

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0435.01 Jason Gelender x4330

HOUSE BILL 23-1208

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HOUSE SPONSORSHIP

Marshall and Soper, Hamrick

SENATE SPONSORSHIP

Rich, Mullica

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House Committees  
Education

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING A STATE INCOME TAX CREDIT FOR A LICENSED TEACHER  
102 WHO IS EMPLOYED AS A TEACHER IN A PUBLIC SCHOOL ON A  
103 FULL-TIME BASIS FOR AT LEAST ONE-HALF OF AN ACADEMIC  
104 YEAR.

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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>.)*

For income tax years commencing on or after January 1, 2023, but before January 1, 2027, the bill allows a refundable state income tax credit, which is intended to offset the various expenses that licensed

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

teachers often incur throughout an academic year for classroom supplies, professional development costs, supplemental educational materials, field trips, and other items that improve the quality of the educational services that they provide, to a licensed teacher who is employed as a teacher in a public school on a full-time basis for at least one-half of an academic year (eligible teacher) during the income tax year for which the credit is claimed. The amount of the credit is \$1,000 for an eligible teacher who is employed for the equivalent of an entire academic year and \$500 for a teacher who is employed for one-half of an academic year. Two eligible teachers who file a joint income tax return may each claim the credit.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 39-22-549 as  
3 follows:

4           **39-22-549. Credit - licensed teachers - tax preference**  
5 **performance statement - legislative declaration - definitions - repeal.**

6 (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

7           (I) LICENSED TEACHERS WHO TEACH IN PUBLIC SCHOOLS OFTEN  
8 SPEND THEIR OWN MONEY TO PAY FOR CLASSROOM SUPPLIES,  
9 PROFESSIONAL DEVELOPMENT COSTS, SUPPLEMENTAL EDUCATIONAL  
10 MATERIALS, FIELD TRIPS, AND OTHER ITEMS THAT IMPROVE THE QUALITY  
11 OF THE EDUCATIONAL SERVICES THAT THEY PROVIDE;

12           (II) THESE ITEMS PURCHASED BY LICENSED TEACHERS WITH THEIR  
13 OWN MONEY BENEFIT THEIR STUDENTS AND THE PUBLIC, AND THE PUBLIC  
14 SHOULD BE RESPONSIBLE FOR BEARING THEIR COSTS; AND

15           (III) THE INCOME TAX CREDIT IS INTENDED TO SHIFT SOME OF THE  
16 COSTS CURRENTLY INCURRED BY LICENSED TEACHERS WHO TEACH IN  
17 PUBLIC SCHOOLS THAT SHOULD BE INCURRED BY THE PUBLIC FROM  
18 LICENSED TEACHERS TO THE PUBLIC.

19           (b) IN ACCORDANCE WITH SECTION 39-21-304 (1), WHICH  
20 REQUIRES EACH BILL THAT CREATES A NEW TAX EXPENDITURE TO INCLUDE

1 A TAX PREFERENCE PERFORMANCE STATEMENT AS PART OF A STATUTORY  
2 LEGISLATIVE DECLARATION, THE GENERAL ASSEMBLY FURTHER FINDS AND  
3 DECLARES THAT THE PURPOSE OF THE TAX CREDIT CREATED IN THIS  
4 SECTION IS TO PROVIDE TAX RELIEF FOR ELIGIBLE TEACHERS. THE  
5 GENERAL ASSEMBLY AND THE STATE AUDITOR SHALL MEASURE THE  
6 EFFECTIVENESS OF THE CREDIT IN ACHIEVING THIS PURPOSE BASED ON THE  
7 NUMBER AND VALUE OF CREDITS CLAIMED.

8 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
9 REQUIRES:

10 (a) "ACADEMIC YEAR" HAS THE SAME MEANING AS SET FORTH IN  
11 SECTION 22-63-103 (1).

12 (b) "ELIGIBLE TEACHER" MEANS A TEACHER WHO IS EMPLOYED  
13 FULL-TIME AS A TEACHER FOR AT LEAST ONE-HALF OF AN ACADEMIC YEAR.

14 (c) "ONE-HALF" OF AN ACADEMIC YEAR MEANS EITHER THE  
15 PORTION OF AN ACADEMIC YEAR THAT BEGINS IN JANUARY OF AN INCOME  
16 TAX YEAR OR THE PORTION OF AN ACADEMIC YEAR THAT ENDS IN  
17 DECEMBER OF AN INCOME TAX YEAR.

18 (d) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, A  
19 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART  
20 1 OF ARTICLE 30.5 OF TITLE 22, A CHARTER SCHOOL AUTHORIZED BY THE  
21 STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5  
22 OF TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED AND  
23 OPERATING PURSUANT TO ARTICLE 5 OF TITLE 22.

24 (e) "TEACHER" MEANS A RESIDENT INDIVIDUAL WHO HOLDS A  
25 VALID TEACHER LICENSE OF ANY TYPE DESCRIBED IN SECTION 22-60.5-201  
26 AND IS EMPLOYED TO INSTRUCT STUDENTS IN ANY PUBLIC SCHOOL IN THE  
27 STATE.

1           (3) (a) FOR INCOME TAX YEARS COMMENCING ON OR AFTER  
2 JANUARY 1, 2023, BUT BEFORE JANUARY 1, 2027, AN ELIGIBLE TEACHER  
3 IS ALLOWED A CREDIT AGAINST THE INCOME TAXES IMPOSED BY THIS  
4 ARTICLE 22 IN THE AMOUNT OF:

5           (I) ONE THOUSAND DOLLARS IF THE ELIGIBLE TEACHER IS  
6 EMPLOYED FULL-TIME AS A TEACHER FOR BOTH ONE-HALF OF AN  
7 ACADEMIC YEAR THAT BEGINS IN JANUARY OF THE INCOME TAX YEAR FOR  
8 WHICH A CREDIT IS CLAIMED AND ONE-HALF OF AN ACADEMIC YEAR THAT  
9 ENDS IN DECEMBER OF THAT INCOME TAX YEAR; OR

10          (II) FIVE HUNDRED DOLLARS IF THE ELIGIBLE TEACHER IS  
11 EMPLOYED FULL-TIME AS A TEACHER FOR EITHER ONE-HALF OF AN  
12 ACADEMIC YEAR THAT BEGINS IN JANUARY OF THE INCOME TAX YEAR FOR  
13 WHICH A CREDIT IS CLAIMED OR ONE-HALF OF AN ACADEMIC YEAR THAT  
14 ENDS IN DECEMBER OF THAT INCOME TAX YEAR, BUT NOT BOTH.

15          (b) TWO ELIGIBLE TEACHERS WHO FILE A JOINT RETURN MAY EACH  
16 CLAIM THE CREDIT IN THE APPLICABLE AMOUNT SPECIFIED IN EITHER  
17 SUBSECTION (3)(a)(I) OR SUBSECTION (3)(a)(II) OF THIS SECTION.

18          (c) THE AMOUNT OF THE CREDIT UNDER THIS SECTION THAT  
19 EXCEEDS THE ELIGIBLE TEACHER'S INCOME TAXES DUE IS REFUNDED TO  
20 THE ELIGIBLE TEACHER.

21          (4) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2031.

22          **SECTION 2. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, or safety.