

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

February 19, 2025  
Date

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

HB25-1080 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** 39-3-139 as  
4 follows:

5 **39-3-139. Property tax relief for communication services**  
6 **deployment - legislative declaration - definitions.** (1) THE GENERAL  
7 ASSEMBLY FINDS AND DECLARES THAT:

8 (a) THE INTENDED PURPOSE OF THE TAX RELIEF CREATED IN THIS  
9 SECTION IS TO ENCOURAGE THE DEPLOYMENT OF COMMUNICATION  
10 SERVICES INFRASTRUCTURE THROUGHOUT THE STATE, PARTICULARLY IN  
11 RURAL AND UNSERVED AREAS, AND TO CREATE INCENTIVES FOR  
12 INVESTMENTS IN NEW COMMUNICATION SERVICES INFRASTRUCTURE IN  
13 ADDITION TO INCENTIVES ALREADY CREATED BY OTHER STATE OR  
14 FEDERAL LAW;

15 (b) FINANCIAL INCENTIVES IN THE FORM OF TAX RELIEF ARE  
16 NECESSARY TO ATTRACT INVESTMENT AND FREE UP RESOURCES FOR  
17 COMMUNICATION SERVICES DEPLOYMENT, PARTICULARLY IN AREAS THAT  
18 HAVE BEEN DESIGNATED AS UNSERVED. THE INCENTIVES CAN BE  
19 PARTICULARLY EFFECTIVE WHEN OFFERED AT THE LOCAL LEVEL BY  
20 COUNTIES THAT HAVE THE AUTHORITY TO APPROVE THE RELIEF BASED ON  
21 SPECIFIC CRITERIA.

22 (c) PROVIDING TAX RELIEF STIMULATES ECONOMIC DEVELOPMENT  
23 IN THE STATE AND SUPPORTS THE EXPANSION OF ESSENTIAL  
24 COMMUNICATION SERVICES TO UNSERVED AREAS; AND

25 (d) WIRELESS TELECOMMUNICATIONS TECHNOLOGIES, WHILE  
26 SEEMINGLY INDEPENDENT, CRITICALLY RELY ON FORMS OF BROADBAND  
27 LIKE FIBER AND LANDLINE NETWORKS FOR ESSENTIAL FUNCTIONS, SUCH AS

1 BACKHAUL, WHICH CONNECTS CELL TOWERS TO THE INTERNET BACKBONE  
2 AND WHICH IS OFTEN PERFORMED BY NONWIRELESS PROVIDERS.  
3 THEREFORE, THE POLICIES THAT IMPACT BROADBAND INFRASTRUCTURE  
4 MUST CONSIDER THE INTERCONNECTEDNESS OF ALL TECHNOLOGIES,  
5 INCLUDING THE DEPENDENCE OF WIRELESS TELECOMMUNICATIONS ON THE  
6 BROADER ECOSYSTEM, TO ENSURE EFFECTIVE AND COMPREHENSIVE  
7 WIRELESS AND BROADBAND ACCESS FOR ALL COLORADANS.

8 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
9 REQUIRES:

10 (a) "COUNTY" MEANS A COUNTY OR A CITY AND COUNTY.

11 (b) (I) "QUALIFIED COMMUNICATION SERVICES PROPERTY  
12 FACILITY" MEANS ANY FACILITY, INFRASTRUCTURE, EQUIPMENT, OR OTHER  
13 REAL OR PERSONAL PROPERTY USED IN THE PROVISION OF WIRELESS  
14 TELECOMMUNICATIONS SERVICE AND FIXED BROADBAND OR MOBILE  
15 BROADBAND INTERNET ACCESS SERVICE, AS DEFINED BY THE FEDERAL  
16 COMMUNICATIONS COMMISSION, AND INCLUDES, BUT IS NOT LIMITED TO:

- 17 (A) ASYNCHRONOUS TRANSFER MODE SWITCHES;
- 18 (B) DIGITAL SUBSCRIBER LINE ACCESS MULTIPLEXERS;
- 19 (C) ROUTERS;
- 20 (D) SERVERS;
- 21 (E) MULTIPLEXERS;
- 22 (F) FIBER OPTICS; AND
- 23 (G) ANY RELATED EQUIPMENT.

