



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

## Memorandum

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**TO:** Interested Persons

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**SUBJECT:** Overview of Colorado Economic Development Programs and Incentives

### Summary

This memorandum provides an overview of programs that are designed to provide a boost to Colorado's economy, including incentivizing businesses to locate in Colorado, expand their Colorado-based workforce, or otherwise grow their Colorado business operations. This memorandum does not include programs that are focused on workforce development or programs designed to attract tourists to the state. More information on the state's workforce development programs can be found [here](#).

### Office of Economic Development and International Trade

The Colorado Office of Economic Development and International Trade (OEDIT) in the Governor's Office is the primary entity responsible for promoting economic development within the state. OEDIT was appropriated a total of \$88.9 million and 64.6 FTE for FY 2022-23 for the various activities of the office. A full breakout of OEDIT's FY 2022-23 appropriations is available in Appendix A.

**Economic Development Commission.** The Economic Development Commission (EDC) within OEDIT was created in 1987 to encourage, promote, and stimulate economic development and employment in Colorado by awarding economic development incentives to employers in the form of grants, loans, and performance-based incentives.<sup>1</sup> The EDC is made up of 11 members who represent certain industries and geographic areas, and are appointed by the Governor, Senate President, or

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<sup>1</sup>Section 24-46-101, *et seq.*, C.R.S.  
<https://oedit.colorado.gov/about/colorado-economic-development-commission>.

Speaker of the House of Representatives. No member of the legislature may be appointed as a member of the commission. Members serve at the pleasure of their appointing authority. The EDC was appropriated \$12.1 million and 6.3 FTE in FY 2022-23 for general economic incentives and marketing, largely from the General Fund.

In addition to the programs highlighted throughout this memorandum, OEDIT and the EDC manage a variety of other non-statutory economic development programs and incentives, including those programs under the Rural Technical Assistance Program.<sup>2</sup>

## COVID-19 Response Efforts

In 2020 and 2021, the General Assembly passed bills aimed at providing assistance to small businesses and other entities impacted by the COVID-19 pandemic. In some cases, programs originally set to expire have been extended through subsequent legislation. In addition, some programming was created in 2022 to further support those most impacted by the pandemic.

**Senate Bill 21-291 economic relief efforts.** In 2021, Colorado received a significant amount of federal funding pursuant to the American Rescue Plan Act (ARPA), to be used to help the state respond to the COVID-19 pandemic. [Senate Bill 21-291](#) transferred \$848.8 million in ARPA funds to the newly-created Economic Recovery and Relief Cash Fund. The bill specified that money from this fund may be used for a wide variety of purposes, including to provide assistance to small businesses and to provide aid to impacted industries.

The bill also directed the Executive Committee of the Legislative Council to create a task force to meet during the 2021 interim. The task force was charged with issuing a report with recommendations to the General Assembly and the Governor on policies that use this money to provide a stimulative effect to the state's economy, necessary relief for Coloradans, or that address emerging economic disparities resulting from the pandemic. Additional information about the work of the task force can be found [here](#).

Finally, SB 21-291 directed that \$40 million be transferred to the Colorado Economic Development Fund to provide grants to small businesses or to undertake other economic development activities in response to the negative economic impacts of the COVID-19 pandemic.

**Colorado Startup Loan Fund Program.** [House Bill 21-1288](#) created the Colorado Startup Loan Fund Program to provide loans and grants to businesses seeking capital to start, restart, or restructure a business.<sup>3</sup> OEDIT is required to contract with a third-party to administer the program. OEDIT or the administrator is required to establish policies and processes for the revolving loan and grant program, such as eligibility requirements for businesses, loan parameters, and reporting requirements. OEDIT or the administrator must consider several factors when determining an applicant's eligibility for funding under the program, such as the impacts of the COVID-19 pandemic on the business, its financial needs and repayment ability, and its ability to access capital from traditional sources. OEDIT must work with the Minority Business Office and other entities to help promote the program to various communities that are underserved or disadvantaged. The program was funded with \$40

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<sup>2</sup>Rural Technical Assistance Program: <https://oedit.colorado.gov/rural-technical-assistance-program>.

