

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 17-139

BY SENATOR(S) Hill and Williams A., Baumgardner, Cooke, Holbert, Kagan, Lambert, Marble, Neville T., Scott, Smallwood, Sonnenberg, Tate, Grantham;
also REPRESENTATIVE(S) Pabon, Lontine.

CONCERNING THE EXTENSION OF THE CREDIT FOR TOBACCO PRODUCTS
THAT A DISTRIBUTOR SHIPS OR TRANSPORTS TO AN OUT-OF-STATE
CONSUMER.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. The general assembly hereby finds and declares that the purpose for extending the expiring credit in this act is to retain the businesses that have expanded or opened as a result of the "Cigar On-line Sales Equalization Act", enacted in 2015.

SECTION 2. In Colorado Revised Statutes, 39-28.5-107, **amend** (1) as follows:

39-28.5-107. When credit may be obtained for tax paid.
(1) Where tobacco products, upon which the tax imposed by this article ARTICLE 28.5 has been reported and paid, are shipped or transported by the distributor to retailers without the state to be sold by those retailers, are

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

shipped or transported by the distributor to a consumer without the state on or after September 1, 2015, but prior to ~~September 1, 2018~~ SEPTEMBER 1, 2021, or are returned to the manufacturer by the distributor or destroyed by the distributor, credit of such tax may be made to the distributor in accordance with regulations prescribed by the department.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Kevin J. Grantham
PRESIDENT OF
THE SENATE

Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO