

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

Bill A

LLS NO. 24-0383.01 Jed Franklin x5484

HOUSE BILL

HOUSE SPONSORSHIP

Weissman and Frizell,

SENATE SPONSORSHIP

Hansen and Kolker, Liston

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE ADJUSTMENT OF CERTAIN TAX EXPENDITURES.

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/>.)

Legislative Oversight Committee Concerning Tax Policy. The bill repeals the following infrequently used tax expenditures:

- The catastrophic health insurance income tax deduction (**sections 2 and 3** of the bill);
- The non-resident disaster relief worker income tax subtraction (**sections 4, 5, and 6**);
- The medical savings account income tax deduction (**sections 7, 8, 9, and 10**);

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.

- The childcare facility investment income tax credit (**section 11**);
- The school to career expenses income tax credit (**section 12**);
- The Colorado works program employer income tax credit (**section 13**);
- The income tax credit for purchase of uniquely valuable motor vehicle registration numbers (**section 14**);
- The low-emitting vehicles and commercial vehicles used in interstate commerce sales and use tax exemptions (**sections 15, 16, 17, and 18**);
- The biotechnology sales and use tax refund (**sections 19 and 20**);
- The rural broadband equipment sales and use tax refund (**section 21**);
- The first time home buyer savings account income tax deduction (**sections 22, 23, 24, and 25**);
- The tangible personal property affixed to aircraft sales and use tax exemption (**section 26**);
- The non-resident aircraft sales and aircraft parts sales and use tax exemption (**section 27**);
- The aircraft gasoline and special fuel tax exemption (**section 28**); and
- The cigarette and tobacco bad debt tax credit for cigarette and tobacco wholesalers, distributors, and retailers that write off bad cigarette and tobacco tax debts (**sections 29 and 30**).

The bill also modifies several tax expenditures as follows:

- **Section 31** of the bill eliminates the requirement that the executive director of the department of revenue present the tax profile and expenditure report to the finance committees of the house of representatives and the senate;
- **Section 32** clarifies that the purpose of the college tuition program income tax deduction is to create additional incentives for saving for college tuition not already created by other state or federal law and ends the wildfire mitigation deduction one year earlier than provided for in current law;
- **Section 33** increases the maximum amount of a health-care preceptor income tax credit from \$1,000 to \$2,000, allows for a maximum of 3 credits per income tax year, and increases the maximum aggregate amount of the credit awarded to any one taxpayer from \$1,000 to \$6,000 for any income tax year;
- Currently, the maximum amount a taxpayer may claim for

the wildfire hazard mitigation income tax credit is 25% of \$2,500 in mitigation costs, for a total tax credit maximum of \$625 per income tax year. **Section 34** changes the maximum amount a taxpayer may claim for the credit to \$1,000 per income tax year for income tax years commencing on or after January 1, 2025, but prior to January 1, 2028.

- **Section 35** requires a local government and a nonprofit to file an informational tax return as prescribed by the executive director of the department of revenue (informational tax return) rather than a corporate tax return when claiming an alternative transportation options income tax credit;
- **Section 36** requires a local government and a nonprofit to file an informational tax return when claiming a conservation easement income tax credit;
- **Section 37** requires a local government and a nonprofit to file an informational tax return when claiming an income tax credit for environmental remediation of contaminated land;
- On and after January 1, 2025, **section 38** exempts from sales and use tax the sale, storage, usage, or consumption of a modular home;
- **Section 40** states that the purpose of the renewable energy source sales and use tax exemption is to create additional incentives for developing renewable energy projects not already created by other state or federal law;
- **Section 41** repeals detailed required reporting for enterprise zone tax credits; and
- **Sections 39 and 42** make conforming amendments.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) The office of the state auditor has researched and identified
5 certain tax expenditures that are either unused or very infrequently used;

6 (b) The office of the state auditor has recommended repeal of
7 certain unused or infrequently used tax expenditures;

8 (c) Some of the unused or infrequently used tax expenditures

1 identified by the office of the state auditor to be repealed are:

2 (I) The catastrophic health insurance deduction, as described in
3 sections 10-16-116 and 39-22-104.5;

4 (II) The non-resident disaster relief worker subtraction, as
5 described in sections 39-22-104 (4)(t), 39-22-601 (1)(a)(II), and
6 39-22-604 (19);

7 (III) The medical savings account deduction, as described in
8 sections 39-22-104 (4)(h), 39-22-104.6, 39-22-304, and 39-22-504.7;

9 (IV) The childcare facility investment credit, as described in
10 section 39-22-517;

11 (V) The school to career expenses credit, as described in section
12 39-22-520 (2)(a);

13 (VI) The Colorado works program employer credit, as described
14 in section 39-22-521 (1);

15 (VII) The credit for purchase of uniquely valuable motor vehicle
16 registration numbers, as described in section 39-22-535;

17 (VIII) The low-emitting vehicles and commercial vehicles used
18 in interstate commerce exemptions, as described in sections 30-20-604.5,
19 39-26-113.5, and 39-26-719;

20 (IX) The biotechnology sales and use tax refund, as described in
21 section 39-26-402 (1);

22 (X) The rural broadband equipment sales tax refund, as described
23 in section 39-26-129;

24 (XI) The first time home buyer savings account deduction, as
25 described in sections 39-22-104 (4)(w)(I) and 39-22-4704;

26 (XII) The tangible personal property affixed to aircraft tax
27 exemption, as described in sections 39-26-711 (1)(b) and (2)(b);

1 (XIII) The non-resident aircraft sales and aircraft parts
2 exemptions, as described in section 39-26-711.5;

3 (XIV) The aircraft gasoline tax exemption, as described in section
4 39-27-102.5; and

5 (XV) The structural cigarette and tobacco excise tax expenditures,
6 as described in sections 39-28-104 (4) and 39-28.5-107 (2).

7 (d) Administration of these tax expenditures by the department of
8 revenue is costly and inefficient;

9 (e) Inclusion of these tax expenditures in statute unnecessarily
10 complicates and lengthens the Colorado Revised Statutes;

11 (f) These tax expenditures are so infrequently used that they bring
12 no value to the state; and

13 (g) The repeal of these tax expenditures will cause, at most, only
14 de minimis impact to the state budget.

15 (2) Therefore, the general assembly further finds and declares that
16 the purposes of repealing these infrequently used tax expenditures are to
17 follow the office of the state auditor's recommendations regarding these
18 tax expenditures, to improve the efficiency and lower the cost of
19 administration at the department of revenue, to reduce the length and
20 complexity of the Colorado Revised Statutes, and to remove ineffective
21 tax expenditures and that any de minimis revenue increase that may result
22 from the repeals is incidental to those purposes.

23 **SECTION 2.** In Colorado Revised Statutes, 10-16-116, **amend**
24 (2) and (5) as follows:

25 **10-16-116. Catastrophic health insurance - coverage -**
26 **premium payments - reporting requirements - definitions - short title**
27 **- repeal.** (2) (a) An employer may offer catastrophic health insurance to

1 its employees pursuant to this section.

2 (b) PRIOR TO JANUARY 1, 2025, employees who elect the coverage
3 shall pay the cost of the insurance pursuant to subsection (5) of this
4 section.

5 (c) THIS SUBSECTION (2)(c) AND SUBSECTION (2)(b) OF THIS
6 SECTION ARE REPEALED, EFFECTIVE DECEMBER 31, 2028.

7 (5) (a) PRIOR TO JANUARY 1, 2025, if claiming an exclusion of
8 premium payments for state income tax purposes pursuant to section
9 39-22-104.5, ~~C.R.S.~~, an employee shall elect to purchase catastrophic
10 health insurance by signing a written election, which must be in the form
11 prescribed by the executive director of the department of revenue and
12 signed by the employee prior to the date the employer withholds the first
13 contribution.

14 (b) PRIOR TO JANUARY 1, 2025, an employer shall withhold the
15 premium payments for catastrophic health insurance from the wages of
16 an employee who has elected coverage pursuant to ~~paragraph (a) of this~~
17 ~~subsection (5)~~ SUBSECTION (5)(a) OF THIS SECTION and shall remit the
18 premiums to the insuring entity on the employee's behalf. All premiums
19 collected by an employer are withheld from the employee's wages on a
20 pre-tax basis pursuant to section 39-22-104.5. ~~C.R.S.~~

21 (c) PRIOR TO JANUARY 1, 2025, an employer withholding premium
22 payments from an employee's wages pursuant to ~~paragraph (b) of this~~
23 ~~subsection (5)~~ SUBSECTION (5)(b) OF THIS SECTION shall report the amount
24 withheld to the department of revenue, pursuant to rules promulgated by
25 the executive director of the department.