<sup>3</sup>Section 24-48.5-131, C.R.S.

million from the General Fund, \$1.35 million reserved for businesses that completed the Small Business Accelerated Growth Program, and \$1.0 million to fund loans for borrowers who meet the statutory requirements of Disproportionately Impacted Businesses defined in Senate Bill 21-001. OEDIT is required to submit an annual report detailing the use of these funds to the General Assembly by November each year. A copy of the 2022 program report is included beginning on page 77 of the OEDIT 2022 Annual Report, which can be found [here](#).

**Small Business Accelerated Growth Program.** [Senate Bill 21-241](#) created the Small Business Accelerated Growth Program, administered by OEDIT, to provide business development support to businesses with fewer than 19 employees that have been doing business in the state for more than one year.<sup>4</sup> [House Bill 22-1187](#) extended the deadline for OEDIT to select eligible businesses to participate in the program to October 31, 2023, from the original deadline of December 31, 2022, with priority given to businesses located in specific target areas of the state. Selected businesses will have one year to use the program’s business development support and be eligible to receive grants from the Colorado Startup Loan Program. The bill included an appropriation of \$1.65 million to OEDIT for the program in FY 2020-21 and \$1.35 million in FY 2021-22. OEDIT is required to submit a report July 1 of each year with specific details about the program.

**Meeting and Events Incentive Program.** [House Bill 21-1263](#) created the Colorado Meeting and Events Incentive Program in the Colorado Tourism Office to provide rebates and direct support to eligible events.<sup>5</sup> The office was provided \$10 million for the program. Events, such as meetings, conferences, and festivals, that are eligible for incentives under the program include those that:

- take place in Colorado between July 1, 2021, and June 30, 2024;
- generate at least 25 paid overnight stays at a hotel or other lodging establishment;
- can demonstrate a significant economic benefit for a host community; and
- meet any other criteria established by the office.

Under the program, the office may provide rebates of up to 10 percent of the hard costs of the event and rebates of up to 25 percent for COVID-19-related costs of the event. The office may also use up to 5 percent of the program’s appropriation to provide direct support for attracting eligible events that affect multiple counties and have the potential to generate significant economic impact.

**Small Business COVID-19 Grant Program.** [Senate Bill 20-222](#) created the Small Business COVID-19 Grant Program, which is intended to assist small businesses that faced economic hardship caused by the COVID-19 pandemic.<sup>6</sup> The bill directed OEDIT to administer the grant program and contract with the Colorado Housing and Finance Authority to operate the grant program. The grant program was originally funded with \$20 million from money the state received under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act. Of that, \$5 million was reserved for small businesses in the tourism industry. [House Bill 21-1302](#) provided an additional \$15 million from the General Fund for the grant program. A report released in April of 2021 on the program can be found [here](#). OEDIT has partnered with the Energize Colorado Gap Fund (ECGF) to administer the grant program. ECGF describes itself as “a public- and privately-funded equity program geared towards Colorado small business owners impacted by the COVID-19 pandemic”.<sup>7</sup>

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<sup>4</sup>Section 24-48.5-130, C.R.S.

<sup>5</sup> Section 24-49.7-109, C.R.S.

<sup>6</sup> Section 24-48.5-126, C.R.S.

<sup>7</sup>Energize Colorado Gap Fund: <https://energizecolorado.com/gap-fund>.

Under the program, preference for grants is given to those small businesses, defined as having fewer than 25 employees, that:

- did not qualify or receive a federal Paycheck Protection Program loan;
- are majority owned by veterans, women, and minorities; or
- are located in a rural area.

**Small Business Recovery Loan Program.** [House Bill 20-1413](#) created the Small Business Recovery Loan Program based on a recommendation from the [Governor’s Economic Stabilization and Growth Council](#), which was formed to explore the impacts of the COVID-19 pandemic and has since disbanded.<sup>8</sup> The program was developed to leverage private investment to support Colorado small businesses recovering from the crisis caused by the COVID-19 pandemic. Loans are available through FY 2023-24. The loan program is overseen by a five-member Small Business Recovery Loan Program Oversight Board in the Department of the Treasury. A majority of the money in the loan fund is capitalized by private sector investments, but the loan fund also includes state money obtained through the sale of insurance premium tax credits.

