

SB051_L.007

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB22-051 be amended as follows:

1 Amend the Finance Committee Report, dated March 2, 2022, page 1,
2 strike line 7 and substitute:

3 "Page 1 of the Transportation & Energy Committee Report, line 25, strike
4 "THOSE HEAT PUMP SYSTEMS" and substitute "HEAT PUMP SYSTEMS AND
5 HEAT PUMP WATER HEATERS".

6 Page 1 of the Finance Committee Report, line 12, strike "5 and 6" and
7 substitute "4 through 6".

8 Page 2 of the Finance Committee Report, line 6, strike "(2)(b)." and
9 substitute "(2)(d)."

10 Page 2 of the Finance Committee Report, after line 6 insert:

11 "(e) "PURCHASE PRICE" MEANS THE AMOUNT ACTUALLY PAID BY
12 THE PURCHASER FOR THE TANGIBLE PERSONAL PROPERTY INSTALLED,
13 INCLUDING CHARGES FOR SALES TAX AND FREIGHT, BUT NOT INCLUDING
14 ANY CHARGES FOR ASSEMBLY, INSTALLATION, OR OTHER CONSTRUCTION
15 SERVICES, OR PERMIT FEES."

16 Reletter succeeding paragraphs accordingly.

17 Page 2 of the Finance Committee Report, strike lines 11 through 14 and
18 substitute:

19 "(g) "TAXPAYER" MEANS A PERSON SUBJECT TO TAX UNDER THIS
20 ARTICLE 22, OR A PERSON OR POLITICAL SUBDIVISION OF THIS STATE WHO
21 IS EXEMPT FROM TAX UNDER SECTION 39-22-112 (1), BUT DOES NOT
22 INCLUDE INSURANCE COMPANIES SUBJECT TO THE TAX IMPOSED ON GROSS
23 PREMIUMS BY SECTION 10-3-209. FOR PURPOSES OF THIS SECTION, A
24 PERSON OR POLITICAL SUBDIVISION OF THIS STATE WHO IS EXEMPT FROM
25 TAX UNDER SECTION 39-22-112 (1) IS A TAXPAYER EVEN IF THE PERSON OR
26 POLITICAL SUBDIVISION HAS NO UNRELATED BUSINESS INCOME.

27 (h) "VARIABLE REFRIGERANT FLOW HEAT PUMP SYSTEM" HAS THE
28 SAME MEANING SET FORTH IN SECTION 39-26-731 (2)(f).

29 (i) "WATER-SOURCE HEAT PUMP SYSTEM" HAS THE SAME MEANING
30 SET FORTH IN SECTION 39-26-731 (2)(e)."

31 Page 2 of the Finance Committee Report, line 18, after "SYSTEM" insert
32 "INTO REAL PROPERTY IN THIS STATE".

- 1 Page 2 of the Finance Committee Report, line 19, after "HEATER" insert
2 "INTO REAL PROPERTY IN THIS STATE".
- 3 Page 2 of the Finance Committee Report, line 21, strike "PRICE OF" and
4 substitute "PRICE PAID BY THE PURCHASER FOR".
- 5 Page 3 of the Finance Committee Report, line 7, strike "TAXPAYER" and
6 substitute "PURCHASER".
- 7 Page 3 of the Finance Committee Report, line 26, strike "IF" and
8 substitute "WHEN".
- 9 Page 4 of the Finance Committee Report, line 13, strike "PURCHASER"
10 and substitute "SELLER".
- 11 Page 4 of the Finance Committee Report, strike lines 15 and 16 and
12 substitute "REFUNDABLE TO THE SELLER.".
- 13 Page 4 of the Finance Committee Report, after line 31 insert:
- 14 "(b) "PURCHASE PRICE" MEANS THE AMOUNT ACTUALLY PAID BY
15 THE PURCHASER FOR THE TANGIBLE PERSONAL PROPERTY INSTALLED,
16 INCLUDING CHARGES FOR SALES TAX AND FREIGHT, BUT NOT INCLUDING
17 ANY CHARGES FOR ASSEMBLY, INSTALLATION, OR OTHER CONSTRUCTION
18 SERVICES, OR PERMIT FEES.".
- 19 Reletter succeeding paragraph accordingly.
- 20 Page 4 of the Finance Committee Report, line 38, after "DWELLING" insert
21 "IN THIS STATE".
- 22 Page 4 of the Finance Committee Report, line 40, strike "PRICE OF" and
23 substitute "PRICE PAID BY THE PURCHASER FOR".
- 24 Page 5 of the Finance Committee Report, line 19, strike "IF" and
25 substitute "WHEN".
- 26 Page 6 of the Finance Committee Report, line 1, strike "PURCHASER" and
27 substitute "SELLER".
- 28 Page 6 of the Finance Committee Report, strike lines 3 and 4 and
29 substitute "REFUNDABLE TO THE SELLER.".
- 30 Page 6 of the Finance Committee Report, after line 10 insert:

- 1 **"SECTION 2.** In Colorado Revised Statutes, 39-22-601, **amend**
2 (7) as follows:
- 3 **39-22-601. Returns.** (7) (a) Every person or organization exempt
4 from taxes pursuant to section 39-22-112 shall make and file a return only
5 if said person or organization is required to file a federal return of
6 unrelated business income, which Colorado return shall contain such
7 information as the executive director may prescribe. ~~All procedures of~~
8 ~~law relating to the determination, assessment, collection, and refund of~~
9 ~~tax shall apply to such return and the tax payable thereon.~~
- 10 (b) THE EXECUTIVE DIRECTOR MAY REQUIRE A PERSON OR
11 ORGANIZATION EXEMPT FROM TAXES PURSUANT TO SECTION 39-22-112 TO
12 MAKE AND FILE A RETURN CONTAINING SUCH INFORMATION AS THE
13 EXECUTIVE DIRECTOR MAY PRESCRIBE TO CLAIM A CREDIT ALLOWED
14 UNDER THIS ARTICLE 22 EVEN IF THE PERSON OR ORGANIZATION DOES NOT
15 HAVE UNRELATED BUSINESS INCOME.
- 16 (c) ALL PROCEDURES OF LAW RELATING TO THE DETERMINATION,
17 ASSESSMENT, COLLECTION, AND REFUND OF TAX APPLY TO A RETURN
18 MADE AND FILED UNDER THIS SUBSECTION (7) AND THE TAX PAYABLE
19 THEREON, IF ANY."
- 20 Renumber succeeding sections accordingly.
- 21 Page 7 of the Finance Committee Report, line 21, after "GAS" insert "OR
22 WASTEWATER".
- 23 Page 7 of the Committee Report, line 30, after "SYSTEM" insert "AND
24 WASTEWATER SYSTEM".
- 25 Page 8 of the Finance Committee Report, line 16, after "GAS" insert "OR
26 WASTEWATER".
- 27 Page 8 of the Finance Committee Report, line 25, after "SYSTEM" insert
28 "AND WASTEWATER SYSTEM".
- 29 Amend printed bill, page 9, line 1, strike "THOSE".
- 30 Page 9 of the printed bill, line 2, after "SYSTEMS" insert "AND HEAT PUMP
31 WATER HEATERS".
- 32 Page 12 of the printed bill, strike line 5 and substitute "(1)(d)(I)(Q),
33 (1)(d)(I)(R), and (1)(d)(I)(S) as follows:".
- 34 Amend the Transportation & Energy Committee Report, dated February
35 8, 2022, page 5, line 11, after "TO" insert "THE".

- 1 Page 5 of the Transportation & Energy Committee Report, line 26, after
- 2 "TO" insert "THE".

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