Jackson	60	10	1	30	5	1	5	2	1
Kiowa	2	0	0	1	0	0	0	0	0
Lincoln	41	38	24	8	8	5	0	1	0
Mineral	300	10	6	226	7	4	4	1	0
Phillips	97	39	37	32	13	12	5	1	0
Saguache	94	208	43	24	38	9	1	2	0
San Juan	24	41	56	16	27	56	0	0	2
Sedgwick	58	7	14	29	4	7	0	0	14

Table 11			
Assessors:	**2001**	**2003**	**2005**
Total Parcels	2,390,325	2,440,708	2,353,265
Parcels/Schedules Protested	113,735	126,835	99,538
Protests as a Percent of Total Parcels	4.76%	5.20%	4.23%
Percent Change from Prior Reappraisal	2.26%	11.52%	-21.52%
County Boards of Equalization (CBOE):			
Parcels/Schedules Appealed to CBOE	14,816	22,981	19,065
Percent of CBOE Appeals to Protests	13.03%	18.12%	19.15%
Board of Assessment Appeals (BAA):			
BAA Dockets	2,111	2,279	1,768
Percent of BAA Appeals to CBOE Appeals	14.25%	9.92%	9.27%
Percent of BAA Appeals to Protests	1.86%	1.80%	1.78%
Percent of BAA Appeals to Total Parcels	0.09%	0.09%	0.08%
Additional Assessor Costs:			
Dollars of Overtime Paid	$135,702	$184,007	$93,226
Hours of Compensation Time Granted	10,412	7,131	2,825
Parcels Protested Per Assessor's Employee:			
Average Number Protested Per Employee	116	137	109
Maximum Number Protested Per Employee	274	353	279
Minimum Number Protested Per Employee	0	0	0
Parcels Protested Per Employee – Frequency Distribution:			
0 – 50	26	27	28
51 – 100	13	11	19
101 – 200	20	18	16
201 – 300	4	6	1
301 – 400	0	2	0
Counties Reporting	63	64	64

Parcel count derived from county Abstracts of Assessment. Includes condominium units.
Board of Assessment Appeal (BAA) dockets include appeals from County Board of Equalization (CBOE) and county abatement decisions
Overtime/comp time figures not available from all counties.

Table 12
Abatements, Refunds, and Cancellations of Taxes
Reported by Treasurers for 2006, 2005 and 2004