26 (d) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE DECEMBER 31,
27 2028.

1 **SECTION 3.** In Colorado Revised Statutes, **amend** 39-22-104.5
2 as follows:

3 **39-22-104.5. Pretax payments - catastrophic health insurance**
4 **- repeal.** (1) For income tax years commencing on or after January 1,
5 1995, AND PRIOR TO JANUARY 1, 2025, amounts withheld from an
6 individual's wages that are used to pay for catastrophic health insurance
7 pursuant to and within the limitations prescribed by section 10-16-116,
8 ~~C.R.S.~~, are excluded from the individual's federal taxable income for
9 purposes of the state income tax imposed by section 39-22-104.

10 (2) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2028.

11 **SECTION 4.** In Colorado Revised Statutes, 39-22-104, **amend**
12 (4)(t)(I); and **add** (4)(t)(III) as follows:

13 **39-22-104. Income tax imposed on individuals, estates, and**
14 **trusts - single rate - report - legislative declaration - definitions -**
15 **repeal.** (4) There shall be subtracted from federal taxable income:

16 (t) (I) For income tax years commencing on or after January 1,
17 2015, AND PRIOR TO JANUARY 1, 2025, compensation that would be
18 subject to withholding under section 39-22-604, received by a nonresident
19 individual for performing disaster-related work in the state during a
20 disaster period.

21 (III) THIS SUBSECTION (4)(t) IS REPEALED, EFFECTIVE DECEMBER
22 31, 2028.

23 **SECTION 5.** In Colorado Revised Statutes, 39-22-601, **amend**
24 (1)(a)(II) as follows:

25 **39-22-601. Returns - repeal.** (1) (a) (II) For purposes of this
26 ~~paragraph (a)~~ SUBSECTION (1)(a)(II), a nonresident individual whose only
27 source of income from this state is compensation that is subtracted from

1 federal taxable income under section 39-22-104 (4)(t) need not file a
2 return.

3 (A) THIS SUBSECTION (1)(a)(II) APPLIES TO TAX YEARS
4 COMMENCING BEFORE JANUARY 1, 2025.

5 (B) THIS SUBSECTION (1)(a)(II) IS REPEALED, EFFECTIVE
6 DECEMBER 31, 2028.

7 **SECTION 6.** In Colorado Revised Statutes, 39-22-604, **amend**
8 (19) as follows:

9 **39-22-604. Withholding tax - requirement to withhold - tax**
10 **lien - exemption from lien - annual statement - notice - definitions -**
11 **repeal.** (19) (a) PRIOR TO JANUARY 1, 2025, no amount is required to be
12 deducted and withheld from an employee's wages pursuant to this section
13 for income tax due to the state if the employee's withholding certificate
14 indicates that the compensation is eligible to be subtracted from federal
15 taxable income pursuant to section 39-22-104 (4)(t).

16 (b) THIS SUBSECTION (19) IS REPEALED, EFFECTIVE DECEMBER 31,
17 2028.

18 **SECTION 7.** In Colorado Revised Statutes, 39-22-104, **amend**
19 (4)(h) as follows:

20 **39-22-104. Income tax imposed on individuals, estates, and**
21 **trusts - single rate - report - legislative declaration - definitions -**
22 **repeal.** (4) There shall be subtracted from federal taxable income:

23 (h) (I) PRIOR TO JANUARY 1, 2025, any amount contributed to a
24 medical savings account by an employer pursuant to section 39-22-504.7
25 (2)(e), to the extent such amount is not claimed as a deduction on the
26 taxpayer's federal tax return;

27 (II) THIS SUBSECTION (4)(h) IS REPEALED, EFFECTIVE DECEMBER

1 31, 2028.

2 **SECTION 8.** In Colorado Revised Statutes, **amend** 39-22-104.6
3 as follows:

4 **39-22-104.6. Pretax payments - medical savings accounts -**
5 **repeal.** (1) PRIOR TO JANUARY 1, 2025, to the extent a taxpayer is not
6 otherwise claiming deductions on federal income tax returns for
7 contributions to medical savings accounts, amounts withheld from an
8 individual's wages which are contributed to such individual's medical
9 savings account, pursuant to section 39-22-504.7, are excluded from an
10 individual's federal taxable income for purposes of the state income tax
11 imposed by section 39-22-104.

12 (2) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2028.

