

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-1128.01 Caroline Martin x5902

HOUSE BILL 24-1434

HOUSE SPONSORSHIP

Bird,

SENATE SPONSORSHIP

(None),

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING AN EXPANSION TO THE AFFORDABLE HOUSING TAX
102 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>.)

The bill expands the affordable housing tax credit by increasing the credit amounts that the Colorado housing and finance authority (authority) may allocate to qualified taxpayers by the following amounts:

- \$20,000,000 for credits allocated in 2024;
- \$20,000,000 for credits allocated in 2025;
- \$20,000,000 for credits allocated in 2026;

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.

- \$16,000,000 for credits allocated in 2027;
- \$16,000,000 for credits allocated in 2028;
- \$16,000,000 for credits allocated in 2029;
- \$10,000,000 for credits allocated in 2030; and
- \$10,000,000 for credits allocated in 2031.

The bill also accelerates the credit by requiring that a qualified taxpayer claim 70% of the total amount of the credit awarded by the authority in the first year of the credit period and claim 6% of the total amount of the credit awarded by the authority in each of the second through sixth years of the credit period.

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-22-2102, **add**
 3 (7)(a.7) and (7.5) as follows:

4 **39-22-2102. Credit against tax - affordable housing**
 5 **developments - legislative declaration.** (7) During each calendar year
 6 of the period beginning January 1, 2015, and ending December 31, 2031,
 7 the authority may allocate a credit, the full amount of which may be
 8 claimed against the taxes imposed by this article 22 for each taxable year
 9 of the six-year credit period. The aggregate amount of all credits allocated
 10 by the authority in each calendar year of the period beginning January 1,
 11 2015, and ending December 31, 2031, shall not exceed the amount of:

12 (a.7) IN ADDITION TO THE AMOUNTS DESCRIBED IN SUBSECTION
 13 (7)(a.5) OF THIS SECTION:

14 (I) TWENTY MILLION DOLLARS FOR CREDITS ALLOCATED IN
 15 CALENDAR YEAR 2024, PURSUANT TO SUBSECTION (1) OF THIS SECTION
 16 AND SECTION 39-22-2105 COMBINED;

17 (II) TWENTY MILLION DOLLARS FOR CREDITS ALLOCATED IN
 18 CALENDAR YEAR 2025, PURSUANT TO SUBSECTION (1) OF THIS SECTION
 19 AND SECTION 39-22-2105 COMBINED;

20 (III) TWENTY MILLION DOLLARS FOR CREDITS ALLOCATED IN

1 CALENDAR YEAR 2026, PURSUANT TO SUBSECTION (1) OF THIS SECTION
2 AND SECTION 39-22-2105 COMBINED;

3 (IV) SIXTEEN MILLION DOLLARS FOR CREDITS ALLOCATED IN
4 CALENDAR YEAR 2027, PURSUANT TO SUBSECTION (1) OF THIS SECTION
5 AND SECTION 39-22-2105 COMBINED;

6 (V) SIXTEEN MILLION DOLLARS FOR CREDITS ALLOCATED IN
7 CALENDAR YEAR 2028, PURSUANT TO SUBSECTION (1) OF THIS SECTION
8 AND SECTION 39-22-2105 COMBINED;

9 (VI) SIXTEEN MILLION DOLLARS FOR CREDITS ALLOCATED IN
10 CALENDAR YEAR 2029, PURSUANT TO SUBSECTION (1) OF THIS SECTION
11 AND SECTION 39-22-2105 COMBINED;

12 (VII) TEN MILLION DOLLARS FOR CREDITS ALLOCATED IN
13 CALENDAR YEAR 2030, PURSUANT TO SUBSECTION (1) OF THIS SECTION
14 AND SECTION 39-22-2105 COMBINED; AND

15 (VIII) TEN MILLION DOLLARS FOR CREDITS ALLOCATED IN
16 CALENDAR YEAR 2031, PURSUANT TO SUBSECTION (1) OF THIS SECTION
17 AND SECTION 39-22-2105 COMBINED;

18 (7.5) A QUALIFIED TAXPAYER SHALL NOT CLAIM A CREDIT
19 ALLOCATED AS PART OF THE CREDITS AVAILABLE PURSUANT TO
20 SUBSECTION (7)(a.7) OF THIS SECTION RATABLY OVER THE CREDIT PERIOD.
21 INSTEAD, SUCH A CREDIT MUST BE ACCELERATED AND THE FULL AMOUNT
22 MUST BE CLAIMED AGAINST THE TAXES IMPOSED BY THIS ARTICLE 22 OVER
23 THE CREDIT PERIOD ACCORDING TO THE FOLLOWING SCHEDULE:

24 (a) THE AMOUNT OF THE CREDIT ALLOCATED AS PART OF THE
25 CREDITS AVAILABLE PURSUANT TO SUBSECTION (7)(a.7) OF THIS SECTION
26 THAT A QUALIFIED TAXPAYER CLAIMS IN THE FIRST YEAR OF THE CREDIT
27 PERIOD MUST EQUAL SEVENTY PERCENT OF THE TOTAL AMOUNT OF THAT

1 CREDIT THAT THE AUTHORITY ALLOCATES TO THE QUALIFIED TAXPAYER;
2 AND

3 (b) THE AMOUNT OF THE CREDIT ALLOCATED AS PART OF THE
4 CREDITS AVAILABLE PURSUANT TO SUBSECTION (7)(a.7) OF THIS SECTION
5 THAT A QUALIFIED TAXPAYER CLAIMS IN THE SECOND YEAR THROUGH
6 SIXTH YEAR OF THE CREDIT PERIOD MUST EACH YEAR EQUAL SIX PERCENT
7 OF THE TOTAL AMOUNT OF THAT CREDIT THAT THE AUTHORITY ALLOCATES
8 TO THE QUALIFIED TAXPAYER.

9 **SECTION 2. Safety clause.** The general assembly finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety or for appropriations for
12 the support and maintenance of the departments of the state and state
13 institutions.