

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Frizell

1 Amend reengrossed bill, page 30, line 8, after "(7.6) (a) (I)" insert "(A)".

2 Page 30, after line 23 insert:

3 "(B) NOTWITHSTANDING SUBSECTION (7.6)(a)(I)(A) OF THIS
4 SECTION, THE TRANSPORTATION ENTERPRISE SHALL NOT IMPOSE THE
5 CONGESTION IMPACT FEE UNLESS THE ATTORNEY GENERAL ISSUES A
6 FORMAL OPINION THAT CONCLUDES THAT THE CONGESTION IMPACT FEE IS
7 A FEE AND NOT A TAX IN ACCORDANCE WITH THE OPINION OF THE
8 COLORADO SUPREME COURT IN *COLORADO UNION OF TAXPAYERS*
9 *FOUNDATION V. CITY OF ASPEN*, 2018 CO 36, IN WHICH CASE THE
10 TRANSPORTATION ENTERPRISE SHALL IMPOSE THE FEE ON SHORT-TERM
11 VEHICLE RENTALS THAT COMMENCE ON OR AFTER THE FIRST DAY OF THE
12 MONTH FOLLOWING THE ISSUANCE OF THE FORMAL OPINION.".

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