

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

Topic: Cancellation of Uncollectible Personal Property Taxes

**Presented by: Jason Soronson, Assistant County Attorney, County
Attorney's Office**

Date: 4/30/2024

☐ For Information

☐ For Discussion/Board Direction

☒ Consent to
Place on Business/
Hearing Agenda

Issue: The Treasurer is requesting that the Board of County Commissioners ("BCC") cancel uncollectable personal property taxes identified by the Treasurer's office for the years 2018, 2019, 2020, 2021 and 2022.

Background: Pursuant to Colo. Rev. Stat. § 39-10-114(2)(a), any taxes levied on personal property which are determined to be uncollectable after a period of one year after the date of their becoming delinquent may be cancelled by the BCC. The Treasurer has determined that delinquent personal property taxes for the years 2018, 2019, 2020, 2021 and 2022 are uncollectible in the amount of \$385,853.

Discussion: This is an annual action the Treasurer requests the BCC to take. Pursuant to C.R.S. § 39-10-114(3), the Treasurer shall file an annual report with the property tax administrator by August 25th of each year that includes all taxes abated, refunded, or determined to be uncollectable and canceled.

Fiscal Impact: ☒ yes ☐ no

(If "yes", include bulleted list below with concise descriptions for each. If "no", then the bulleted list may be removed).

- Year of impact: 2024
- TABOR impact: No, the action reduces outstanding property taxes. However, because the taxes are deemed uncollectable, we do not anticipate a practical effect on County revenues.
- Existing grant or project: N/A
- New grant or project: N/A
- Requested in adopted budget: N/A
- Ongoing or one-time: One-Time
- General Fund impact: None
- Staffing impact: None
- ARPA impact: None
- Match requirements: N/A
- Mandate/Contractual obligation: Pursuant to Colo. Rev. Stat. § 39-10-114(2)(a) & C.R.S. § 39-10-114(3).

Revenue Limits Impact: ☐ yes ☒ no

These amounts will not count toward the 2024 TABOR FYS revenue limit as they will not be received as revenue.

SPA Review: Support with no concerns.

County Attorney Review: Jason Soronson; April 8, 2024

Facilities Review: N/A

BIT Review: N/A

Fleet Review: N/A

Human Resources Review (new FTE only): N/A

Recommendations: Staff recommends that the BCC address this on the upcoming Hearing agenda and cancel the uncollectable personal property taxes requested by the Treasurer and allowed by C.R.S. § 39-10-114(2)(a).

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