County	2006 Abatement Amounts	2006 Abatement Counts	2006 Average Abated	2005 Abatement Amounts	2005 Abatement Counts	2005 Average Abated	2004 Abatement Amounts	2004 Abatement Counts	2004 Average Abated
Adams	$3,450,893	1,281	$2,694	$1,600,299	282	$5,675	$1,262,430	850	$1,043
Alamosa	$7,806	21	$372	$15,899	29	$548	$83,899	79	$1,062
Arapahoe	$12,522,341	1,443	$8,678	$12,011,410	1,809	$6,640	$7,936,426	2,586	$3,069
Archuleta	$32,116	47	$683	$26,346	34	$775	$69,834	41	$1,703
Baca	$12,298	80	$154	$3,855	33	$117	$24,521	49	$500
Bent	$14,105	33	$427	$4,258	33	$129	$305,479	13	$23,498
Boulder	$3,211,793	1,171	$2,743	$2,688,995	1,537	$1,750	$2,471,330	1,440	$1,716
Broomfield	$582,649	527	$1,106	$3,163,395	819	$3,863	$1,950,541	564	$3,458
Chaffee	$169,694	138	$1,230	$76,858	63	$1,220	$41,889	76	$551
Cheyenne	$2,288	18	$127	$1,471	29	$51	$34,272	31	$1,106
Clear Creek	$65,323	56	$1,166	$44,203	113	$391	$711,987	161	$4,422
Conejos	$11,461	61	$188	$20,347	62	$328	$34,328	129	$266
Costilla	$1,544	23	$67	$483	7	$69	$1,869	7	$267
Crowley	$319	3	$106	$86,231	8	$10,779	$1,430	9	$159
Custer	$8,117	20	$406	$3,639	14	$260	$16,875	16	$1,055
Delta	$36,308	107	$339	$81,954	95	$863	$68,089	128	$532
Denver	$7,800,131	1,821	$4,283	$8,992,189	2,220	$4,051	$7,037,842	2,717	$2,590
Dolores	$8,334	22	$379	$10,724	8	$1,341	$2,710	14	$194
Douglas	$2,730,744	610	$4,477	$2,017,745	1,282	$1,574	$4,260,407	773	$5,512
Eagle	$575,475	331	$1,739	$647,105	436	$1,484	$1,073,632	345	$3,112
Elbert	$92,550	96	$964	$284,433	151	$1,884	$123,532	81	$1,525
El Paso	$1,774,754	1,130	$1,571	$2,592,135	1,260	$2,057	$3,343,601	1,795	$1,863
Fremont	$182,753	185	$988	$236,156	409	$577	$686,068	1,132	$606
Garfield	$483,423	110	$4,395	$78,748	81	$972	$679,747	115	$5,911
Gilpin	$5,440	17	$320	$6,159	25	$246	$189,867	180	$1,055
Grand	$86,387	164	$527	$130,970	86	$1,523	$225,373	129	$1,747
Gunnison	$50,972	97	$525	$382,934	480	$798	$119,859	360	$333
Hinsdale	$5,867	22	$267	$848	1	$848	$19,586	28	$700
Huerfano	$113,373	512	$221	$175,900	283	$622	$76,020	183	$415
Jackson	$11,793	12	$983	$3,402	16	$213	$5,296	44	$120
Jefferson	$5,249,056	2,291	$2,291	$3,770,432	2,013	$1,873	$4,975,944	2,063	$2,412
Kiowa	$370	3	$123	$980	5	$196	$996	4	$249
Kit Carson	$80,509	382	$211	$79,269	58	$1,367	$61,522	59	$1,043
Lake	$7,956	25	$318	$43,332	188	$230	$100,490	341	$295
La Plata	$54,479	218	$250	$119,750	131	$914	$447,656	819	$547
Larimer	$1,183,144	1,700	$696	$2,802,321	1,251	$2,240	$2,580,222	1,529	$1,688
Las Animas	$47,194	93	$507	$62,011	38	$1,632	$11,240	43	$261
Lincoln	$13,047	15	$870	$29,660	41	$723	$7,390	14	$528
Logan	$10,802	46	$235	$5,741	10	$574	$29,537	16	$1,846
Mesa	$408,993	303	$1,350	$308,778	385	$802	$483,023	731	$661
Mineral	$2,836	13	$218	$0	0	$0	$0	0	$0
Moffat	$9,934	84	$118	$19,158	67	$286	$297,881	112	$2,660
Montezuma	$51,936	93	$558	$23,859	63	$379	$138,526	105	$1,319
Montrose	$127,006	125	$1,016	$87,498	130	$673	$53,342	169	$316
Morgan	$20,141	100	$201	$13,664	240	$57	$462,673	873	$530
Otero	$37,117	32	$1,160	$2,609	9	$290	$22,591	21	$1,076
Ouray	$29,004	39	$744	$24,651	26	$948	$23,612	49	$482
Park	$82,220	399	$206	$90,752	422	$215	$146,985	638	$230
Phillips	$661	10	$66	$17,294	29	$596	$6,503	19	$342
Pitkin	$208,660	89	$2,344	$236,149	111	$2,127	$350,975	254	$1,382
Prowers	$224,754	152	$1,479	$222,608	51	$4,365	$79,083	50	$1,582
Pueblo	$300,521	187	$1,607	$149,331	332	$450	$613,932	321	$1,913
Rio Blanco	$13,443	49	$274	$28,731	38	$756	$484,921	39	$12,434
Rio Grande	$43,660	55	$794	$21,462	39	$550	$32,038	86	$373
Routt	$168,446	135	$1,248	$95,080	289	$329	$699,543	236	$2,964
Saguache	$10,786	58	$186	$7,639	27	$283	$15,344	62	$247
San Juan	$642	1	$642	$0	0	$0	$0	0	$0
San Miguel	$374,231	194	$1,929	$119,296	28	$4,261	$80,031	96	$834
Sedgwick	$1,884	22	$86	$5,196	48	$108	$1,892	17	$111
Summit	$364,344	283	$1,287	$480,169	838	$573	$581,703	447	$1,301
Teller	$108,690	97	$1,121	$290,866	95	$3,062	$237,048	151	$1,570
Washington	$29,216	52	$562	$38,654	74	$522	$13,636	17	$802
Weld	$1,929,729	706	$2,733	$2,820,759	2,068	$1,364	$1,357,785	927	$1,465
Yuma	$425,770	712	$598	$33,442	55	$608	$178,572	48	$3,720
Totals:	$45,672,232	18,921	$2,414	$47,440,232	20,904	$2,269	$47,435,375	24,431	$1,942

SENIOR CITIZEN EXEMPTION

In 2003, budget constraints forced the Colorado Legislature to temporarily suspend state funding for the senior citizen property tax homestead exemption, eliminating the tax benefit for property tax years 2003-2005. Funding for the exemption was reinstated for 2006 taxes, payable January 2007.

The exemption was enacted by voters in 2000 with the passage of Section 3.5, Article X of the Colorado Constitution. It became effective in 2002. As enacted, the exemption reduced the actual value of a residential property by 50 percent, up to a maximum reduction of $100,000. The amendment authorized the Colorado Legislature to adjust the amount of value to which the 50 percent exemption is applied. For tax years 2003-2005, Senate Bill 03-265 changed the exemption amount from 50 percent of the first $200,000 to 50 percent of $0. It returned to 50 percent of the first $200,000 for assessment year 2006. Although funding was suspended, both the counties and the state continued to administer the program.

Each year, the assessor is required to mail a notice to all residential property owners that explains the existence of the exemption. Qualifying seniors have until July 15 to apply for the exemption, and once granted, the exempt status remains in effect for future years until a change in the ownership or occupancy requires its removal. To qualify, on January 1 a senior must be at least 65 years old and must have owned and occupied the property as his or her primary residence for ten or more consecutive years.

In 2006, counties processed approximately 15,000 new applications, and the exemption was granted to most of them. Currently 145,600 properties are approved for the exemption. Applicants denied the exemption have the right to appeal the denial to the county board of equalization, comprised of the county commissioners.

