

## CHAPTER 54

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**TAXATION**


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**HOUSE BILL 21-1154**

BY REPRESENTATIVE(S) Lynch and Valdez D., Arndt, Pico, Hooton, McCormick, Ricks;  
also SENATOR(S) Moreno, Zenzinger.

**AN ACT**

**CONCERNING THE ELIMINATION OF OBSOLETE PROVISIONS OF THE CHILD CARE CONTRIBUTION  
STATE INCOME TAX CREDIT.**

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

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

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

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

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

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

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(e) Donating money ~~services, or equipment~~ for the establishment of an information dissemination program in the state to provide information and referral services to assist a parent or parents in obtaining child care.

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

**SECTION 2. 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; 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 22, 2021