



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 25-1080: WIRELESS TELEPHONE INFRASTRUCTURE DEPLOY INCENTIVES

Prime Sponsors:

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Fiscal note status: This revised fiscal note reflects the bill, as amended by the House Finance Committee. It was recommended by the Cell Phone Connectivity Interim Study Committee.

Summary Information

Overview. The bill permits counties, special districts, and school districts to provide property tax relief to qualified businesses and creates a sales tax refund for communication service providers.

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

- Minimal State Workload
- Local Government
- School Districts

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
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

The bill permits counties, special districts, and school districts to provide property tax relief to qualified businesses. It also amends the legislative declaration for the sales tax refund for rural broadband service providers.

Property Tax Relief

The bill allows counties, special districts, and school districts to provide incentive payments or credits to communication service providers that expand a facility in an unserved or underserved area within their jurisdiction. Incentive payments or credits may not exceed the amount of property taxes levied by the local government on the real or personal property located within the facility for the current property tax year.

Qualified facilities include communication service property facilities, infrastructure, equipment, or other real or personal property used to provide wireless telephone services and fixed broadband or mobile broadband internet access. Equipment includes items such as mode switches, routers, servers, multiplexers, fiber optics, macro cell towers, micro cell towers, and other equipment. Unserved areas are defined as areas where broadband internet access service does not meet the minimum broadband benchmarks established by the Federal Communications Commission¹. Underserved areas are defined as areas where broadband internet access service is not available from more than one provider at speeds meeting or exceeding the same minimum broadband benchmarks.

To offset lost revenue from the tax incentives, counties and special districts may adjust their tax levies by the amount of the total annual incentive payments and credits.

Assumptions

The fiscal note assumes that the property tax revenue and mill levies that are used to calculate a school district's local share of school finance are not impacted by the bill. However, if the bill allows school districts to provide incentives and credits that impact local share property tax mill levies and revenue, it may affect the amount the state is obligated to pay districts for school finance. The state aid obligation may be paid from the General Fund, the State Education Fund, and the State Public School Fund.

¹ <https://broadbandmap.fcc.gov/home>

State Expenditures

The bill will have a minimal workload impact on the Property Tax Division within the Department of Local Affairs to support county implementation of the payment incentives or credits, and on the Department of Revenue to provide the State Auditor’s Office with data on refunds regarding the new tax preference performance statement in the amended legislative declaration for the sales tax refund for rural broadband service providers. This work can be accomplished within existing appropriations.

Local Governments and School Districts

Counties, special districts, and school districts that do not opt to provide incentive payments or credits to qualified businesses will have no fiscal impact. Counties and special districts that do provide incentive payments or credits to qualified businesses and correspondingly increase their mill levy will similarly have no impact to net property tax revenue. Counties, special districts, and school districts who provide incentive payments or credits to qualified businesses and do not increase their mill levy will have decreased property tax revenue equal to the amount of incentive payments or credits made.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Counties	Property Tax Division
County Assessors	Revenue
County Treasurers	School Districts
Local Affairs	Special District Association
Municipalities	

The revenue and expenditures 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](#).