No later than October 10, the assessor is required to send the Division an electronic list of the exemptions granted, including the names and social security numbers of each person occupying the property. The Division then uses that data to identify individuals who were granted the exemption on more than one property, and denies the exemption on each. In 2006, the Division denied exemptions on 25 properties owned by 13 applicants.

The senior exemption program does not result in a loss of revenue to local governments. Instead, the state reimburses the local governments for the tax revenue exempted.

No later than April 1, county treasurers send the State Treasurer an itemized list of the exemptions granted and taxes exempted. No later than April 15, the State Treasurer reimburses the local governments for the lost revenue. In 2007, the State Treasurer reimbursed local governments $ 74,231,508.72 for exemptions granted in 2006.

DISABLED VETERAN EXEMPTION

In November 2006, voters enacted an amendment to the Colorado Constitution extending the senior exemption benefit to disabled veterans. Qualifying veterans are those who have a 100% permanent and total disability rating from the U.S. Department of Veterans Affairs as a result of a service-connected disability and who have owned and occupied the property as their primary residence since January 1.

The filing deadline for the Disabled Veteran Exemption is July 1.

AGRICULTURAL TIMBERLAND

In 1990, the Colorado Legislature passed HB 90-1229, expanding the definition of “agricultural land” to include forested land that meets certain requirements. The definition reads as follows:

“A parcel of land that consists of at least forty acres, that is forest land, that is used to produce tangible wood products that originate from the productivity of such land for the primary purpose of obtaining a monetary profit, that is subject to a forest management plan, and that is not a farm or ranch, as defined in subsections (3.5) and (13.5) of this section. "Agricultural land" under this subparagraph (II) includes land underlying any residential improvement located on such agricultural land,” § 39-1-102(1.6)(a)(II), C.R.S.

Since the enactment of this law, numerous owners have developed “forest management plans” to secure tax reductions on land that would have otherwise been classified as residential improved or vacant land.

POSSESSORY INTERESTS

Taxability:

In 2001 the Colorado Supreme Court ruled that certain possessory interests are subject to ad valorem taxation in Colorado, as real property. See Board of County Commissioners, County of Eagle, state of Colorado v. Vail Associates, Inc. et al and the Board of Assessment Appeals and Allen S. Black et al, v. Colorado State Board of Equalization, 19 P. 3d 1263 (Colo. 2001).

A possessory interest is defined as a private property interest in government-owned property or the right to the occupancy and use of any benefit in government-owned property that has been granted under lease, permit, license, concession, contract or other agreement. The use of the property must be in connection with a business conducted for profit.

Based on the direction of the court and our research we have determined that taxable possessory interests may include, but are not limited to:

1. Private concessionaires utilizing government owned land, improvements, or personal property that are not operating pursuant to a management contract as defined in § 39-1-103(17)(a)(III), C.R.S.

2. Government land and improvements used in the operation of a farm or ranch.

3. Government land, improvements, and/or personal property used in the operation of ski or recreational areas.

4. Land underlying privately owned cabins or other residential property located on government land that is rented commercially.

5. Recreational use of lakes, reservoirs, and rivers in a revenue-generating capacity.

6. Recreational use of land for outfitting purposes in a revenue-generating capacity.

7. Land, improvements, and personal property at a tax-exempt airport.

Valuation:

Colorado ski areas are valued according to § 39-1-103(17)(a)(I), C.R.S. The actual value of any possessory interest for use for ski area recreational purposes shall be determined by capitalizing, at an appropriate rate, the annual fee paid by the lessee or permittee. The rate used to capitalize any fee paid by the ski area includes an appropriate rate of return, an appropriate effective tax rate and an appropriate adjustment to reflect the portion of the fee, if any, required to be paid over by the United States to the state of Colorado and its political subdivisions.

As required by § 39-1-103(17)(II), C.R.S., all other possessory interests in real and personal, other than agricultural possessory interests, must be valued considering the cost, market, and income approaches to appraisal. When using the cost or income approach to appraisal, the statutes direct that the present value of the reasonably estimated future annual rents or fees, less statutory exclusions, paid by the possessory interest holder, to the government over the initial term of the lease be determined.

As of 2004 and 2005, the actual value of a possessory interest in agricultural land, including land leased by the state board of land commissioners shall be the actual amount of the annual rent paid for the property tax year, § 39-1-103(17)(II), C.R.S.

2006 PROPERTY TAX LEGISLATION

SENATE BILLS

SB 06-002

Concerning mandatory disclosure in connection with the purchase of residential real property of whether the property has been used as a methamphetamine laboratory.

The bill adds a new section 103 to Article 35.7 of Title 38, C.R.S., entitled: Disclosure – methamphetamine laboratory.

For purposes of the section, "residential real property" includes a: manufactured home; mobile home; condominium; town home; home sold by the owner, a financial institution, or the Federal Department of Housing and Urban Development; rental property, including an apartment; and short-term residence such as a motel or hotel.

The bill establishes that a buyer of residential real property has the right to test the property for the purpose of determining whether the property has ever been used as a methamphetamine laboratory. It also establishes that the testing be performed by a certified industrial hygienist or industrial hygienist as defined in § 24-30-1402, C.R.S.

The bill creates a procedure for notification, response, and retesting between the buyer and seller, if the initial test results indicate that the property has been used as a methamphetamine laboratory but has not been remediated to established standards. Ultimately, the buyer may terminate the contract.