24 (II) "QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY"  
25 INCLUDES ANY FACILITY INFRASTRUCTURE OR EQUIPMENT USED TO  
26 PROVIDE WIRELESS TELECOMMUNICATIONS SERVICE, INCLUDING, BUT NOT  
27 LIMITED TO, MACRO CELL TOWERS AND MICROCELL TOWERS.

28 (c) "UNSERVED AREA" MEANS A GEOGRAPHIC AREA IN WHICH  
29 BROADBAND INTERNET ACCESS SERVICE IS NOT AVAILABLE FROM ANY  
30 PROVIDER AT SPEEDS MEETING OR EXCEEDING THE MINIMUM BROADBAND  
31 BENCHMARKS ESTABLISHED BY THE FEDERAL COMMUNICATIONS  
32 COMMISSION FOR FIXED BROADBAND AND MOBILE BROADBAND. A COUNTY  
33 MAY DETERMINE WHETHER AN AREA IS UNSERVED BY REFERENCE TO THE  
34 MOST RECENTLY AVAILABLE FEDERAL COMMUNICATIONS COMMISSION  
35 BROADBAND COVERAGE MAPS.

36 (d) "WIRELESS TELECOMMUNICATIONS SERVICE" MEANS  
37 COMMERCIAL MOBILE RADIO SERVICE, AS DEFINED IN 47 CFR 20.3.

38 (3) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A  
39 COUNTY MAY NEGOTIATE AN INCENTIVE PAYMENT OR CREDIT WITH A  
40 TAXPAYER THAT ESTABLISHES OR EXPANDS A QUALIFIED COMMUNICATION  
41 SERVICES PROPERTY FACILITY IN THE COUNTY IF THE FACILITY SERVES AN  
42 UNSERVED AREA.

43 (b) THE BURDEN IS ON A TAXPAYER SEEKING TAX RELIEF TO

1 DEMONSTRATE, TO THE SATISFACTION OF THE COUNTY, THAT THE AREA TO  
2 BE SERVED BY THE PROPOSED INVESTMENT IS AN UNSERVED AREA. THE  
3 TAXPAYER MAY RELY ON THE MOST RECENTLY AVAILABLE FEDERAL  
4 COMMUNICATIONS COMMISSION COVERAGE MAPS TO MAKE THE  
5 DETERMINATION.

6 (c) A COUNTY SHALL NOT NEGOTIATE AN INCENTIVE PAYMENT OR  
7 CREDIT THAT EXCEEDS THE AMOUNT OF THE TAXES LEVIED BY THE  
8 COUNTY UPON THE TAXABLE REAL PROPERTY OR BUSINESS PERSONAL  
9 PROPERTY LOCATED AT OR WITHIN THE QUALIFIED COMMUNICATION  
10 SERVICES PROPERTY FACILITY FOR THE CURRENT PROPERTY TAX YEAR.

11 (4) A COUNTY SHALL EXERCISE THE AUTHORITY GRANTED UNDER  
12 THIS SECTION IN A NONDISCRIMINATORY AND COMPETITIVELY NEUTRAL  
13 MANNER.

14 (5) A COUNTY THAT NEGOTIATES AN AGREEMENT PURSUANT TO  
15 THIS SECTION SHALL INFORM ANY MUNICIPALITY, SPECIAL DISTRICT AS  
16 DEFINED IN SECTION 32-1-103, AND SCHOOL DISTRICT IN WHICH THE  
17 QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY WILL BE  
18 ESTABLISHED OR EXPANDED OF THE NEGOTIATIONS WITH THE TAXPAYER.

19 (6) A COUNTY MAY ADJUST THE AMOUNT OF ITS TAX LEVY  
20 AUTHORIZED PURSUANT TO SECTION 29-1-301 OR PURSUANT TO A COUNTY  
21 HOME RULE CHARTER, WHICHEVER IS APPLICABLE, BY AN ADDITIONAL  
22 AMOUNT THAT DOES NOT EXCEED THE TOTAL AMOUNT OF ANNUAL  
23 INCENTIVE PAYMENTS OR CREDITS THAT THE COUNTY MAKES.