Loans provided under the program to small businesses, which are defined as having fewer than 100 employees, must be between \$10,000 and \$500,000 and carry an interest rate that is lower than would otherwise be available on a risk-adjusted basis from a commercial lender. Upon approval, principal and interest payments may be deferred for up to one year in circumstances of hardship created by the COVID-19 pandemic.

**Disproportionately impacted business relief.** [Senate Bill 20B-001](#) initially appropriated \$4 million General Fund to OEDIT to provide relief payments and grants and loans for start-up and growth capital to eligible businesses disproportionately impacted by the COVID-19 pandemic.<sup>9</sup> It directed the business relief under this program to minority-owned businesses. [Senate Bill 21-001](#) expanded eligibility for the program to include businesses that meet any of the following criteria:<sup>10</sup>

- have five or fewer employees, including the business owner;
- be a minority-owned business;
- the business is located in an economically distressed area;
- the business owner lives in an economically distressed area;
- the business owner has low or moderate income;
- the business owner has low or moderate personal wealth; or
- the business owner has had diminished opportunities to access capital or credit.

The bill also required OEDIT to use a portion of the funding to increase the office’s ability to provide technical assistance and consulting support to disproportionately impacted businesses across the state, such as professional development and networking opportunities, statewide certification opportunities, and increasing the availability of the office’s existing programming and support. [House Bill 22-1187](#) extended funding for the program through FY 2023-24 and required that OEDIT submit a report by November 1, 2023, and November 1, 2024, detailing how the money was appropriated.

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<sup>8</sup>Section 24-36-205, C.R.S.

<sup>9</sup>Section 24-49.5-106, C.R.S.

<sup>10</sup>Section 24-48.5-127, C.R.S.

**Temporary sales tax retention.** [House Bill 20B-1004](#), passed in response to the COVID-19 pandemic, allowed qualifying restaurants, bars, and mobile food vendors to deduct up to \$70,000 in net taxable sales from their monthly state sales tax return and retain the resulting sales tax revenue for sales made from November 2020 through February 2021 for up to five locations. The monthly \$70,000 net taxable sales deduction equates to about \$2,000 in sales tax collections. [House Bill 21-1265](#) continued this deduction for June, July, and August 2021, and expanded the list of qualifying retailers to include caterers, food service contractors, and hotel-operated restaurants, bars, and catering services. [House Bill 22-1406](#) extended the deduction and also requires the Colorado Department of Revenue to report annually on the amount of sales tax revenue that the state did not collect in 2022 as a result of the deduction, as well as how many retailers took advantage of the deduction.

**Community Revitalization Grant Program.** [Senate Bill 21-252](#) established the Community Revitalization Grant Program, housed within [Colorado Creative Industries](#), to finance various projects across the state to create or revitalize mixed-use commercial centers.<sup>11</sup> The program was allocated \$65 million from the General Fund in 2021 and \$19 million combined from the Economic Recovery and Relief Cash Fund and the Affordable Housing and Home Ownership Cash Fund in 2022. A report is required summarizing the use of all money awarded by November 1, 2022, and November 1, 2023. The program is set to expire January 1, 2025.

## **Enterprise Zone Program**

The Colorado Enterprise Zone Program was created by the General Assembly in 1986. The program provides certain state income tax credits to businesses and individuals for investing in economically distressed areas of the state designated as Enterprise Zones in an effort to encourage economic development.<sup>12</sup> There are currently 16 designated Enterprise Zones.

To be designated as an Enterprise Zone by OEDIT and the EDC, an area must have a population of less than 115,000, or 150,000 if a rural area, and meet one of the following criteria:

- an unemployment rate at least 25 percent above the state average;
- a population growth rate less than 25 percent of the state average; or
- a per capita income less than 75 percent of the state average.

**Enhanced Rural Enterprise Zones.** Counties with an area already included in an enterprise zone may apply to be designated as an Enhanced Rural Enterprise Zone if the county meets two or more of the following criteria:

- a population of 5,000 or less;
- an unemployment rate of at least 50 percent above the state unemployment rate;
- a population growth rate of less than 25 percent of the state average;
- an average per capita income less than 75 percent of the state average; or
- the total assessed value of all nonresidential property within the county ranks in the bottom half of all counties.

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<sup>11</sup>Section 24-48.5-317, C.R.S.