13 **SECTION 9.** In Colorado Revised Statutes, 39-22-304, **amend**
14 (3)(k) as follows:

15 **39-22-304. Net income of corporation - legislative declaration**
16 **- definitions - repeal.** (3) There shall be subtracted from federal taxable
17 income:

18 (k) (I) PRIOR TO JANUARY 1, 2025, any amount contributed to a
19 medical savings account pursuant to section 39-22-504.7 (2)(e), to the
20 extent such amount is not claimed as a deduction on the taxpayer's federal
21 tax return;

22 (II) THIS SUBSECTION (3)(k) IS REPEALED, EFFECTIVE DECEMBER
23 31, 2028.

24 **SECTION 10.** In Colorado Revised Statutes, 39-22-504.7,
25 **amend** (1) and (2)(e); and **add** (8) as follows:

26 **39-22-504.7. Medical savings accounts - establishment -**
27 **contributions - distributions - restrictions - taxation - portability -**

1 **repeal.** (1) (a) **Establishment of accounts.** On and after January 1, 1995,
2 AND PRIOR TO JANUARY 1, 2025, an employer may offer to establish
3 medical savings accounts.

4 (b) PRIOR TO JANUARY 1, 2025, an employee on whose behalf a
5 medical savings account has not been established by his or her employer
6 may establish such an account on his or her own behalf.

7 (2) (e) **Employer contributions - tax deduction.** PRIOR TO
8 JANUARY 1, 2025, employer contributions to employee medical savings
9 accounts constitute a deduction from the employers federal taxable
10 income, pursuant to sections 39-22-104 (4)(h) and 39-22-304 (3)(k).

11 (8) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
12 2028.

13 **SECTION 11.** In Colorado Revised Statutes, 39-22-517, **amend**
14 (1) and (2); and **add** (4) as follows:

15 **39-22-517. Tax credit for child care center investments -**
16 **repeal.** (1) With respect to taxable years commencing on or after January
17 1, 1992, AND PRIOR TO JANUARY 1, 2025, there is allowed to any person
18 operating a child care center licensed pursuant to section 26-6-905 or
19 26.5-5-309, family child care home licensed pursuant to section
20 26.5-5-309, or foster care home licensed pursuant to section 26-6-905 a
21 credit against the tax imposed by this article 22 in the amount of twenty
22 percent of the taxpayer's annual investment in tangible personal property
23 to be used in such child care center, family child care home, or foster care
24 home.

25 (2) With respect to taxable years commencing on or after July 1,
26 1992, AND PRIOR TO JANUARY 1, 2025, there is allowed to any sole
27 proprietorship, partnership, limited liability corporation, subchapter S

1 corporation, or regular corporation that provides child care facilities that
2 are incidental to their business and are licensed pursuant to section
3 26-6-905 or 26.5-5-309 for the use of its employees a credit against the
4 tax imposed by this article 22 in the amount of ten percent of the
5 taxpayer's annual investment in tangible personal property to be used in
6 such child care facilities.

7 (4) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2032.

8 **SECTION 12.** In Colorado Revised Statutes, 39-22-520, **amend**
9 (2)(a); and **add** (4) as follows:

10 **39-22-520. Credit against tax - investment in school-to-career**
11 **program - definitions - repeal.** (2) (a) For income tax years beginning
12 on or after January 1, 1997, AND PRIOR TO JANUARY 1, 2025, there shall
13 be allowed to any person as a credit against the tax imposed by this ~~article~~
14 ARTICLE 22 an amount equal to ten percent of the total qualified
15 investment made in a qualified school-to-career program.

16 (4) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2034.

17 **SECTION 13.** In Colorado Revised Statutes, 39-22-521, **amend**
18 (1) introductory portion; and **add** (4) as follows:

19 **39-22-521. Credits against tax - employer expenses - public**
20 **assistance recipients - repeal.** (1) With respect to taxable years
21 commencing on or after January 1, 1998, AND PRIOR TO JANUARY 1, 2025,
22 there shall be allowed to an employer of any person receiving public
23 assistance pursuant to the Colorado works program set forth in part 7 of
24 article 2 of title 26, ~~C.R.S.~~, a credit, for not more than two years, against
25 the tax imposed by this article in the amount of twenty percent of the
26 employer's annual investment in any one or more of the following
27 services that are incidental to the employer's business:

1 (4) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2032.