24 **SECTION 2.** In Colorado Revised Statutes, **add** 32-1-1703 as  
25 follows:

26 **32-1-1703. Property tax relief for communication services**  
27 **deployment - legislative declaration - definitions.** (1) THE GENERAL  
28 ASSEMBLY FINDS AND DECLARES THAT:

29 (a) THE INTENDED PURPOSE OF THE TAX RELIEF CREATED IN THIS  
30 SECTION IS TO ENCOURAGE THE DEPLOYMENT OF COMMUNICATION  
31 SERVICES INFRASTRUCTURE THROUGHOUT THE STATE, PARTICULARLY IN  
32 RURAL AND UNSERVED AREAS, AND TO CREATE INCENTIVES FOR  
33 INVESTMENTS IN NEW COMMUNICATION SERVICES INFRASTRUCTURE IN  
34 ADDITION TO INCENTIVES ALREADY CREATED BY OTHER STATE OR  
35 FEDERAL LAW;

36 (b) FINANCIAL INCENTIVES IN THE FORM OF TAX RELIEF ARE  
37 NECESSARY TO ATTRACT INVESTMENT AND FREE UP RESOURCES FOR  
38 COMMUNICATION SERVICES DEPLOYMENT, PARTICULARLY IN AREAS THAT  
39 HAVE BEEN DESIGNATED AS UNSERVED. THE INCENTIVES CAN BE  
40 PARTICULARLY EFFECTIVE WHEN OFFERED AT THE LOCAL LEVEL BY  
41 SPECIAL DISTRICTS THAT HAVE THE AUTHORITY TO APPROVE THE RELIEF  
42 BASED ON SPECIFIC CRITERIA.

43 (c) PROVIDING TAX RELIEF STIMULATES ECONOMIC DEVELOPMENT

1 IN THE STATE AND SUPPORTS THE EXPANSION OF ESSENTIAL  
2 COMMUNICATION SERVICES TO UNSERVED AREAS; AND

3 (d) WIRELESS TELECOMMUNICATIONS TECHNOLOGIES, WHILE  
4 SEEMINGLY INDEPENDENT, CRITICALLY RELY ON FORMS OF BROADBAND  
5 LIKE FIBER AND LANDLINE NETWORKS FOR ESSENTIAL FUNCTIONS, SUCH AS  
6 BACKHAUL, WHICH CONNECTS CELL TOWERS TO THE INTERNET BACKBONE  
7 AND WHICH IS OFTEN PERFORMED BY NONWIRELESS PROVIDERS.  
8 THEREFORE, THE POLICIES THAT IMPACT BROADBAND INFRASTRUCTURE  
9 MUST CONSIDER THE INTERCONNECTEDNESS OF ALL TECHNOLOGIES,  
10 INCLUDING THE DEPENDENCE OF WIRELESS TELECOMMUNICATIONS ON THE  
11 BROADER ECOSYSTEM, TO ENSURE EFFECTIVE AND COMPREHENSIVE  
12 WIRELESS AND BROADBAND ACCESS FOR ALL COLORADANS.

13 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
14 REQUIRES:

15 (a) "QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY"  
16 HAS THE MEANING SET FORTH IN SECTION 39-3-139 (2)(b).

17 (b) "UNSERVED AREA" HAS THE MEANING SET FORTH IN SECTION  
18 39-3-139 (2)(c).

19 (c) "WIRELESS TELECOMMUNICATIONS SERVICE" MEANS  
20 COMMERCIAL MOBILE RADIO SERVICE, AS DEFINED IN 47 CFR 20.3.

21 (3)(a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A SPECIAL  
22 DISTRICT MAY NEGOTIATE AN INCENTIVE PAYMENT OR CREDIT WITH A  
23 TAXPAYER THAT ESTABLISHES OR EXPANDS A QUALIFIED COMMUNICATION  
24 SERVICES PROPERTY FACILITY IN THE SPECIAL DISTRICT IF THE FACILITY  
25 SERVES AN UNSERVED AREA.