The bill states that if the seller became aware that the property was once used for the production of methamphetamine and the property was remediated, and evidence of the remediation was received by the applicable governing body in compliance with the documentation requirements found in § 25-18.5-102, C.R.S., then the seller is not required to disclose to a buyer that the property was used as a methamphetamine laboratory. The property is removed from any government-sponsored informational service listing properties that have been used for the production of methamphetamine.

Signed by Governor Owens: May 1, 2006
Effective Date: January 1, 2007, and shall apply to contracts for the purchase and sale of residential real property that are offered or entered into on or after this date.

SB 06-070

Concerning moneys paid by a lessee of personal property for the payment of personal property tax.

A new section, § 39-1-119.5, C.R.S., has been added by this bill.

This bill governs lease agreements entered into on or after January 1, 2007 that include leased personal property. It states that if a personal property lessee is required to make payment to a lessor pursuant to the terms of any contract or other agreement, those payments shall be accounted for upon the termination of the lease. If it is determined that a refund is due to the lessee for overpayment of personal property taxes, any excess payments must be refunded to the lessee by August 31 of the year in which the taxes were due. The lessor shall base the accounting and refund on the actual property tax liability due in each year of the lease period.

Any lessor refusing to refund excess taxes paid pursuant to this bill will be liable to the lessee, in a civil action, in an amount equal to the sum of three times the amount of actual damages sustained. Additionally, when there is action taken to enforce the liability, the lessor will be responsible for the costs of the action together with reasonable attorney fees as determined by the court.

Any action brought under this section shall be commenced within three years after the date on which the failure to refund occurred or within three years after the lessee discovered, or in the exercise of reasonable diligence, should have discovered the lessor's failure to refund. The period of limitation may be extended for a period of one year if the lessee proves that the failure to timely commence the action was caused by the lessor engaging in conduct calculated to induce the lessee to refrain from or postpone the commencement of the action.

Signed by Governor Owens: April 4, 2006
Effective Date: Upon signature

SB 06-095

Concerning limitations on the transfer of property rights as a means of qualifying electors in special district elections.

Section 1 prohibits parties from knowingly manipulating the transfer of title to taxable property for the purpose of qualifying a person as an eligible elector at any special district election. It makes void any ballot cast in violation of this bill.

The bill states that a person my take or place title to taxable property in the name of another or enter into a contract to purchase or sell taxable property for the purpose of attempting to qualify a person as an eligible elector for any special district election under the following circumstances:

- A vacancy exists on the board of the special district and, within ten days of the publication of notice of the vacancy, no otherwise qualified eligible elector file a letter of interest in filling the position on the board;
- In any organizational election at which there are more than ten eligible electors, on or after the second day before the filing deadline for self-nomination and acceptance forms or letters, the number of otherwise qualified eligible electors who have filed a self-nomination and acceptance forms or letters is less than the number of special district director offices to be voted on at such election;
- There are less than eleven eligible electors as of any date before an organizational election; or
- On or after the day after the filing deadline for self-nomination and acceptance forms or letters, before any regular special district election, the number of otherwise qualified eligible electors who have filed self-nomination and acceptance forms or letters is less than the number of special district director offices to be voted on at the election.

The bill specifies that no person shall place title to taxable property in the name of another or enter into a contract to sell taxable property for the purpose of attempting to qualify more than the number of persons who are necessary to be eligible electors in order to:

- Fill a vacancy on a board; or
- Become a candidate for director in a special district election

The incidental qualification of the spouse of a person as an eligible elector shall not constitute a qualification of more than the number of persons necessary to be eligible electors.

It shall not constitute a violation of the act for a person to take or place title to taxable property in the name of another or to enter into a contract to purchase or sell taxable property in substitution of property acquired in accordance with the act.

Any person who is an eligible elector as of July 1, 2006, or who has been qualified as an eligible elector under the act shall remain qualified as an eligible elector until such time as the person ceases to meet the applicable qualifications in § 32-1-103(5), C.R.S.

Any person elected to a board whose qualification as an eligible elector is not challenged and overturned shall not be subject to further challenge based upon qualification as a property owner under the act for the remainder of the person's term in office.

Signed by Governor Owens: March 29, 2006
Effective Date: March 29, 2006

SB 06-120

Concerning the requirement of a full investigation prior to the amendment of licenses issued by state agencies.

The bill amends § 24-4-104(3) and (4), C.R.S., concerning licenses-issuance, suspension or revocation, renewal. Section 24-4-104(3)(a), C.R.S., is amended to note that no revocation, suspension, annulment, limitation, or modification of a license by any agency is lawful unless the agency has given the licensee notice in writing of objective facts or conduct established upon a full investigation that may warrant such action. For the purposes of subsections (3) and (4), “full investigation” means a reasonable ascertainment of the underlying facts on which the agency action is based. But a full investigation does not apply to licenses of motor carriers, people service transportation, or regular driver’s license issued under Articles 1.1, 9, 10, 11, 11.5, 12, 13, 14, and 16 of Title 40 or Article 2 of Title 42, C.R.S.

Where the agency has objective and reasonable grounds to believe and finds, upon a full investigation that the licensee has been guilty of deliberate and willful violation or that the public health, safety, or welfare imperatively requires emergency action and incorporates the findings in its order, it may suspend the license pending proceedings for suspension or revocation which shall be promptly instituted and determined.