<sup>12</sup>Article 30 of Title 39, C.R.S.

Click [here](#) to show the portions of the state that have been designated as an Enterprise Zone.

**Enterprise Zone Tax Credits.** Table 1 includes the complete list of tax credits offered under the Enterprise Zone Program and the total amount of tax credits certified in FY 2021-22. A full description of each tax credit follows the table.

**Table 1**  
**Enterprise Zone Tax Credits and Amounts Certified**  
*FY 2021-22*

<b>Tax Credit</b>	<b>Amount Certified*</b>
Enterprise Zone Investment Income Tax Credit	\$85,183,256
Contribution to Enterprise Zone Administrator Income Tax Credit	16,997,682
New Business Facility Employee Income Tax Credit	8,012,722
Qualified Job Training Program Investment Income Tax Credit	4,707,161
New Employee Sponsored Health Insurance Tax Credit	4,097,296
Enterprise Zone Research and Experimental Income Tax Credit	1,580,536
Commercial Vehicle Enterprise Zone Investment Income Tax Credit	24,529
Vacant Enterprise Zone Commercial Building Rehabilitation Income Tax Credit	309,354

Source: Enterprise Zone Annual Report, FY 2021-22.<sup>13</sup>

\* Indicates the amount approved by local Enterprise Zone administrators in FY 2021-22. Not all tax credits that are certified are claimed by the taxpayer.

- **Enterprise Zone Investment Income Tax Credit.** A taxpayer who makes an investment in qualified business personal property that is used exclusively in an Enterprise Zone for at least one year may claim an income tax credit equal to 3 percent of the qualified investment. The tax credit is limited to \$750,000 each year, unless the EDC waives the limit. Credits above the limit may be carried forward for 12 years, or 20 years for renewable energy project investments.<sup>14</sup>
- **Contribution to Enterprise Zone Administrator Income Tax Credit.** A taxpayer who makes a monetary or in-kind contribution for the purpose of implementing the economic development plan for the Enterprise Zone to the designated Enterprise Zone Administrator may claim an income tax credit equal to 25 percent of the total value of the contribution, up to a maximum credit of \$100,000 per year. In-kind contributions shall not exceed 25 percent of the total credit claimed.<sup>15</sup>
- **New Business Facility Employee Income Tax Credits.** A taxpayer who operates a business facility in an Enterprise Zone may claim an income tax credit equal to \$1,100 for each new employee working within the Enterprise Zone.<sup>16</sup> Additionally, a taxpayer who operates a business facility in an Enhanced Rural Enterprise Zone may claim an additional income tax credit equal to \$2,000 for each new employee working within the Enhanced Rural Enterprise Zone.<sup>17</sup>

A taxpayer who operates a business facility in an Enhanced Rural Enterprise Zone that adds value, through manufacturing or processing, to agricultural commodities may claim an additional income tax credit equal to \$500 for each new employee.<sup>18</sup> Also, a taxpayer who operates a business facility in an Enterprise Zone may claim an income tax credit equal to \$1,000 for each new business

<sup>13</sup>[https://oedit.colorado.gov/sites/coedit/files/2021-11/fy\\_2022\\_enterprise\\_zone\\_annual\\_report.pdf](https://oedit.colorado.gov/sites/coedit/files/2021-11/fy_2022_enterprise_zone_annual_report.pdf).

<sup>14</sup>Section 39-30-104, C.R.S.

<sup>15</sup>Section 39-30-103.5, C.R.S.

<sup>16</sup>Section 39-30-105.1 (1)(a)(I), C.R.S.

<sup>17</sup>Section 39-30-105.1 (1)(a)(II), C.R.S.

