

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 21-0724.01 Sarah Lozano x3858

HOUSE BILL 21-1154

HOUSE SPONSORSHIP

Lynch and Valdez D., Arndt, Pico, Hooton, McCormick, Ricks

SENATE SPONSORSHIP

Moreno, Zenzinger

House Committees
Finance

Senate Committees
Finance

A BILL FOR AN ACT

101 **CONCERNING THE ELIMINATION OF OBSOLETE PROVISIONS OF THE**
102 **CHILD CARE CONTRIBUTION STATE INCOME 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/>.)

Statutory Revision Committee. House Bill 00-1351, enacted in 2000, removed the provision permitting a child care contribution income tax credit for an in-kind contribution. Accordingly, the bill removes all references in the statute to an in-kind contribution. The bill also repeals an obsolete provision that is only applicable to the income tax year that commenced on or after January 1, 1999, but prior to January 1, 2000.

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.*

SENATE
3rd Reading Unamended
April 9, 2021

SENATE
2nd Reading Unamended
April 8, 2021

HOUSE
3rd Reading Unamended
March 25, 2021

HOUSE
2nd Reading Unamended
March 24, 2021

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-22-121, **amend**
3 (2) introductory portion, (2)(a), (2)(c), (2)(e), and (5); and **repeal** (1) as
4 follows:

5 **39-22-121. Credit for child care facilities - repeal.** (1) ~~For the~~
6 ~~income tax year commencing on or after January 1, 1999, but prior to~~
7 ~~January 1, 2000, any taxpayer who makes a monetary or in-kind~~
8 ~~contribution to promote child care in the state shall be allowed a credit~~
9 ~~against the income tax imposed by this article in an amount equal to~~
10 ~~twenty-five percent of the total value of the contribution except as~~
11 ~~otherwise provided in subsection (5) of this section.~~

12 (2) Monetary ~~or in-kind~~ contributions to promote child care in the
13 state shall include the following types of contributions:

14 (a) Donating money ~~real estate, or property~~ for the establishment
15 or operation of a child care facility that uses the donation to provide child
16 care, a child care program that is not a child care facility but provides
17 child care services similar to those provided by a child care center, as
18 defined in section 26-6-102 (5), ~~C.R.S.~~, or any other program that
19 received donations for which a credit was allowed to the donor pursuant
20 to this section for any income tax year that ended before January 1, 2004,
21 in the state;

22 (c) Pooling ~~moneys~~ MONEY of several businesses and donating
23 ~~such moneys~~ THE MONEY for the establishment of a child care facility in
24 the state;

25 (e) Donating money ~~services, or equipment~~ for the establishment
26 of an information dissemination program in the state to provide

1 information and referral services to assist a parent or parents in obtaining
2 child care.

3 (5) The credit allowed by this section shall not exceed one
4 hundred thousand dollars or the taxpayer's actual income tax liability for
5 the tax year for which the credit is claimed, whichever is less. ~~In-kind~~
6 ~~contributions shall not exceed fifty percent of the total amount of the~~
7 ~~credit claimed for a given tax year.~~

8 **SECTION 2. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly; except
11 that, if a referendum petition is filed pursuant to section 1 (3) of article V
12 of the state constitution against this act or an item, section, or part of this
13 act within such period, then the act, item, section, or part will not take
14 effect unless approved by the people at the general election to be held in
15 November 2022 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.