Signed by Governor Owens: May 4, 2006
Effective Date: August 9, 2006.

SB 06-140

Concerning changing the name of the Division of Minerals and Geology to the Division of Reclamation, Mining, and Safety.

This bill changes the name of the Division of Minerals and Geology in the Department of Natural Resources to the Division of Reclamation, Mining, and Safety. The name change affects several titles and sections of the Colorado Revised Statutes.

Signed by Governor Owens: March 31, 2006
Effective Date: August 9, 2006

SCR 06-001

Submitting to the registered electors of the state of Colorado an amendment to section 3.5 of article X of the Constitution of the state of Colorado, concerning the extension of the existing property tax exemption for qualifying seniors to any United States military veteran who is one hundred percent permanently disabled due to a service-connected disability.

Section 1 adds new subsections to section 3.5, article X, which establishes qualifying criterion for disabled veterans.

For property tax years commencing on or after January 1, 2007, only, the owner-occupier, as of the assessment date, is a disabled veteran:

- An owner-occupier may claim only one exemption per property tax year even if the owner-occupier qualifies for both the senior citizen exemption and disabled veteran exemption.
- "Disabled Veteran" means an individual who has served on active duty in the United States Armed Forces, including a member of the Colorado National Guard who has been ordered into the active military service of the United States, has been separated therefrom under honorable conditions, and has established a service-connected disability that has been rated by the Federal Department of Veterans Affairs as one hundred percent permanent disability through disability retirement benefits or a pension pursuant to a law or regulation administered by the department, the Department of Homeland Security, or the Department of the Army, Navy, or Air Force.

Signed by the President of the Senate:
May 16, 2006
Signed by the Speaker of the House:
May 22, 2006
Effective Date: January 1, 2007, only if approved by the people at the November 2006 general election.

Senate concurrent Resolution 06-001 appearing as Referendum E was passed by the voters of Colorado at the November 7, 2006 General Election.

Governor Owens declared the amendment effective December 31, 2006

To enact the amendment, enabling legislation will be passed by the 2007 General Assembly.

Amendment 41

Addition of Article XXIX to the constitution of the state of Colorado concerning conduct of public officers, members of the general assembly, local government officials, and government employees.

Section 1 states the purposes and findings of this new article.

Section 2 sets forth the definitions for Government Employee, Local Government, Local Government Official, Person, Professional Lobbyist, and Public Officer as used in this article.

Section 3 prohibits any public officer, member of the general assembly, local government official, government employee, or their spouses or dependent children from accepting any amount of money, release from any debt, or any gift or thing of value that have a market value of more than $50 in any calendar year. The prohibitions do not apply if the gift or thing of value is:

- A campaign contribution as defined by law.

- An unsolicited item of trivial value less than $50, such as a pen, calendar, plant, book, notepad, etc.
- An unsolicited token or award in the form of a plaque, trophy, desk item, wall memento, or similar item.
- Unsolicited informational material, publications, or subscriptions related to the recipient's performance of official duties.
- Admission to and cost of food or beverages consumed at a reception, meal or meeting by an organization before whom the recipient appears to speak or to answer questions as part of a scheduled program.
- Reasonable expenses paid by a nonprofit organization or other state or local government for attendance at a convention, fact-finding mission or trip, provided that the person is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the state or local government, provided that the non-profit organization receives less than five percent of its funding from for-profit organizations or entities.
- Given by an individual who is a relative or personal friend of the recipient on a special occasion.
- Component of the compensation paid or other incentive given to the recipient in the normal course of employment.

The section also:

- Prohibits a professional lobbyist, personally or on behalf of any other person or entity, to knowingly offer, give or arrange to give any public officer, member of the general assembly, local government official, government employee, or to a member of such person's immediate family, any gift or thing of value, pay for any meal, beverage, or other item to be consumed by such recipient. The article does not forbid a gift to an official or employee who is also a member of the lobbyist's immediate family.
- Establishes that the general assembly shall make any conforming amendments necessary to comply with the reporting and disclosure requirements set forth in Section 3.
- States that the fifty-dollar ($50) limit shall be adjusted every four years using the Denver-Boulder-Greeley Consumer Price Index. The first adjustment shall be done in the first quarter of 2011.

<u>Section 4</u> prohibits statewide elected officeholders and members of the general assembly from lobbying any other elected state officials for a period of two years following vacation of office.

<u>Section 5</u> creates a five-member appointed ethics commission, with individual members having subpoena power, to investigate and hear state and local complaints, assess penalties, and issue advisory opinions regarding conduct that may or may not cause a violation of this article. The ethics commission has the authority to adopt reasonable rules for the purpose of administering and enforcing the provisions of this article. The general assembly shall appropriate reasonable funds to cover staff and administrative expenses of the ethics commission; however, the members of the commission will receive no compensation.

