

CHAPTER 166

TAXATION

HOUSE BILL 94-1221

BY REPRESENTATIVES Ratterree, Anderson, Armstrong, Berry, Chlouber, Grampsas, Greenwood, Hagedorn, Jerke, Lawrence, Martin, Mattingly, Morrison, Taylor, and Tucker;
also SENATORS Bishop, R. Powers, Tebedo, and Wells.

AN ACT**CONCERNING THE STATE INCOME TAX VOLUNTARY CONTRIBUTION DESIGNATION IN SUPPORT OF THE UNITED STATES OLYMPIC COMMITTEE.**

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

SECTION 1. 39-22-901, Colorado Revised Statutes, 1982 Repl. Vol., as amended, is amended to read:

39-22-901. Voluntary contribution designation - procedure. For income tax years commencing on or after January 1, 1988, but prior to January 1, ~~1994~~ 1998, each Colorado state individual income tax return form shall contain a line whereby each individual taxpayer may designate the amount of the contribution, if any, ~~he~~ THE TAXPAYER wishes to make to the United States olympic committee program.

SECTION 2. 39-22-903, Colorado Revised Statutes, 1982 Repl. Vol., as amended, is amended to read:

39-22-903. Repeal of part. (1) This part 9 is repealed, effective January 1, ~~1995~~ 1999, unless the olympic committee program established by this part 9 is continued or reestablished by the general assembly acting by bill during the second regular session of the ~~fifty-ninth~~ SIXTY-FIRST general assembly. Prior to or during such session, a committee of reference in each house of the general assembly shall hold a hearing regarding the possible termination, continuation, or reestablishment of the olympic committee program as provided for in this part 9.

(2) The change of the date in section 39-22-901 from January 1, ~~1991~~ 1994, to January 1, ~~1994~~ 1998, and the change of the repeal date in subsection (1) of this

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

section from January 1, ~~1992~~ 1995, to January 1, ~~1995~~ 1999, were made by the general assembly during the ~~first~~ SECOND regular session of the ~~fifty-eighth~~ FIFTY-NINTH general assembly to continue and reestablish the olympic committee program established by this part 9. The provisions of section 39-22-1001 (2) which requires the elimination of any income tax checkoff that does not have contributions that equal or exceed ten percent of the total amount contributed to all income tax checkoffs during the period between January 1, ~~1991~~ 1994, and September 30, ~~1991~~ 1994, shall not apply to the olympic committee program continued and reestablished by this subsection (2); except that ~~said~~ THE PROVISIONS OF section 39-22-1001 ~~(2)~~ (3) shall apply to the period between ~~January 1~~ JANUARY 1, 1995, and September 30, ~~of any year thereafter~~ 1999.

SECTION 3. 39-22-1001 (1) and (2) (a), Colorado Revised Statutes, 1982 Repl. Vol., as amended, is amended, and the said 39-22-1001 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

39-22-1001. Limitation on the duration of voluntary contribution programs - repeal. (1) It is the intent of the general assembly that any program funded by voluntary contributions of income tax refunds which is created on or after June 2, 1985, shall have a sunset clause providing that the program shall apply to no more than three income tax years unless the program is continued or reestablished by the general assembly acting by bill during the regular session immediately preceding the program's expiration; EXCEPT THAT THE OLYMPIC COMMITTEE TAX CHECKOFF SHALL HAVE A SUNSET CLAUSE AS PROVIDED IN SUBSECTION (3) OF THIS SECTION. It is the intent of the general assembly that such sunset clause shall also provide that, prior to the termination, continuation, or reestablishment of any such program, a committee of reference in each house of the general assembly shall hold a hearing thereon.

(2) (a) Any other provision of law to the contrary notwithstanding, except as otherwise provided in paragraph (b) of this subsection (2), AND EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, for the period January 1, 1988, through September 30, 1988, and for each January 1 through September 30 thereafter, if the amount designated on Colorado income tax returns as contributed under the provisions of any voluntary contribution program created by law does not equal or exceed ten percent of the total amount contributed to all income tax checkoffs during such period according to the records of the department of revenue, then any such voluntary contribution program shall no longer be effective as of January 1 of the then current calendar year and shall not be reflected on the Colorado income tax returns made for such year or any subsequent year.

(3) (a) THE PROVISIONS OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION SHALL NOT APPLY TO THE UNITED STATES OLYMPIC VOLUNTARY CONTRIBUTION ESTABLISHED PURSUANT TO PART 9 OF THIS ARTICLE. BEGINNING JANUARY 1, 1995, AND CONTINUING THROUGH SEPTEMBER 30, 1999, IF THE AMOUNT DESIGNATED ON COLORADO INCOME TAX RETURNS AS CONTRIBUTED UNDER THE PROVISIONS OF THE OLYMPIC COMMITTEE INCOME TAX CHECKOFF PROGRAM DOES NOT EQUAL OR EXCEED TEN PERCENT OF THE TOTAL AMOUNT CONTRIBUTED TO ALL INCOME TAX CHECKOFFS DURING SUCH PERIOD ACCORDING TO THE RECORDS OF THE DEPARTMENT OF REVENUE, THEN THE OLYMPIC COMMITTEE INCOME TAX CHECKOFF PROGRAM SHALL NO LONGER BE EFFECTIVE AS OF JANUARY 1 OF THE THEN CURRENT CALENDAR YEAR AND SHALL NOT BE REFLECTED ON THE COLORADO INCOME TAX RETURNS MADE FOR SUCH YEAR

OR ANY SUBSEQUENT YEAR.

(b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JANUARY 1, 1999.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 28, 1994