

HB26-1289

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Marshall

1 Amend the Finance Committee Report dated March 23, 2026, page 13,
2 line 15, strike "FUND:." and substitute:

3 "FUND:

4 **SECTION 34.** In Colorado Revised Statutes, **add** 39-22-572 as
5 follows:

6 **39-22-572. Intellectual and developmental disability home**
7 **caregiver tax credit - tax preference performance statement - review**
8 **- legislative declaration - definitions - policies and procedures -**
9 **repeal.**

10 (1) **Tax preference performance statement.**

11 (a) IN ACCORDANCE WITH SECTION 39-21-304 (1), WHICH
12 REQUIRES EACH BILL THAT CREATES A NEW TAX EXPENDITURE TO INCLUDE
13 A TAX PREFERENCE PERFORMANCE STATEMENT AS PART OF A STATUTORY
14 LEGISLATIVE DECLARATION, THE GENERAL ASSEMBLY FINDS AND
15 DECLARES THAT THE PURPOSE OF THE CREDIT PROVIDED FOR IN THIS
16 SECTION IS TO PROVIDE A REDUCTION IN INCOME TAX LIABILITY FOR
17 INDIVIDUALS WHO PROVIDE HOME CARE TO PEOPLE WITH INTELLECTUAL
18 AND DEVELOPMENTAL DISABILITIES BY ALLOWING A CAREGIVER WHO
19 WORKS THE MAXIMUM AMOUNT OF HOURS ALLOWED BY THE OFFICE TO
20 RECEIVE A CREDIT AGAINST INCOME TAX. SPECIFICALLY, THIS TAX
21 EXPENDITURE IS INTENDED TO PROVIDE TAX RELIEF TO FAMILIES WITH
22 FAMILY MEMBERS WITH INTELLECTUAL AND DEVELOPMENTAL
23 DISABILITIES WHO REQUIRE MAXIMUM CARE.

24 (b) THE GENERAL ASSEMBLY AND THE STATE AUDITOR SHALL
25 MEASURE THE EFFECTIVENESS OF THE CREDIT IN ACHIEVING THE PURPOSES
26 SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION BASED ON THE NUMBER
27 AND VALUE OF THE CREDITS CLAIMED.

28 (2) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
29 OTHERWISE REQUIRES:

30 (a) "CREDIT" MEANS THE CREDIT AGAINST INCOME TAX CREATED
31 IN THIS SECTION.

32 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

33 (c) "OFFICE" MEANS THE OFFICE OF COMMUNITY LIVING WITHIN
34 THE BENEFITS AND SERVICES DIVISION OF THE DEPARTMENT OF HEALTH
35 CARE POLICY AND FINANCING.

36 (d) "QUALIFIED INCOME" MEANS INCOME EARNED BY A QUALIFIED
37 INDIVIDUAL FROM WORKING AS A HOME CAREGIVER OF AN INDIVIDUAL
38 WITH AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY.

39 (e) "QUALIFIED INDIVIDUAL" MEANS AN INDIVIDUAL WHO WORKS
40 AS A HOME CAREGIVER OF AN INDIVIDUAL WITH AN INTELLECTUAL OR
41 DEVELOPMENTAL DISABILITY FOR THE MAXIMUM AMOUNT OF HOURS

1 ALLOWED BY THE OFFICE.

2 (3) **Credit allowed.** FOR INCOME TAX YEARS COMMENCING ON OR
3 AFTER JANUARY 1, 2026, BUT BEFORE JANUARY 1, 2029, A CREDIT WITH
4 RESPECT TO INCOME TAXES IMPOSED PURSUANT TO THIS ARTICLE 22 TO
5 ANY QUALIFIED INDIVIDUAL IN THE AMOUNT EQUAL TO THIRTY PERCENT
6 OF THE QUALIFIED INDIVIDUAL'S QUALIFIED INCOME IS ALLOWED.

7 (4) **Refundability.** IF THE AMOUNT OF THE CREDIT ALLOWED
8 UNDER THIS SECTION EXCEEDS THE AMOUNT OF INCOME TAXES OTHERWISE
9 DUE ON THE QUALIFIED INDIVIDUAL'S INCOME IN THE INCOME TAX YEAR
10 FOR WHICH THE CREDIT IS CLAIMED, THE AMOUNT OF THE CREDIT NOT
11 USED AS AN OFFSET AGAINST INCOME TAXES IN THE CURRENT INCOME TAX
12 YEAR IS NOT CARRIED FORWARD AND MUST BE REFUNDED TO THE
13 QUALIFIED INDIVIDUAL.

14 (5) **Verification.** ON OR BEFORE JANUARY 15, 2026, AND ON OR
15 BEFORE EVERY JANUARY 15 THEREAFTER, THE OFFICE SHALL DELIVER TO
16 THE DEPARTMENT A LIST OF ALL QUALIFIED INDIVIDUALS FROM THE
17 PREVIOUS TAX YEAR.

18 (6) **Policies and procedures.** THE OFFICE MAY CREATE AND
19 MODIFY POLICIES AND PROCEDURES AS NECESSARY TO FURTHER
20 IMPLEMENT THIS SECTION AND SHALL SOLICIT ADVICE FROM THE
21 DEPARTMENT IN CREATING AND MODIFYING THE POLICIES AND
22 PROCEDURES.

23 (7) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
24 2034."".

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