2 **SECTION 14.** In Colorado Revised Statutes, 39-22-535, **amend**
3 (1); and **add** (3) as follows:

4 **39-22-535. Credit for purchase of uniquely valuable motor**
5 **vehicle registration numbers - repeal.** (1) For tax years commencing
6 on or after January 1, 2013, AND PRIOR TO JANUARY 1, 2025, a person
7 who buys the right to use a registration number under section 24-30-2206
8 is allowed a credit against the income taxes imposed by this article 22 for
9 twenty percent of the purchase price of the right to use the registration
10 number that is paid to the Colorado disability funding committee created
11 in section 24-30-2203.

12 (3) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2034.

13 **SECTION 15.** In Colorado Revised Statutes, 30-20-604.5,
14 **amend** (1) as follows:

15 **30-20-604.5. District sales tax - repeal.** (1) (a) The board of any
16 county or of any city that has been authorized to become a city and county
17 pursuant to an amendment to the state constitution that has been approved
18 by the registered electors of the state of Colorado and that subsequently
19 becomes a city and county for the purpose of funding all or a portion of
20 the cost of any improvements constructed or transportation services
21 provided pursuant to section 30-20-603 (1)(a), (1)(a.5), and (1)(c), may
22 levy a sales tax throughout the district upon every transaction or other
23 incident with respect to which a sales tax is authorized pursuant to section
24 29-2-105; except that such tax may be levied only upon those transactions
25 specified in section 39-26-104 (1)(a), (1)(b), (1)(e), and (1)(f). ~~the board~~
26 ~~may, in its discretion, levy or continue to levy a sales tax on the sales of~~
27 ~~low-emitting motor vehicles, power sources, or parts used for converting~~

1 ~~such power sources as specified in section 39-26-719 (1).~~

2 (b) THIS SUBSECTION (1) IS REPEALED, EFFECTIVE DECEMBER 31,
3 2028.

4 **SECTION 16.** In Colorado Revised Statutes, 39-26-113.5,
5 **amend** (1)(a); and **add** (4) as follows:

6 **39-26-113.5. Refund of state sales taxes for vehicles used in**
7 **interstate commerce - fund - repeal.** (1) (a) Except as provided in
8 subsection (3) of this section, ~~for the calendar year commencing on AND~~
9 ~~AFTER~~ January 1, 2011, ~~and for each calendar year thereafter~~ BUT BEFORE
10 JULY 1, 2025, a taxpayer may claim a refund of a percentage of all state
11 sales and use taxes paid by the taxpayer pursuant to this part 1 and part 2
12 of this article on the sale, storage, or use of a model year 2010 or newer
13 truck tractor or semitrailer with a gross vehicle weight rating of fifty-four
14 thousand pounds or greater that is purchased on or after July 1, 2011, BUT
15 BEFORE JULY 1, 2025.

16 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2026.

17 **SECTION 17.** In Colorado Revised Statutes, 42-1-225, **amend**
18 (1) and (2) as follows:

19 **42-1-225. Commercial vehicle enterprise tax fund - creation**
20 **- repeal.** (1) The commercial vehicle enterprise tax fund is hereby
21 created in the state treasury.

22 (a) (I) PRIOR TO JULY 1, 2025, the fund consists of ~~moneys~~ MONEY
23 collected and transmitted to the fund pursuant to section 42-4-1701
24 (4)(a)(II). The general assembly shall annually appropriate the ~~moneys~~
25 MONEY in the fund to cover the actual cost of administering sections
26 39-26-113.5 and 39-30-104 (1)(b). ~~C.R.S. Moneys~~ MONEY in the fund ~~are~~
27 IS continuously appropriated to the department of revenue for the payment

1 of sales and use tax refunds pursuant to section 39-26-113.5. ~~€R.S.~~ After
2 receiving the statement pursuant to section 39-30-104 (1)(b)(VI), ~~€R.S.~~
3 the state treasurer shall credit the total cost of the amount of the tax
4 credits stated therein to the general fund. ~~Any moneys remaining in the~~
5 ~~commercial vehicle enterprise tax fund at the end of the fiscal year shall~~
6 ~~not revert to the general fund.~~

7 (II) THIS SUBSECTION (1)(a) IS REPEALED, EFFECTIVE JULY 1, 2026.