<sup>18</sup>Section 39-30-105.1 (3), C.R.S.

facility employee insured under a health insurance plan for which the employer covers at least 50 percent of the cost. This tax credit may be claimed for two years.<sup>19</sup>

- **Qualified Job Training Program Investment Income Tax Credit.** A taxpayer who makes an investment in a qualified job training program in an Enterprise Zone may claim an income tax credit equal to 12 percent of the total investment.<sup>20</sup>
- **New Employee Sponsored Health Insurance Tax Credit.** A \$1,000 income tax credit for each new business facility employee insured under a health insurance plan, with the employer covering at least 50 percent of the cost.
- **Enterprise Zone Research and Experimental Income Tax Credit.** A taxpayer who makes expenditures in qualified research and experimental activities that are conducted in an Enterprise Zone may claim an income tax credit equal to 3 percent of the amount expended.<sup>21</sup>
- **Commercial Vehicle Enterprise Zone Investment Income Tax Credit.** A taxpayer who makes a qualified purchase of new commercial vehicles that are to be used exclusively in an Enterprise Zone for at least one year may claim an income tax credit equal to 1.5 percent of the qualified investment.<sup>22</sup>
- **Vacant Enterprise Zone Commercial Building Rehabilitation Income Tax Credit.** A taxpayer who is the owner or tenant of a building and makes qualified expenditures for the purpose of rehabilitating the building may claim an income tax credit equal to 25 percent of the qualified expenditures, up to \$50,000 per building.<sup>23</sup>
- **Enterprise Zone Machinery and Equipment Sales and Use Tax Exemption.** Purchases in excess of \$500 of machinery or machine tools and related parts and materials that are to be used exclusively in an Enterprise Zone in manufacturing tangible personal property are exempt from sales and use taxes.<sup>24</sup>
- **Colorado Homeless Contribution Tax Credit.** For income tax years 2023 through 2026, a taxpayer who makes a contribution to an approved nonprofit organization is allowed a credit equal to 25 percent of the contribution, and up to 30 percent of the contribution in an underserved rural county.<sup>25</sup> The Division of Housing, within the Department of Local Affairs, is required to post a list of approved nonprofit organizations on their website by November 1<sup>st</sup> each year.

## Rural Jump-Start Zone Program

The Rural Jump-Start Program is a tax relief and grant program for new businesses and new hires that locate in designated Rural Jump-Start Zones within distressed rural counties.<sup>26</sup> A distressed county

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<sup>19</sup>Section 39-30-105.1 (1)(b), C.R.S.

<sup>20</sup>Section 39-30-104 (4), C.R.S.

<sup>21</sup>Section 39-30-105.5, C.R.S.

<sup>22</sup>Section 39-30-104 (1)(b), C.R.S.

<sup>23</sup>Section 39-30-105.6, C.R.S.

<sup>24</sup>Section 39-30-106, C.R.S.

<sup>25</sup>Section 39-22-548, C.R.S.

<sup>26</sup>Article 30.5 of Title 39, C.R.S.

is defined as a county with a population of less than 250,000 and meets certain indicators of economic distress, such as:

- lower per capita income than the state average,
- lower gross domestic product than the statewide average,
- unemployment levels higher than the statewide average,
- a declining workforce,
- a higher concentration of pupils eligible for free lunch compared to the statewide average, or
- a community impacted by the closure or conversion of a coal-fueled electrical power generating plant.

The program is optional for distressed counties and municipalities wholly or partially within the highly distressed county. Distressed counties and municipalities that choose to join the program must adopt a resolution affirming that it will provide incentive payments, tax exemptions, or refunds to the new businesses that locate in a rural jump-start zone. Companies must have a relationship with a state institution of higher education or an economic development organization to participate in the program. As of June 30, 2021, 18 companies are participating in the Rural Jump-Start Program and 19 counties have formed zones. The EDC may not approve additional zones or businesses after December 31, 2025.

The Colorado Office of the State Auditor conducted a tax expenditure evaluation of Rural Jump-Start tax expenditures in 2020, which can be found [here](#).

**Rural Jump-Start Zone New Business Income Tax Credit.** An approved new business with at least five new hires that locates in a Rural-Jump Start Zone is entitled to receive an annual income tax credit equal to 100 percent of the income taxes imposed on the income derived from its activities in the Rural Jump-Start Zone. The tax credit may be claimed for four consecutive years; this time period may be extended by the EDC up to an additional four years. The business must undergo an annual review by the EDC to verify that the new business continues to meet the program requirements.<sup>27</sup>

**Rural Jump-Start Zone New Hire Income Tax Credit.** New hires at a new business participating in the Rural-Jump Start Zone Program are entitled to receive an income tax credit equal to 100 percent of the income taxes imposed on the new hires' wages for work performed in the Rural Jump-Start Zone. The tax credit may be claimed for four consecutive years; this may be extended by the EDC up to an additional four years. Employees must undergo an annual review by the EDC to verify that the new hires and new business continue to meet the program requirements.<sup>28</sup>