Members of the ethics commission will consist of:

- One member appointed by the Colorado Senate
- One member appointed by the Colorado House of Representatives
- One member appointed by the Governor of Colorado
- One member appointed by the Chief Justice of the Colorado Supreme Court
- One member shall be either a local government official or a local government employee appointed by approval from at least three of the four members of the commission
- No more then two members shall be affiliated with the same political party
- Each member shall be a registered Colorado voter and shall have been continuously registered with the same political party or continuously unaffiliated with any political party for at least two years prior to appointment to the commission
- Members are appointed for a term of four years, with the exception of the first appointees of the Senate and Governor who will serve a two year term, then proceed to a four year term thereafter creating staggered term expiration dates
- If a member is appointed to fill an unexpired term, that member's term ends at the same time as the term of the person being replaced
- The original appointing authority will fill any vacancy promptly

The section also sets forth how to initiate a complaint before the commission. A written complaint is filed, asking whether a local official or employee has failed to comply with this article or any other standards of conduct. The commission may dismiss frivolous complaints without conducting a public hearing. The frivolous complaints shall be maintained confidential by the commission. If the commission determines a complaint is not frivolous, an investigation, public hearing, and findings will follow, all based on written rules set by the commission. The commission may assess penalties for violations. All findings are to be based on a preponderance of the evidence unless the commission deems that the circumstances warrant a higher evidentiary standard. Commission members may subpoena documents and witnesses for testimony as well as produce other evidence.

Any public officer, member of the general assembly, local government official or employee may submit a written request for an advisory opinion on whether any conduct by that person would constitute a violation of this article or any other standards of conduct. The commission shall issue the advisory opinion pursuant to written rules adopted by the commission.

<u>Section 6</u> states that any public officer, member of the general assembly, local government official or government employee who breaches a public trust for private gain shall be liable to the state or local government for double the amount of the financial equivalent of any benefit obtained by their behavior.

<u>Section 7</u> permits any county or municipality to adopt ordinances or charter provisions with respect to ethics matters that are more stringent than any of the provisions contained in this article. However, the requirements of this article shall not apply to home rule counties or home rule municipalities that have adopted charters, ordinances, or resolutions that address the matters covered by this article.

<u>Section 8</u> states that any provisions in the statutes of this state in conflict or inconsistent with this article are declared to be preempted by this article and inapplicable to the matters covered by and provided for in this article.

<u>Section 9</u> establishes that legislation may be enacted to facilitate the operation of this article, but in no way shall such legislation limit or restrict the provisions of this article or the powers herein granted.

Referendum 41 was passed by the voters of Colorado at the November 7, 2006 General Election.

Gov. Bill Owens declared Amendment 41 effective December 31, 2006

HOUSE BILLS

<u>HB 06-1009</u>

Concerning an increase in the limit on the amount of money to be collected as penalties for delinquent property tax payments that the county treasurer is authorized to refrain from collecting.

The bill amends § 39-10-104.5(10), C.R.S. to increase the limit on the amount of money the county treasurer may refrain from collecting for penalty, interest, or costs for delinquent property tax payments. The amount was increased from ten to fifty dollars.

Prior to the passage of HB 06-1009, it was not financially feasible for some counties to collect penalties or interest for delinquent property tax payments that were under ten dollars. Considering the time spent preparing and mailing letters explaining why the payment was returned, as well as postage fees and additional collection costs, the ten-dollar limit was insufficient.

Signed by Governor Owens: March 13, 2006
Effective Date: Upon signature

<u>HB 06-1051</u>

Concerning elections to recall elected officials.

This bill would have amended and added several sections to Title 1, Article 12, C.R.S.

Signed by Governor Owens: April 13, 2006
Effective Date: July 1, 2007, only if Senate Concurrent Resolution 05-005, enacted at the First Regular Session of the Sixty-fifth General Assembly, is approved by the people at the November 2006 general election.

Concurrent Resolution 05-005 appeared on the November 2006 ballot as Referendum F and failed with a vote of 55.32 percent NO to 44.68 percent YES. Therefore, the bill will not become law.

HB 06-1087

Concerning the classification of Montezuma County for purposes of fixing the salaries of county officers.

The bill amends §§ 30-2-102 (1)(c) and (1)(d), C.R.S., by removing Montezuma County from the list of Category IV counties, and adding it to the list of Category III counties. This act would have taken effect August 10, 2006, except that the act shall not take effect because House Bill 06-1295 was enacted at the Second Regular Session of the Sixty-fifth General Assembly and became law without the Governor's signature.

Signed by Governor Owens: April 06, 2006
Effective Date: Will not take effect with the passage of House Bill 06-1295

HB 06-1094

Concerning the notice of valuation of taxable personal property on oil and gas leaseholds and lands.

The addition of § 39-5-121(1.5)(b), C.R.S., was legislated based on the outcome of several 2005 Board of Assessment (BAA) hearings (BAA docket numbers 41842 through 41844) involving Petron Development Company and Washington and Yuma counties. The BAA's decision state that the assessors of both Washington and Yuma counties were to issue the 2003 Personal Property Notices of Valuation to the partial interest owners of the oil and gas personal property, as reported by Petron Development Company. In some counties, partial-interest owners of personal property for one individual well could number in the hundreds if this decision were generally applied statewide.

The bill amends § 39-5-121, C.R.S., by the addition of a new subsection 1.5(b), which specifies that the assessor will send a Notice of Valuation for taxable personal property on oil and gas leaseholds or lands only to the operator who filed the statement required by § 39-7-101, C.R.S. The operator shall accept the notice even though the operator may not have any ownership interest in the property. The acceptance of the Notice of Valuation by the operator shall not be construed as an indication that the operator agrees with the amount of the actual value of the property stated in the notice or obliging the operator to pay the tax attributable to the property.