8 (b) ON OR AFTER JULY 1, 2025, THE FUND CONSISTS OF MONEY
9 COLLECTED AND TRANSMITTED TO THE FUND PURSUANT TO SECTION
10 42-4-1701 (4)(a)(II). THE GENERAL ASSEMBLY SHALL ANNUALLY
11 APPROPRIATE THE MONEY IN THE FUND TO COVER THE ACTUAL COST OF
12 ADMINISTERING SECTION 39-30-104 (1)(b). AFTER RECEIVING THE
13 STATEMENT PURSUANT TO SECTION 39-30-104 (1)(b)(VI), THE STATE
14 TREASURER SHALL CREDIT THE TOTAL COST OF THE AMOUNT OF THE TAX
15 CREDITS STATED THEREIN TO THE GENERAL FUND. ANY MONEY REMAINING
16 IN THE COMMERCIAL VEHICLE ENTERPRISE TAX FUND AT THE END OF THE
17 FISCAL YEAR SHALL NOT REVERT TO THE GENERAL FUND.

18 (2) (a) (I) On July 1, 2011, and each July 1 thereafter THROUGH
19 JULY 1, 2024, the department shall allocate one-third of the fund balance,
20 not including the amount appropriated to cover the actual cost of
21 administering sections 39-26-113.5 and 39-30-104 (1)(b), ~~€R.S.~~; to make
22 the sales tax refunds granted in section 39-26-113.5. ~~€R.S.~~

23 (II) THIS SUBSECTION (2)(a) IS REPEALED, EFFECTIVE JULY 1, 2025.

24 (b) (I) On July 1, 2011, and each July 1 thereafter THROUGH JULY
25 1, 2024, the department shall allocate two-thirds of the fund balance, not
26 including the amount appropriated to cover the actual cost of
27 administering sections 39-26-113.5 and 39-30-104 (1)(b), ~~€R.S.~~ to offset

1 the income tax credit granted in section 39-30-104 (1)(b). ~~C.R.S. By~~
2 ~~January 1, 2012, the department shall notify the Colorado economic~~
3 ~~development commission created in section 24-46-102 C.R.S. of the~~
4 ~~amount allocated for such purposes.~~

5 (II) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE JULY 1,
6 2025.

7 (c) ON JULY 1, 2025, AND EACH JULY 1 THEREAFTER, THE
8 DEPARTMENT SHALL ALLOCATE THE FUND BALANCE, NOT INCLUDING THE
9 AMOUNT APPROPRIATED TO COVER THE ACTUAL COST OF ADMINISTERING
10 SECTION 39-30-104 (1)(b), TO OFFSET THE INCOME TAX CREDIT GRANTED
11 IN SECTION 39-30-104 (1)(b).

12 **SECTION 18.** In Colorado Revised Statutes, 39-26-719, **amend**
13 (1)(a) introductory portion, (2) introductory portion, and (2)(b)(I)
14 introductory portion; and **add** (1)(c) and (2)(b)(III) as follows:

15 **39-26-719. Motor vehicles - repeal.** (1) (a) PRIOR TO JANUARY
16 1, 2025, there shall be exempt from taxation under the provisions of part
17 1 of this ~~article~~ ARTICLE 26 the sale of any motor vehicle, power source
18 for any motor vehicle, or parts used for converting the power source for
19 any motor vehicle, if:

20 (c) THIS SUBSECTION (1) IS REPEALED, EFFECTIVE DECEMBER 31,
21 2028.

22 (2) The following shall be exempt from taxation under the
23 provisions of part 2 of this ~~article~~ ARTICLE 26:

24 (b) (I) PRIOR TO JANUARY 1, 2025, the storage, use, or
25 consumption of a motor vehicle, power source for a motor vehicle, and
26 parts used for converting the power source of a motor vehicle, if:

27 (III) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE DECEMBER

1 31, 2028.

2 **SECTION 19.** In Colorado Revised Statutes, 39-26-402, **amend**
3 (1) as follows:

4 **39-26-402. Refund of state sales and use tax for biotechnology**
5 **- application requirements and procedures - repeal.** (1) For the
6 calendar year commencing January 1, 1999, and for each calendar year
7 thereafter PRIOR TO JANUARY 1, 2025, each qualified biotechnology
8 taxpayer shall be allowed to claim a refund of all state sales and use tax
9 paid by the qualified biotechnology taxpayer, pursuant to parts 1 and 2 of
10 this ~~article~~ ARTICLE 26, on the sale, storage, use, or consumption of
11 tangible personal property to be used in Colorado directly and
12 predominately in research and development of biotechnology during that
13 calendar year.

