2026 Legislative Priority Proposal
Updated: 7/18/25

Real Estate Transfer Fee	
Pitkin County (Commissioner Kelly McNicholas Kury)	
Preferred Contact:	kelly.mcnicholas@pitkincounty.com
Co-Sponsoring Counties/Commissioners:	Patti Clapper - Pitkin County
Who is your subject matter expert?	Levi Borst - Management Analyst - Pitkin County - 970.309.2330 - levi.borst@pitkincounty.com
Has this proposal been approved by your BoCC?	Yes.
Have you reviewed the CCI Instructional Memo?	Yes.
Describe the problem your proposal will solve.	Allow counties to implement a real estate transfer fee, to offset community impacts caused by increasingly unaffordable real estate.
Areas of Impact:	Functionality of county programs or services; Power/Authority/Mandate of county government; General community advancement.
What is the ultimate source of this problem?	Lack of legislative authority.
What is your initial proposal to solve this problem?	Have the Colorado Legislature grant legislative authority to local governments to implement a real estate transfer fee. This would likely involve a test from the Attorney General to affirm the legality of such authority.
Please provide sample language for this solution.	THE GOVERNING BODY OF EVERY LOCAL GOVERNMENT IS HEREBY AUTHORIZED TO IMPOSE A REAL ESTATE TRANSFER FEE ON EVERY DOCUMENT IN WRITING, WHEREBY TITLE TO REAL PROPERTY SITUATED WITHIN THE BOUNDARIES OF THE LOCAL GOVERNMENT IS TRANSFERRED, WHICH FEE SHALL BE MEASURED BY THE CONSIDERATION PAID OR TO BE PAID FOR SUCH GRANT OR

	CONVEYANCE AND SHALL BE DUE AND PAYABLE BY EITHER THE GRANTOR, THE GRANTEE, OR BOTH, AT THE TIME OF TRANSFER CONTEMPORANEOUSLY THEREWITH. THE DOCUMENT SHALL NOT BE RECORDED WHEREBY OR WHEREIN TITLE TO REAL PROPERTY SITUATED WITHIN THE BOUNDARIES OF THE LOCAL GOVERNMENT IS TRANSFERRED UNTIL THE REAL ESTATE TRANSFER FEE HAS BEEN PAID OR EXEMPTED. (b) THE GOVERNING BODY OF EVERY LOCAL GOVERNMENT IS HEREBY AUTHORIZED TO IMPOSE THE AMOUNT OF THE REAL ESTATE TRANSFER FEE, PROVIDED SUCH FEE DOES NOT EXCEED FOUR PERCENT OF CONSIDERATION PAID FOR THE GRANT OR CONVEYANCE OF REAL PROPERTY.
Are there any solutions that do not require state-level legislation? Has your county explored these alternatives?	Voter repeal of TABOR.
Has CCI or any other organizations sought a solution to this problem before?	No.
What possible organization(s) would *support* your proposed solution?	As this is permissive, specific to the local jurisdiction, and would not trump existing real estate transfer taxes, many local governments would be in support. Local housing advocates and non-profits would also be in support.
What possible organization(s) would *oppose* your proposed solution?	Realtors.
Have you spoken with any legislators about your proposed solution? If so, what was their response?	Not this session. Some have shown support in the past, but with the Governor's Office position on real estate transfer fees, we have not yet identified sponsors for this session.
What are the financial implications of this *problem* to your county?	The costs of the problem are far-reaching. Funding housing and related services without a tool such as this has been a huge challenge for all local governments. We struggle to adequately fund many nexus areas, such as affordable housing, and child care. As for the solution, some minor administrative time and associated costs to launch and maintain the program, but nothing noteworthy.

Are there any financial implications to this **solution** either?	
What are the financial implications of this **problem** to any other impacted parties? What are the financial implications of this **solution** to any other impacted parties? *Please consider any relevant Colorado State Departments.*	The financial impacts of the problem on other communities and their local workforces are similarly immeasurable. The financial implications of the solutions are likely to be felt by those buying/selling real estate - which may thereby impact realtors and other associated industries. As this is a locally administered program, there should be no impacts to any state departments.