26 (b) THE BURDEN IS ON A TAXPAYER SEEKING TAX RELIEF TO  
27 DEMONSTRATE, TO THE SATISFACTION OF THE SPECIAL DISTRICT, THAT THE  
28 AREA TO BE SERVED BY THE PROPOSED INVESTMENT IS AN UNSERVED  
29 AREA. THE TAXPAYER MAY RELY ON THE MOST RECENTLY AVAILABLE  
30 FEDERAL COMMUNICATIONS COMMISSION COVERAGE MAPS TO MAKE THE  
31 DETERMINATION.

32 (c) A SPECIAL DISTRICT SHALL NOT NEGOTIATE AN INCENTIVE  
33 PAYMENT OR CREDIT THAT EXCEEDS THE AMOUNT OF THE TAXES LEVIED  
34 BY THE SPECIAL DISTRICT UPON THE TAXABLE REAL PROPERTY OR  
35 BUSINESS PERSONAL PROPERTY LOCATED AT OR WITHIN THE QUALIFIED  
36 COMMUNICATION SERVICES PROPERTY FACILITY FOR THE CURRENT  
37 PROPERTY TAX YEAR.

38 (4) A SPECIAL DISTRICT SHALL EXERCISE THE AUTHORITY GRANTED  
39 UNDER THIS SECTION IN A NONDISCRIMINATORY AND COMPETITIVELY  
40 NEUTRAL MANNER.

41 (5) A SPECIAL DISTRICT THAT NEGOTIATES AN AGREEMENT  
42 PURSUANT TO THIS SECTION SHALL INFORM ANY MUNICIPALITY AND  
43 COUNTY IN WHICH THE QUALIFIED COMMUNICATION SERVICES PROPERTY

1 FACILITY WILL BE ESTABLISHED OR EXPANDED OF THE NEGOTIATIONS WITH  
2 THE TAXPAYER.

3 (6) A SPECIAL DISTRICT MAY ADJUST THE AMOUNT OF ITS TAX  
4 LEVY AUTHORIZED PURSUANT TO SECTION 29-1-301 BY AN ADDITIONAL  
5 AMOUNT THAT DOES NOT EXCEED THE TOTAL AMOUNT OF ANNUAL  
6 INCENTIVE PAYMENTS OR CREDITS THAT THE SPECIAL DISTRICT MAKES.

7 **SECTION 3.** In Colorado Revised Statutes, **add** 22-40-111 as  
8 follows:

9 **22-40-111. Property tax relief for communication services**  
10 **deployment - legislative declaration - definitions.** (1) THE GENERAL  
11 ASSEMBLY FINDS AND DECLARES THAT:

12 (a) THE INTENDED PURPOSE OF THE TAX RELIEF CREATED IN THIS  
13 SECTION IS TO ENCOURAGE THE DEPLOYMENT OF COMMUNICATION  
14 SERVICES INFRASTRUCTURE THROUGHOUT THE STATE, PARTICULARLY IN  
15 RURAL AND UNSERVED AREAS, AND TO CREATE INCENTIVES FOR  
16 INVESTMENTS IN NEW COMMUNICATION SERVICES INFRASTRUCTURE IN  
17 ADDITION TO INCENTIVES ALREADY CREATED BY OTHER STATE OR  
18 FEDERAL LAW;

19 (b) FINANCIAL INCENTIVES IN THE FORM OF TAX RELIEF ARE  
20 NECESSARY TO ATTRACT INVESTMENT AND FREE UP RESOURCES FOR  
21 COMMUNICATION SERVICES DEPLOYMENT, PARTICULARLY IN AREAS THAT  
22 HAVE BEEN DESIGNATED AS UNSERVED. THE INCENTIVES CAN BE  
23 PARTICULARLY EFFECTIVE WHEN OFFERED AT THE LOCAL LEVEL BY  
24 SCHOOL DISTRICTS THAT HAVE THE AUTHORITY TO APPROVE THE RELIEF  
25 BASED ON SPECIFIC CRITERIA.