**Rural Jump-Start Zone Sales and Use Tax Refunds.** Approved new businesses in the Rural Jump-Start Zone Program are eligible for a refund for all sales and use taxes imposed on the purchase of all tangible personal property acquired by the new business and used exclusively within the Rural Jump-Start Zone. New businesses are eligible to claim this refund for four consecutive years; this may be extended by the EDC up to an additional four years given certain considerations.<sup>29</sup>

**Rural Jump-Start Zone Grant Program.** [Senate Bill 21-229](#) created the Rural Jump-Start Zone Grant Program, under which the EDC can issue grants to new businesses that locate inside a Rural

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<sup>27</sup>Section 39-30.5-105 (1), C.R.S.

<sup>28</sup>Section 39-30.5-105 (2), C.R.S.

<sup>29</sup>Section 39-30.5-105 (3), C.R.S.

Jump-Start Zone or a tier-one transition community within a Rural Jump-Start Zone, as identified by the Just Transition Program, and establish a relationship with a state institution of higher education or economic development organization. Grant amounts can be up to \$20,000, or up to \$40,000 for those businesses in a tier-one transition community, plus up to \$2,500 for each new hire, or up to \$5,000 for each new hire in a tier-one transition community. The EDC is also authorized to award grants of up to \$3,000 to institutions of higher education or economic development organizations to support the new businesses with which they have collaborated. The bill included an appropriation of \$3 million General Fund for the program. The program repeals July 1, 2024.

## Advanced Industries Economic Development Programs

The General Assembly has created three economic development programs, administered by OEDIT, specifically focused on advanced industries. For the purpose of these programs, "advanced industry" is defined as:

- advanced manufacturing;
- aerospace;
- bioscience;
- electronics;
- energy and natural resources;
- infrastructure engineering; and
- information technology.

A total of \$15.3 million was appropriated to the advanced industries programs for FY 2022-23.

**Advanced Industry Export Acceleration Program.** The Advanced Industry Export Acceleration Program is designed to help small and mid-sized Colorado businesses become exporters.<sup>30</sup> The program includes qualifying international export development expense reimbursement, export training, and global network consultation.

**Advanced Industries Acceleration Grant Program.** The purpose of the Advanced Industries Acceleration Grant Program is to accelerate economic growth through grants that improve and expand the development of advanced industries, facilitate the collaboration of advanced industry stakeholders, and further the development of new advanced industry products and services.<sup>31</sup> This program includes proof-of-concept grants, early-stage capital and retention grants, collaborative infrastructure, export accelerator, and global consultant network grants. A total of \$21.8 million in grants was awarded in FY 2021-22.<sup>32</sup>

**Advanced Industry Investment Income Tax Credit.** Eligible investors who make a qualified investment of at least \$10,000 in a small Colorado business in an advanced industry may apply to claim an income tax credit equal to 25 percent of the investment (30 percent if the small business is located in a rural area or economically distressed area of the state) up to \$100,000.<sup>33</sup> The program has an annual limit of \$4 million for each calendar year from 2023 through 2026.

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<sup>30</sup>Section 24-47-103, C.R.S.

<sup>31</sup>Section 24-48.5-117, C.R.S.

<sup>32</sup>OEDIT 2022 Annual Report, page 7.

<sup>33</sup>Section 24-48.5-112, C.R.S.

## Other Economic Development Programs

**Aviation Development Zone Income Tax Credit.** Any airport in the state may register with OEDIT to become an Aviation Development Zone.<sup>34</sup> Aircraft manufacturers that are located in an Aviation Development Zone in Colorado and employ at least 10 full-time employees may claim an income tax credit equal to \$1,200 for each new employee who is working within the zone. No companies took advantage of the program in FY 2019-20, FY 2020-21<sup>35</sup>, or FY 2021-22.<sup>36</sup> The tax credit will expire on January 1, 2024.

