

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 19-0589.04 Pierce Lively x2059

HOUSE BILL 19-1164

HOUSE SPONSORSHIP

Singer,

SENATE SPONSORSHIP

Zenzinger and Priola,

House Committees

Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CHILD TAX CREDIT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

In 2013, the general assembly created a child tax credit against state income taxes for a resident individual. But the credit, which is a percentage of the federal child tax credit based on the taxpayer's income, is only allowed after the United States congress enacts a version of the "Marketplace Fairness Act".

The bill repeals the contingent start of the tax credit and instead allows the credit to be claimed for any income tax year beginning with the 2019 income tax year.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2

3 **SECTION 1.** In Colorado Revised Statutes, 39-22-129, **amend**
4 (3)(a); **repeal** (4); and **add** (8) as follows:

5 **39-22-129. Child tax credit - trigger - legislative declaration**
6 **- definitions.** (3) (a) For ~~an~~ ANY income tax year ~~specified in subsection~~
7 ~~(4) of this section~~ COMMENCING ON OR AFTER JANUARY 1, 2019, **BUT**
8 **PRIOR TO JANUARY 1, 2023**, a resident individual who claims a federal
9 child tax credit for an eligible child on the individual's federal tax return
10 is allowed a child tax credit against the income taxes due under this
11 ~~article~~ ARTICLE 22 for the same tax year.

12 ~~(4) No credit is allowed under this section until the United States~~
13 ~~congress has enacted the "Marketplace Fairness Act of 2013", or any~~
14 ~~other act with substantially similar requirements, and the general~~
15 ~~assembly has enacted a law to implement the minimum simplification~~
16 ~~requirements in the congressional act. The credit allowed under this~~
17 ~~section may be claimed for any income tax year beginning with the~~
18 ~~income tax year during which the last prerequisite bill under this~~
19 ~~subsection (4) becomes law, except that, if the last bill becomes law after~~
20 ~~October 1 of a given year, the credit is first available in the next income~~
21 ~~tax year, and in no case may the credit be claimed prior to the 2014~~
22 ~~income tax year.~~

23 (8) **THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2026.**

24 **SECTION 2. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August

1 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within such period, then the act, item, section, or part will not take effect
5 unless approved by the people at the general election to be held in
6 November 2020 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.