Upon written request from the county treasurer, the operator shall submit to the treasurer a written statement containing the name and address of each person who has an ownership interest in the property. If the operator fails to submit the statement within thirty days after receiving the request, the operator shall pay a penalty to the treasurer in the amount of one hundred dollars or the amount of tax due on the property, whichever is less.

Signed by Governor Owens: March 13, 2006
Effective Date: January 1, 2006

HB 06-1156

Concerning increased consumer rights regarding the use of social security numbers.

The bill addresses the responsibilities surrounding the confidentiality of social security numbers. The bill does not eliminate the requirement of submitting a social security number for a senior homestead exemption application § 39-3-205(2)(a)(I) and (III), C.R.S.

<u>Section 1</u> amends Title 6, Article 1 with the addition of a new section 117 which contains four new subsections. The bill establishes that a person or entity may not:

- Publicly post or publicly display an individual's social security number.
- Print an individual's social security number on any card required to access products or services.
- Require an individual to transmit his or her social security number over the internet, unless the connection is secure or the social security number is encrypted.
- Require an individual to use his/her social security number to access an internet website, unless a password or unique identification number or other authentication device is also required.
- Print an individual's social security number on any materials that are mailed to the individual, unless state or federal law requires, permits, or authorizes the social security number to be on the document to be mailed.

Social security numbers may be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process, or to establish amend, or terminate an account, contract, or policy, or confirm the accuracy of the social security number. However, the social security number cannot be printed on a postcard or other mailer

not requiring an envelope, or visible on the envelope without being opened.
If, prior to the effective date of this section, a person or entity has used an individual's social security number in a manner inconsistent with this section, the person or entity may continue using the social security number provided the following conditions are met:

- The use of the social security number is continuous.
- The person or entity provides an annual disclosure that informs the individual of the right to stop the use of his/her social security number.
- The person or entity shall implement a written request by an individual to stop the use of his or her social security number within thirty days after the receipt of the request. The person or entity may not impose a fee for implementing the request.
- The person or entity shall not deny services because the individual makes a written request to stop the use of the social security number.

This new section shall not prevent the collection, use, or release of a social security number as required, permitted, or authorized by state or federal law or the use of a social security number by the department of revenue.

This section shall not apply to:

- Documents or records that are recorded or required to be open to the public pursuant to the Constitution or laws of this state or by court rule or order.
- An entity that is subject to the federal "Health Insurance Portability and Accountability Act of 1996."

Section 2 amends § 24-72-204(3)(a)(IV) C.R.S., to include the social security number unless disclosure of the number is required, permitted, or authorized by state or federal law.

Signed by Governor Owens: March 31, 2006
Effective Date: January 1, 2007

HB 06-1254
Concerning co-ownership of real property.

Section 1, Part 1 amends § 38-31-101, C.R.S., to clarify that a joint tenancy in real property must be between natural persons and cannot include legal entities, with an exception. The amended section also creates the exception that a conveyance to two or more personal representatives, trustees or other fiduciaries (even if one or more of the fiduciaries is an entity and not a person) is presumed to create an estate in joint tenancy. This is a statutory presumption and the joint tenancy designation is not required. Other than the noted exception, the establishment of a joint tenancy must be specified on the conveyance document; the bill broadens the language that can be used to establish a joint tenancy by including the abbreviation "JTWROS", "in joint tenancy", and "as joint tenants".

The bill rephrases § 38-31-102, C.R.S. The section provides that the recorded death certificate of a joint tenant owning real property must be accompanied by a recorded supplementary affidavit. The revised statute identifies requirements for the contents of the supplementary affidavit, which includes a legal description of the property.

The bill also revised § 38-31-103 C.R.S., to provide for an affidavit of death signed and sworn to by two people of legal age and certifying to the death of the person who held title as a joint tenant. This applies to both in-state and out-of-state deaths, when a death certificate cannot be obtained. The affidavit by two people is an alternative to the death certificate and supplementary affidavit for showing death as a matter of record to evidence title in the surviving joint tenant(s). The revised statute identifies requirements for the contents of the affidavit of death. This affidavit may also be used to provide proof of the death of a life tenant or any other person whose record interest in real property terminates upon the death of the person and the date and place of death of the life tenant or other person to the same extent as a joint tenant.

Section 1, Part 2 adds a new section § 38-31-201, C.R.S., which states that no conveyance of real property in Colorado shall create a tenancy by the entirety. A conveyance on or after July 1, 2006, purporting to create a tenancy by the entirety shall be presumed to create a joint tenancy.

For Informational Purposes Only
Tenancy by the entirety is a form of ownership created by a conveyance to a husband and wife. It is an indivisible type of ownership which requires both husband and wife to execute any conveyance or mortgage. In tenancy by the entirety, each tenant effectively owns the entire estate. Therefore, neither can deal with the property independently of the other.

Signed by Governor Owens: March 31, 2006
Effective Date: July 1, 2006

HB 06-1275

Concerning the determination of the actual value for property tax purposes of property used to generate electricity from wind.

Section I of this bill amends the definition of a "public utility" found in §§ 39-4-101(3)(a) and (b), C.R.S., to include "wind energy facility." A new subsection § 39-4-101(4), C.R.S., defines a "wind energy facility" as a new facility first placed in production on or after January 1, 2006, that uses property, real and personal, including one or more wind turbines, leaseholds, and easements, to generate and deliver to the interconnection meter any source of electrical or mechanical energy by harnessing the kinetic energy of the wind.