**Job Growth Incentive Tax Credit.** A taxpayer may apply for an annual job growth incentive income tax credit, the amount of which is calculated by the EDC, for approved projects that encourage, promote, and stimulate economic development in key economic sectors and create new jobs in Colorado.<sup>37</sup> In FY 2021-22, 34 projects were approved for up to \$111.2 million in tax credits over eight years.<sup>38</sup>

**OEDIT Office of Film, Television, and Media.** The mission of the Office of Film, Television, and Media within OEDIT is to attract and facilitate content creation in Colorado to generate economic growth. For FY 2022-23, the office was appropriated \$7.2 million and 4.5 FTE from the General Fund and cash funds. The office administers a performance-based incentives program, from which any production company employing a majority-Colorado-based workforce may be allowed to claim an incentive equal to 20 percent of the total amount of the production company's qualified local expenditures.<sup>39</sup> In FY 2021-22, the office awarded a total of \$3.8 million in incentives to 23 new projects.<sup>40</sup>

[House Bill 22-1408](#) created the [Film Incentive Task Force](#) to conduct a study and prepare a report by July 1, 2023, with recommendations on how to make the performance-based incentive for film production in Colorado more effective.<sup>41</sup>

**Performance-based new jobs incentives.** Qualified employers that create new jobs may be eligible to receive performance-based incentives from the EDC.<sup>42</sup> Of the total amount appropriated to the EDC to be used for this program, 15 percent must be used to award performance-based incentives to employers who open a new business or expand or relocate an existing business and create new jobs in an Enterprise Zone that is not within the boundaries of the counties of Arapahoe, Boulder, Broomfield, Denver, Douglas, or Jefferson.

**Rural Economic Development Initiative Grants.** The Colorado Department of Local Affairs, in collaboration with OEDIT, administers the Rural Economic Development Initiative Grant Program.<sup>43</sup> The program was initially established in FY 2015-16 through an amendment in the Long Bill, and was codified in statute with Senate Bill 02-002. The program provides grants for projects that create new jobs in rural communities through a new employer or an expansion of an existing employer, or that

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<sup>34</sup>Article 35 of Title 39, C.R.S.

<sup>35</sup>OEDIT 2021 Annual Report, page 37.

<sup>36</sup>OEDIT 2022 Annual Report, page 36.

<sup>37</sup>Section 39-22-531, C.R.S.

<sup>38</sup>OEDIT 2022 Annual Report, page 35.

<sup>39</sup>Section 24-48.5-116, C.R.S.

<sup>40</sup>OEDIT 2022 Annual Report, page 92.

<sup>41</sup>Section 24-48.5-116.5, C.R.S.

<sup>42</sup>Section 24-46-105.7, C.R.S.

<sup>43</sup>Section 24-32-128, C.R.S.

create diversity and resiliency in a rural community's local economy. The General Assembly appropriated a total of \$780,000 for the program for FY 2022-23.

**Sales and use tax refunds.** Colorado law allows taxpayers in certain industries to claim sales and use tax refunds of qualified taxes paid to help attract and grow businesses in these industries. These industries include biotechnology;<sup>44</sup> medical technology and clean technology;<sup>45</sup> manufacturing;<sup>46</sup> and renewable energy.<sup>47</sup>

**Creative Industries Division.** In addition to administering the Community Revitalization Grant Program, OEDIT's Creative Industries Division promotes, supports, and expands the creative industries to drive Colorado's economy.<sup>48</sup> The Colorado Creative District program developed by the division helps communities increase jobs, incomes, and investments in creative places with 30 certified creative districts throughout the state. The division is administered by the Council on Creative Industries, which was appropriated \$14.8 million from cash funds in FY 2022-23.

## Local and Federal Government Incentives

**Local governments.** Several sections of Colorado law provide local governments with the authority to offer a variety of economic development incentives to retain current businesses or attract new businesses to their jurisdiction.

**Federal government.** The federal government provides various sources of funding that states and local governments may use for economic development incentives. The federal Opportunity Zone program is a federal tax incentive for investors to invest in low-income urban and rural communities through the favorable treatment of reinvested capital gains and forgiveness of tax on new capital gains. Colorado has 126 Opportunity Zones.

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<sup>44</sup>Section 39-26-402, C.R.S.

<sup>45</sup>Section 39-26-403, C.R.S.

<sup>46</sup>Section 39-26-709, C.R.S.

<sup>47</sup>Section 39-26-724, C.R.S.

