

SENATE FLOOR AMENDMENT

Second Reading

BY SENATORS Mullica and Lundeen

1 Amend printed bill, page 17, after line 7 insert:

2 **"SECTION 3.** In Colorado Revised Statutes, 39-22-104, **amend**
3 (3)(p.5)(II) as follows:

4 **39-22-104. Income tax imposed on individuals, estates, and**
5 **trusts - single rate - report - legislative declaration - definitions -**
6 **repeal.** (3) There shall be added to the federal taxable income:

7 (p.5) (II) For the 2023-24 state fiscal year and state fiscal years
8 thereafter, the general assembly shall annually appropriate an amount at
9 least equal to the amount of revenue generated by the addition to federal
10 taxable income described in subsection (3)(p.5)(I) of this section,
11 CALCULATED WITHOUT REGARD TO ANY TEMPORARY RATE REDUCTION
12 PURSUANT TO SECTION 39-22-627, but not more than the amount required,
13 to fully fund the direct and indirect costs of implementing the healthy
14 school meals for all program as provided in section 22-82.9-209. The
15 provisions of subsection (3)(p.5)(I) of this section constitute a
16 voter-approved revenue change, approved by the voters at the statewide
17 election in November of 2022, and the revenue generated by this
18 voter-approved revenue change may be collected, retained, appropriated,
19 and spent without subsequent voter approval, notwithstanding any other
20 limits in the state constitution or law. The addition to federal taxable
21 income described in subsection (3)(p.5)(I) of this section does not apply
22 for an income tax year that commences after the healthy school meals for
23 all program, or any successor program, is repealed. Upon repeal of the
24 healthy school meals for all program, or any successor program, the
25 commissioner of education shall promptly notify the executive director
26 in writing that the program is repealed."

27 Renumber succeeding sections accordingly.

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