

BILL/ RESOLUTION REQUEST

1. Title: A bill for an ordinance authorizing the City and County of Denver to retain and spend all tax revenue in excess of the constitutional limitations on revenue and spending, subject to the approval of the voters at a special municipal election to be coordinated with the state general election on November 6, 2012; providing for the restoration of the City's lawful maximum ad valorem property tax rate; adopting an alternative limitation on annual increases in ad valorem property tax revenue to be in effect while the city is restoring its lawful maximum property tax rate; specifying categories of expenditures to be made with revenue derived from the restoration of the maximum lawful property tax rate; allowing credits against business personal property taxes for new and expanded businesses; increasing the amount of payments available to low-income elderly or disabled persons; and making related conforming amendments to the Denver Revised Municipal Code.

2. Requesting Agency: Department of Finance

3. Contact Person *with actual knowledge of proposed ordinance*

Name: Cary Kennedy

Phone: 720-913-5512

Email: cary.kennedy@denvergov.org

4. Contact Person *with actual knowledge of proposed ordinance who will present the item at Mayor Council and who will be available for first and second reading, if necessary*

Name: Cary Kennedy

Phone: 720-913-5512

Email: cary.kennedy@denvergov.org

5. Describe the proposed ordinance, including what the proposed ordinance is intended to accomplish, who's involved

a. Scope of Work

The proposed ordinance will refer to the voters at the November 6, 2012 election the question of whether or not the city should be allowed to exceed the TABOR limitations on annual increases in property tax revenue, and annual increases in overall city tax revenue and spending, commonly known as a "de-Brucing" ballot question.

The ordinance will also make several related changes to the Denver Revised Municipal Code which would go into effect if and only if the voters approve the proposed de-Brucing question:

- Code language implementing previous city de-Brucing questions approved in 2000 and 2005 and codified at section 20-26, D.R.M.C. would be repealed and reenacted.
- The authority for the city to henceforth keep and spend all tax revenue in excess of TABOR limitations in perpetuity would be codified.

- A system for restoration of the city’s lawful property tax millage rate would be codified, providing that the maximum millage rate will be restored over time rather than all at once in order to prevent “spikes” in city property tax revenue after the first year.
- Property tax revenue derived from the restored mill levy would generally be restored to identified categories of expenditures.
- A program would be implemented allowing businesses to claim a 100% credit against property taxes associated with newly-acquired business personal property, as authorized by a new state statute adopted in 2012.
- The city’s longstanding program authorizing payments to low-income senior and disabled property owners and renters would be amended to allow for higher payments.

b. Duration

n/a

c. Location

Citywide

d. Affected Council District

Citywide

e. Benefits

n/a

f. Costs

n/a

6. Is there any controversy surrounding this ordinance, groups or individuals who may have concerns about it? Please explain.

Bill Request Number: BR12-0566

Date: 7/18/2012