26 (c) PROVIDING TAX RELIEF STIMULATES ECONOMIC DEVELOPMENT  
27 IN THE STATE AND SUPPORTS THE EXPANSION OF ESSENTIAL  
28 COMMUNICATION SERVICES TO UNSERVED AREAS; AND

29 (d) WIRELESS TELECOMMUNICATIONS TECHNOLOGIES, WHILE  
30 SEEMINGLY INDEPENDENT, CRITICALLY RELY ON FORMS OF BROADBAND  
31 LIKE FIBER AND LANDLINE NETWORKS FOR ESSENTIAL FUNCTIONS, SUCH AS  
32 BACKHAUL, WHICH CONNECTS CELL TOWERS TO THE INTERNET BACKBONE  
33 AND WHICH IS OFTEN PERFORMED BY NONWIRELESS PROVIDERS.  
34 THEREFORE, THE POLICIES THAT IMPACT BROADBAND INFRASTRUCTURE  
35 MUST CONSIDER THE INTERCONNECTEDNESS OF ALL TECHNOLOGIES,  
36 INCLUDING THE DEPENDENCE OF WIRELESS TELECOMMUNICATIONS ON THE  
37 BROADER ECOSYSTEM, TO ENSURE EFFECTIVE AND COMPREHENSIVE  
38 WIRELESS AND BROADBAND ACCESS FOR ALL COLORADANS.

39 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
40 REQUIRES:

41 (a) "QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY"  
42 HAS THE MEANING SET FORTH IN SECTION 39-3-139 (2)(b).

43 (b) "UNSERVED AREA" HAS THE MEANING SET FORTH IN SECTION

1 39-3-139 (2)(c).

2 (c) "WIRELESS TELECOMMUNICATIONS SERVICE" MEANS  
3 COMMERCIAL MOBILE RADIO SERVICE, AS DEFINED IN 47 CFR 20.3.

4 (3) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE  
5 BOARD OF EDUCATION OF A SCHOOL DISTRICT MAY NEGOTIATE AN  
6 INCENTIVE PAYMENT OR CREDIT WITH A TAXPAYER THAT ESTABLISHES OR  
7 EXPANDS A QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY IN  
8 THE SCHOOL DISTRICT IF THE FACILITY SERVES AN UNSERVED AREA.

9 (b) THE BURDEN IS ON A TAXPAYER SEEKING TAX RELIEF TO  
10 DEMONSTRATE, TO THE SATISFACTION OF THE BOARD OF EDUCATION OF  
11 THE SCHOOL DISTRICT, THAT THE AREA TO BE SERVED BY THE PROPOSED  
12 INVESTMENT IS AN UNSERVED AREA. THE TAXPAYER MAY RELY ON THE  
13 MOST RECENTLY AVAILABLE FEDERAL COMMUNICATIONS COMMISSION  
14 COVERAGE MAPS TO MAKE THE DETERMINATION.

15 (c) THE BOARD OF EDUCATION OF A SCHOOL DISTRICT SHALL NOT  
16 NEGOTIATE AN INCENTIVE PAYMENT OR CREDIT THAT EXCEEDS THE  
17 AMOUNT OF THE TAXES LEVIED BY THE SCHOOL DISTRICT UPON THE  
18 TAXABLE REAL PROPERTY OR BUSINESS PERSONAL PROPERTY LOCATED AT  
19 OR WITHIN THE QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY  
20 FOR THE CURRENT PROPERTY TAX YEAR.

21 (4) THE BOARD OF EDUCATION OF A SCHOOL DISTRICT SHALL  
22 EXERCISE THE AUTHORITY GRANTED UNDER THIS SECTION IN A  
23 NONDISCRIMINATORY AND COMPETITIVELY NEUTRAL MANNER.

24 (5) THE BOARD OF EDUCATION OF A SCHOOL DISTRICT THAT  
25 NEGOTIATES AN AGREEMENT PURSUANT TO THIS SECTION SHALL INFORM  
26 ANY MUNICIPALITY AND COUNTY IN WHICH THE QUALIFIED  
27 COMMUNICATION SERVICES PROPERTY FACILITY WILL BE ESTABLISHED OR  
28 EXPANDED OF THE NEGOTIATIONS WITH THE TAXPAYER.

29 (6) THE BOARD OF EDUCATION OF A SCHOOL DISTRICT MAY ADJUST  
30 THE AMOUNT OF ITS TAX LEVY AUTHORIZED PURSUANT TO SECTION  
31 29-1-301 BY AN ADDITIONAL AMOUNT THAT DOES NOT EXCEED THE TOTAL  
32 AMOUNT OF ANNUAL INCENTIVE PAYMENTS OR CREDITS THAT THE SCHOOL  
33 DISTRICT MAKES.

