



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1233: PROPERTY TAX PROCEDURES FOR NONRES PROPERTY

Prime Sponsors:

Rep. Lukens; Zokaie
Sen. Roberts

Fiscal Analyst:

Josh Abram, 303-866-3561
josh.abram@coleg.gov

Published for: Senate Finance

Drafting number: LLS 26-0387

Version: First Revised Note

Date: April 22, 2026

Fiscal note status: The fiscal note reflects the reengrossed bill.

Summary Information

Overview. The bill imposes civil penalties for taxpayers failing to provide accurate information, or willfully providing false information, concerning the value of nonresidential property; the bill allows for appeals of property valuation to be considered in district court under certain circumstances.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload
- State Revenue
- Local Government

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

Under current law, a county may request information from a property owner in order to determine the actual value of the property for taxation. Beginning January 1, 2026, any person who, in connection with nonresidential property, willfully makes a written declaration certifying that untrue or incorrect information is true and accurate commits a petty offense. A person who willfully aids or assists in the provision of inaccurate or untrue information also commits a petty offense. Violations are subject to a fine of not more than three hundred dollars, imprisonment for not more than ten days in a county jail, or both, and may be prosecuted by a county attorney in the county court where the property is located.

Beginning January 1, 2026, if a nonresidential property owner appeals the decision of the county board of equalization or of the board of county commissioners to the state Board of Assessment Appeals (BAA) in the Department of Local Affairs (DOLA), the governing body of the county may file a motion with the board noting the county's preference that the case be heard in the district court of the county in which the property is located.

If a court finds that the taxpayer has committed a petty offense the taxpayer is not entitled to penalty interest payments.

Comparable Crime Analysis

Legislative Council Staff is required to include certain analysis in the fiscal note for any bill that creates a new crime, or that either reclassifies or creates a new factual basis for an existing crime. This section identifies comparable crimes and discusses assumptions on future conviction rates resulting from the bill.

Prior Conviction Data and Assumptions

This bill creates two new petty offenses related to providing false property tax information related to a nonresidential property. To form an estimate on the prevalence of this crime, the fiscal note analyzed the existing offense of providing false primary residence real property information, a class 2 misdemeanor offense as a comparable crime. From FY 2022-23 to FY 2024-25, zero offenders have been sentenced and convicted for this existing offense; therefore, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under this bill. Because the bill is not expected to have a tangible impact on criminal justice-related expenditures or revenue at the state or local levels, these potential impacts are not discussed further in this fiscal note.

State Revenue and Expenditures

The bill allows for certain appeals to the BAA in DOLA to be considered for an alternative hearing in district court, potentially decreasing workload for the BAA, and increasing revenue from filing fees and workload for the trial courts to adjudicate the appeal. A petitioner must withdraw a motion to the BAA and resubmit the motion under specific deadlines to the county court where the property is located. Given the limited number of appeals likely to be refiled in district courts, the revenue and workload impacts are assumed minimal and no change in appropriations is required.

Finally, the bill minimally increases workload in the Division of Property Taxation in DOLA to update procedures, forms, manuals, and training materials to reflect legislative changes. These updates are done in the normal course of business and do not require additional appropriations.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Counties	Local Affairs
County Assessors	Property Tax Division - Local Affairs
Judicial	

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).