

Amendments to House Bill No. 410  
1st Reading Copy

Requested by Representative Tom Facey

For the House Taxation Committee

Prepared by Jeff Martin  
February 14, 2005 (8:12am)

1. Title, page 1, line 9 through line 10.  
**Strike:** "PROVIDING" on line 9 through "INTEREST;" on line 10
  
2. Title, page 1, line 14.  
**Strike:** "15-10-420,"
  
3. Page 1, line 20.  
**Following:** "exceptions"  
**Insert:** "-- appeal"  
**Strike:** "(8)"  
**Insert:** "(9)"
  
4. Page 1, line 21 through line 24.  
**Strike:** "residential" on line 21 through "purpose" on line 24  
**Insert:** "improvements classified under 15-6-134 that are completed after January 1 of the tax year must be assessed and taxed from the date on which the property is occupied or the property is put in use"
  
5. Page 1, line 25 through page 2, line 4.  
**Strike:** subsections (2) and (3) in their entirety  
**Insert:** "(2) (a) The owner of improvements described in subsection (1) shall, within 30 days of the applicable date referred to in subsection (1), notify the department, on a form prescribed by the department, that the property exists and is capable of being occupied or used.  
(b) If the owner fails to notify the department as required under subsection (2)(a), the owner is subject to a penalty equal to 0.667% of the amount of tax due as determined under subsection (5).  
(3) (a) As soon as practical after receiving the notice under subsection (2), the department shall appraise the improvements as provided in Title 15, chapters 7 and 8.  
(b) The department shall, within 30 days of the appraisal, mail the owner a notice of appraisal. The notice must contain the information described in 15-7-102(1)(c).

(c) The notice must advise the owner that in order to be eligible for a refund of taxes from an appeal of the appraisal, the owner is required to pay the taxes under protest as provided in 15-1-402.

(d) Any misinformation provided in the notice does not affect the validity of the notice and may not be used as a basis for a challenge of the legality of the notice.

(4) If the owner of the improvements is dissatisfied with the appraisal, the procedures for review and appeal described in 15-7-102(3) through (6) apply."

**Renumber:** subsequent subsections

6. Page 2, line 10.

**Strike:** "(5) (b) "

**Insert:** "(6) (b) "

7. Page 2, line 13.

**Strike:** "not"

8. Page 2, line 15.

**Strike:** "October 1"

**Insert:** "the second Monday in August"

9. Page 2, line 17.

**Strike:** "Immediately upon"

**Insert:** "Upon"

10. Page 2, line 21 through line 22.

**Strike:** ", in" through "section" on line 22

**Following:** "."

**Insert:** "Improvements that are assessed on or before July 1 of the current tax year must be included in the estimate of the total taxable value of newly taxable property for the purposes of 15-10-202(1) for the current tax year.

Improvements assessed after July 1 of the current tax year must be included in the estimate of the total taxable value of newly taxable property in the following tax year."

11. Page 2, line 25.

**Following:** " ; "

**Insert:** "or"

12. Page 2, line 26 through line 28.

**Following:** "remodeling of" on line 26  
**Insert:** "or additions to existing"  
**Strike:** "if" on line 26 through "property" on line 28

13. Page 2, line 28.

**Insert:** "(10) The provisions of this section do not prohibit the department from assessing and taxing improvements classified under 15-6-134 that are under construction on January 1 of the tax year. The improvements must be valued based upon the percentage of completion of the construction on that date."

14. Page 4, line 9.

**Following:** "section 1"  
**Insert:** "(7)"

15. Page 5, line 9 through page 7, line 11.

**Strike:** section 5 in its entirety  
**Renumber:** subsequent sections

16. Page 8, line 2.

**Following:** "section 1"  
**Insert:** "(6)(b)"

17. Page 8, line 8.

**Following:** "section 1"  
**Insert:** "(6)(b)"

18. Page 8, line 12.

**Strike:** "Except" through "all"  
**Insert:** "All"

19. Page 10, line 20.

**Following:** "section 1"  
**Insert:** "(7)"

- END -