Section 2 amends § 39-4-102(1)(e), C.R.S., by including language excluding energy generated from a wind energy facility from the definition of renewable energy.

Section 2 contains a new subsection, (1.5), that defines how the Administrator determines the actual value of a wind energy facility. The general assembly declares that consideration of the cost and market approach of a wind energy facility by the administrator results in valuations that are neither uniform nor just and equal. Therefore in the absence of preponderant evidence shown by the administrator that the use of the cost and market approach results in uniform, just, and equal valuation, a wind energy facility shall be valued based solely upon the income approach. The actual value of a wind energy facility shall be at an amount equal to a tax factor times the selling price at the interconnection meter. The "interconnection meter" is defined as the meter located at the point of delivery of energy to the purchaser. The "selling price" is the gross taxable revenue realized by the taxpayer from the sale of energy at the interconnection meter. "Tax factor" means a factor annually established by the administrator. It shall be a number that when applied to the selling price at the interconnection meter results in approximately the same tax revenue over a twenty-year period that would have been collected using the cost basis method of taxation as determined by the administrator for a renewable energy facility pursuant to § 39-4-102(1)(e), C.R.S.

For purposes of calculating the tax factor, an owner or operator of a wind energy facility shall provide a copy of their current purchase power agreement to the administrator by April 1 of each assessment year. The administrator also has the authority to request a copy of the current purchase power agreement from the purchaser of power generated at a wind energy facility. These documents shall be considered private documents and available only to the Administrator and the employees of the Division of Property Taxation.

The location of a wind energy facility on real property shall not affect the classification of that real property for purposes of determining the actual value of the real property.

No actual value for any personal property used in a wind energy facility shall be assigned until such personal property is first put into use by the facility. If any personal property is used in the facility and is subsequently taken out of service so that no wind energy is produced from that facility for the preceding calendar year, no actual value shall be assigned to that property of more than five percent of the installed cost of the item for that assessment year.

Governor Owens allowed the bill to become law without his signature
Effective Date: January 1, 2006

HB 06-1295

Concerning the salaries of county officers, and, in connection therewith, implementing the recommendations of the County Elected Officials' Salary Commission.

The bill implements the recommendations of the County Elected Official's Salary Commission by:

- Increasing the salaries of county officers.
- Establishing the salary of county surveyors and allowing a board of county commissioners to pay additional compensation to a surveyor for services in addition to the surveyor's official duties.

Section 1 amends § 30-2-102(1)(e), C.R.S., by removing Dolores, Jackson, Kiowa, Mineral and Sedgwick counties from Category V and adds a new subsection (1)(f) which creates a Category VI for the aforementioned counties removed from Category V.

Section 2 amends § 30-2-102, C.R.S., by adding a new subsection (2.2) that establishes the annual salary of a county officer whose term of office begins on or after January 1, 2007. This section also amends § 30-2-102(2.8)(b), C.R.S., by adding coroners and surveyors to those county officers whose salaries have been fixed by law through the enactment of this section. The annual salaries for the assessors, clerks, treasurers and county commissioners shall be as follows:

	Assessors, Clerks, and Treasurers	County Commissioners
Category I	$ 87,300	$ 87,300
Category II	$ 72,500	$ 72,500
Category III	$ 58,500	$ 58,500
Category IV	$ 49,700	$ 49,700
Category V	$ 43,800	$ 43,800
Category VI	$ 39,700	$ 39,700

Please see § 30-2-102(2.2), C.R.S. for a complete listing.

Section 3 amends § 30-2-104(1)(a), C.R.S., to include surveyors with the other officials that may appoint deputies, assistants, and employees as necessary.

Section 4 amends § 30-10-905(1), C.R.S., to allow the board of county commissioners to pay additional compensation to a surveyor who performs services for the county in addition to the duties specified in § 30-10-903, C.R.S. This compensation is paid out of the county treasury.

Section 5 repeals § 30-2-108(1)(a), C.R.S., which specified the method of compensation and mileage expense of the coroner.

Governor Owens allowed the bill to become law without his signature
Effective Date: April 14, 2006; Effects salaries of elected officials beginning January 1, 2007

HB 06-1319

Concerning the renewal of licenses for real estate appraisers.

This bill amends § 12-61-707(1), C.R.S. This bill was introduced upon the recommendation of the Colorado Board of Real Estate Appraisers, Division of Real Estate within the Department of Regulatory Agencies. The rationale behind the bill was to set up a schedule of renewal similar to what is currently done for real estate brokers with staggered renewal dates. The bill was to stagger the renewal dates throughout the year, rather than have only one expiration date of December 31 for each year.

Section 1 amends § 12-61-707(1)(a), C.R.S., by changing the expiration date on real estate appraiser registrations, licenses, or certificates from December 31 of the year of issuance on an initial registration, or the second year following for a renewal, to a schedule established by the director and shall be renewed or reinstated pursuant to this section.

The section also amends § 12-61-707(1)(b), C.R.S., by changing the renewal deadline from January 1 of the year succeeding the year of expiration of such registration, license, or certificate to the applicable renewal date established by the director.

Signed by Governor Owens: March 17, 2006
Effective Date: August 9, 2006