34 **SECTION 4.** In Colorado Revised Statutes, **add** 39-26-130 as  
35 follows:

36 **39-26-130. Refund for property used for communication**  
37 **services - legislative declaration - definitions.** (1) THE GENERAL  
38 ASSEMBLY FINDS AND DECLARES THAT THE INTENDED PURPOSE OF THE  
39 TAX INCENTIVE CREATED IN THIS SECTION IS TO CREATE INCENTIVES FOR  
40 INVESTMENT IN COMMUNICATION SERVICES IN ADDITION TO INCENTIVES  
41 ALREADY CREATED BY OTHER STATE OR FEDERAL LAW.

42 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
43 REQUIRES:

1 (a) "PROVIDER" MEANS A PROVIDER OF COMMUNICATION  
2 SERVICES.

3 (b) "SUBSIDIARY" MEANS A SUBSIDIARY OF A PROVIDER.

4 (3) (a) A PROVIDER IS ENTITLED TO A REFUND OF SALES AND USE  
5 TAX IMPOSED PURSUANT TO THIS ARTICLE 26 ON THE SALE, LEASE,  
6 RENTAL, STORAGE, USE, OR OTHER CONSUMPTION OF TANGIBLE PERSONAL  
7 PROPERTY IF:

8 (I) THE PROPERTY IS SOLD, LEASED, RENTED, STORED, USED, OR  
9 CONSUMED BY THE PROVIDER OR A SUBSIDIARY; AND

10 (II) THE PROPERTY IS DIRECTLY USED OR CONSUMED BY THE  
11 PROVIDER OR A SUBSIDIARY IN OR DURING THE PROVISION, TRANSMISSION,  
12 CONVEYANCE, ROUTING, OR RECEPTION OF COMMUNICATION SERVICES.

13 (b) NOTWITHSTANDING SUBSECTION (3)(a) OF THIS SECTION,  
14 PROPERTY THAT IS DIRECTLY USED OR CONSUMED IN OR DURING THE  
15 PROVISION, CREATION, OR PRODUCTION OF A DATA PROCESSING SERVICE  
16 OR INFORMATION SERVICE IS NOT ELIGIBLE FOR A REFUND UNDER THIS  
17 SECTION.

18 (c) THE AMOUNT OF A REFUND TO WHICH A PROVIDER OR  
19 SUBSIDIARY IS ENTITLED UNDER THIS SECTION FOR A CALENDAR YEAR IS  
20 EQUAL TO:

21 (I) THE AMOUNT OF THE TAX THAT THE PROVIDER OR SUBSIDIARY  
22 PAID DURING THE CALENDAR YEAR ON PROPERTY THAT IS ELIGIBLE FOR A  
23 REFUND PURSUANT TO THIS SECTION IF THE TOTAL AMOUNT OF TAX PAID  
24 BY ALL PROVIDERS AND SUBSIDIARIES THAT ARE ELIGIBLE FOR A REFUND  
25 FOR THE CALENDAR YEAR UNDER THIS SECTION IS NOT MORE THAN ONE  
26 MILLION DOLLARS; OR

27 (II) A PRO RATA SHARE OF ONE MILLION DOLLARS IF THE TOTAL  
28 AMOUNT OF TAX PAID BY ALL PROVIDERS AND SUBSIDIARIES THAT ARE  
29 ELIGIBLE FOR A REFUND FOR THE CALENDAR YEAR UNDER THIS SECTION IS  
30 MORE THAN ONE MILLION DOLLARS.

31 **SECTION 5. Act subject to petition - effective date.** This act  
32 takes effect at 12:01 a.m. on the day following the expiration of the  
33 ninety-day period after final adjournment of the general assembly; except  
34 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
35 of the state constitution against this act or an item, section, or part of this  
36 act within such period, then the act, item, section, or part will not take  
37 effect unless approved by the people at the general election to be held in  
38 November 2026 and, in such case, will take effect on the date of the  
39 official declaration of the vote thereon by the governor."

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