<sup>48</sup>24-48.5-301 *et seq.*, C.R.S.

**Table 1**  
**Office of Economic Development and International Trade**  
**FY 2022-23 Long Bill Appropriation**

<b>Office/Program</b>	<b>Total</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>
Administration	\$905,660	\$905,660 6.0 FTE			
Vehicle Lease Payments	\$13279	\$13279			
Leased Space	\$353,756	\$353,756			
Global Business Development	\$5,120,052 25.4 FTE	\$3,996,948	\$573,626 <sup>a</sup>	\$175,000 <sup>b</sup>	\$374,478
Office of Outdoor Recreation	\$370,000	\$370,000 3.0 FTE			
Leading Edge Program Grants	\$151,431	\$76,000	\$75,431 <sup>c</sup>		
Small Business Development Centers	\$1,378,946 4.0 FTE	\$94,144			\$1,284,802
Colorado Office of Film, Television, and Media	\$7,294,525 4.5 FTE	\$775,000	\$6,519,525 <sup>d</sup>		
Colorado Promotion – Welcome Centers	\$766,000	\$250,000	\$516,000 <sup>e</sup> 3.3 FTE		
Colorado Promotion – Other Program Costs	\$18,429,000 4.0 FTE	\$3,850,000	\$14,579,623 <sup>e</sup>		
Destination Development Program	\$1,100,000	\$500,000	\$600,000 <sup>e</sup>		
EDC – General Economic Incentives and Marketing	\$12,101,837 6.3 FTE	\$5,737,960	\$363,877 <sup>f</sup>	6,000,000 <sup>g</sup>	
Colorado First Customized Job Training	\$4,500,000	\$4,500,000			
Certified Capital Companies (CAPCO) Program Administration	\$85,291			\$85,291 <sup>h</sup> 2.0 FTE	
Council on Creative Industries	\$14,788,734 3.0 FTE		\$14,023,000 <sup>i</sup>		\$765,734
Advanced Industries	\$15,362,210 2.6 FTE		\$15,362,210 <sup>j</sup>		
Rural Jump Start	\$40,491	\$40,491 0.5 FTE			
Indirect Cost Assessment	\$180,475	\$64,988	\$115,487 <sup>k</sup>		
<b>TOTAL</b>	<b>\$88,942,310</b> <b>64.1 FTE</b>	<b>\$215,282,226</b>	<b>\$527,287,779</b>	<b>\$6,260,291</b>	<b>\$2,425,014</b>

Source: House Bill 22-1329: FY 2022-23 Appropriations Long Bill.

- a. Of this amount, an estimated \$175,000(l) shall be from the Advanced Industries Export Acceleration Cash Fund created in Section 24-47-103 (8)(a), C.R.S., an estimated \$50,000 shall be from the Minority Business Fund created in Section 24-49.5-104 (1), C.R.S., and an estimated \$348,626 shall be from various fees collected from participants in activities conducted by the division.
- b. This amount shall be from the Advanced Industries Export Acceleration Cash Fund created in Section 24-47-103 (8)(a), C.R.S.
- c. This amount shall be from fees, Small Business Development Centers' activities, and grants and donations.
- d. This amount shall be from the Colorado Office of Film, Television, and Media Operational Account Cash Fund created in Section 24-48.5-116 (5)(a), C.R.S.
- e. These amounts shall be from the Colorado Travel and Tourism Promotion Fund created in Section 24-49.7-106 (1), C.R.S.
- f. This amount shall be from fees collected pursuant to Section 39-22-514.5 (6), C.R.S.
- g. This amount shall be from the Colorado Economic Development Fund created in Section 24-46-105 (1), C.R.S.
- h. This amount shall be transferred from the Department of Regulatory Agencies from the Transfer to CAPCO line item appropriation.
- i. This amount shall be from the Creative Industries Cash Fund created in Section 24-48.5-301 (2)(a), C.R.S.
- j. This amount shall be from the Advanced Industries Acceleration Cash Fund created in Section 24-48.5-117 (7)(a), C.R.S. This amount is shown for informational purposes only because the Advanced Industries Acceleration Cash Fund is continuously appropriated to the Office pursuant to Section 24-48.5-117 (7)(c)(l), C.R.S.
- k. This amount shall come from various sources of cash funds.