

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0918.01 Nicole Myers x4326

HOUSE BILL 26-1341

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HOUSE SPONSORSHIP

Johnson, Winter T.

SENATE SPONSORSHIP

Pelton R.,

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House Committees

Agriculture, Water & Natural Resources  
Finance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING A MODIFICATION TO THE SERVICE PERIOD DURING  
102 WHICH THE COLORADO AGRICULTURAL DEVELOPMENT  
103 AUTHORITY MAY ALLOCATE ITS PORTION OF THE PRIVATE  
104 ACTIVITY BOND STATE CEILING ALLOCATION.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The state private activity bond program funds privately developed projects by allowing the state and its political subdivisions to issue tax-exempt private activity bonds. The federal internal revenue code

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

limits the total amount of tax-exempt private activity bonds that a state and its political subdivisions may issue each year by imposing a private activity bond ceiling (state ceiling). Current law specifies a formula to allocate the ability to issue tax-exempt private activity bonds up to the state ceiling and initially allocates 50% of these bonds among several state issuing authorities through direct allocations as determined by the department of local affairs (department). On September 15 each year, with a few exceptions, each state issuing authority is required to relinquish unused portions of its direct allocation which is then further allocated pursuant to law.

The Colorado agricultural development authority is one of the state issuing authorities to which the department may allocate a portion of the state ceiling. The bill changes the date on which the Colorado agricultural development authority is required to relinquish the unused portion of its direct allocation to November 15 each year.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-32-1705, **amend**  
3 (3) introductory portion, (3)(a), (3)(c), and (4) as follows:

4 **24-32-1705. Allocations to state issuing authorities.**

5 (3) Any allocation of the state ceiling made or assigned TO THE  
6 COLORADO AGRICULTURAL DEVELOPMENT AUTHORITY pursuant to this  
7 section ~~shall~~ IS automatically ~~be~~ relinquished to the statewide balance ON  
8 NOVEMBER 15 OF EACH YEAR AND ANY ALLOCATION OF THE STATE  
9 CEILING MADE OR ASSIGNED TO ANY OTHER STATE ISSUING AUTHORITY  
10 PURSUANT TO THIS SECTION IS AUTOMATICALLY RELINQUISHED TO THE  
11 STATEWIDE BALANCE on September 15 of each year, except to the extent  
12 that:

13 (a) ~~Bonds are issued by~~ The COLORADO AGRICULTURAL  
14 DEVELOPMENT AUTHORITY OR ITS ASSIGNEE ISSUES BONDS PRIOR TO  
15 NOVEMBER 15 OF EACH YEAR OR ANY OTHER state issuing authority or its  
16 ~~assigns~~ ASSIGNEE ISSUES BONDS prior to September 15 of each year; or

17 (c) The COLORADO AGRICULTURAL DEVELOPMENT AUTHORITY OR

1 ITS ASSIGNEE, PRIOR TO NOVEMBER 15 OF EACH YEAR, AND ANY OTHER  
2 state issuing authority or its assignee, PRIOR TO SEPTEMBER 15 OF EACH  
3 YEAR, notifies the department, by written notice ~~which~~ THAT contains the  
4 information and attachments set forth in section 24-32-1709, ~~prior to~~  
5 ~~September 15 of each year~~, that the allocation has been made by the state  
6 issuing authority or its assignee to a project ~~which~~ THAT has a  
7 carryforward purpose as ~~such~~ THE project is described in the inducement  
8 resolution attached and that the state issuing authority or its assignee  
9 desires to treat all or a portion of its initial allocation as an allocation to  
10 ~~such~~ THE project for such carryforward purpose.

11 (4) If the amount of an allocation of the state ceiling made to a  
12 state issuing authority pursuant to this section is in excess of the amount  
13 of bonds that the state issuing authority or its assignee issued or used for  
14 a carryforward purpose or the amount of qualified mortgage bonds that  
15 the state issuing authority or its assignee elected not to issue pursuant to  
16 a mortgage credit certificate election, the STATE ISSUING AUTHORITY  
17 SHALL RELINQUISH THE excess ~~shall be relinquished~~ to the statewide  
18 balance. THE COLORADO AGRICULTURAL DEVELOPMENT AUTHORITY  
19 SHALL RELINQUISH THE EXCESS TO THE STATEWIDE BALANCE ON  
20 NOVEMBER 15 OF EACH YEAR AND ANY OTHER STATE ISSUING AUTHORITY  
21 SHALL RELINQUISH THE EXCESS TO THE STATEWIDE BALANCE on  
22 September 15 OF each year. Any state issuing authority may voluntarily  
23 relinquish all or any part of its allocation to the statewide balance at any  
24 time by so notifying the department in writing.

25 **SECTION 2. Act subject to petition - effective date.** This act  
26 takes effect at 12:01 a.m. on the day following the expiration of the  
27 ninety-day period after final adjournment of the general assembly (August

1 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
2 referendum petition is filed pursuant to section 1 (3) of article V of the  
3 state constitution against this act or an item, section, or part of this act  
4 within such period, then the act, item, section, or part will not take effect  
5 unless approved by the people at the general election to be held in  
6 November 2026 and, in such case, will take effect on the date of the  
7 official declaration of the vote thereon by the governor.