14 **SECTION 20.** In Colorado Revised Statutes, **add** 39-26-403 as
15 follows:

16 **39-26-403. Repeal.** THIS PART 4 IS REPEALED, EFFECTIVE
17 DECEMBER 31, 2028.

18 **SECTION 21.** In Colorado Revised Statutes, 39-26-129, **amend**
19 (3); and **add** (6) as follows:

20 **39-26-129. Refund for property used in rural broadband**
21 **service - legislative declaration - definitions - repeal.** (3) Except as
22 provided in subsection (5) of this section, for the calendar year
23 commencing January 1, 2014, and for each calendar year thereafter PRIOR
24 TO JANUARY 1, 2025, a broadband provider is allowed to claim a refund
25 of all the state sales and use tax the provider pays pursuant to parts 1 and
26 2 of this ~~article~~ ARTICLE 26 for tangible personal property that is installed
27 in a target area for the provision of broadband service.

1 (6) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2028.

2 **SECTION 22.** In Colorado Revised Statutes, 39-22-104, **amend**
3 (3)(k), (4)(w)(I); and **add** (4)(w)(III) 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 (k) (I) PRIOR TO JANUARY 1, 2025, the amount recaptured in
8 accordance with section 39-22-4705 (2).

9 (II) THIS SUBSECTION (3)(k) IS REPEALED, EFFECTIVE DECEMBER
10 31, 2028.

11 (4) There shall be subtracted from federal taxable income:

12 (w) (I) For income tax years commencing on or after January 1,
13 2017, AND PRIOR TO JANUARY 1, 2025, to the extent included in federal
14 taxable income and as permitted under part 47 of this ~~article~~ ARTICLE 22,
15 an amount equal to any interest and other income earned on the
16 investment of the money in a first-time home buyer savings account
17 during the taxable year.

18 (III) THIS SUBSECTION (4)(w) IS REPEALED, EFFECTIVE DECEMBER
19 31, 2028.

20 **SECTION 23.** In Colorado Revised Statutes, 39-22-558, **amend**
21 (6) as follows:

22 **39-22-558. Tax credit for employer's contribution to employee**
23 **for eligible expenses in connection with a qualifying home purchase**
24 **- tax preference performance statement - legislative declaration -**
25 **definitions - repeal.** (6) (a) Nothing in this section is intended to
26 preclude an employee who receives a contribution from their employer in
27 accordance with subsection (3) of this section from having a first-time

1 home buyer savings account pursuant to part 47 of this article 22.

2 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE DECEMBER 31,
3 2028.

4 **SECTION 24.** In Colorado Revised Statutes, 39-22-4704, **amend**
5 (1) as follows:

6 **39-22-4704. First-time home buyer savings account - repeal.**

7 (1) Beginning January 1, 2017, AND PRIOR TO JANUARY 1, 2025, any
8 individual may open an account with a financial institution and designate
9 the account, in its entirety, as a first-time home buyer savings account to
10 be used to pay or reimburse a qualified beneficiary's eligible expenses for
11 the purchase of a primary residence in Colorado. An individual may be
12 the account holder of multiple accounts, and an individual may jointly
13 own the account with another person if they file a joint income tax return.
14 To be eligible for the subtraction under section 39-22-104 (4)(w)(I), an
15 account holder must comply with the requirements of this section.

16 **SECTION 25.** In Colorado Revised Statutes, **add** 39-22-4708 as
17 follows:

18 **39-22-4708. Repeal.** THIS PART 47 IS REPEALED, EFFECTIVE
19 DECEMBER 31, 2028.

20 **SECTION 26.** In Colorado Revised Statutes, 39-26-711, **amend**
21 (1) introductory portion, (1)(b), (2) introductory portion, and (2)(b); and
22 **add** (3) as follows:

23 **39-26-711. Aircraft - tangible personal property - repeal.**

24 (1) The following shall be exempt from taxation under the provisions of
25 part 1 of this ~~article~~ ARTICLE 26:

26 (b) PRIOR TO JANUARY 1, 2025, the sale of tangible personal
27 property that is to be permanently affixed or attached as a component part

1 of an aircraft.

2 (2) The following shall be exempt from taxation under the
3 provisions of part 2 of this ~~article~~ ARTICLE 26:

4 (b) PRIOR TO JANUARY 1, 2025, the storage, use, or consumption
5 of any tangible personal property that is to be permanently affixed or
6 attached as a component part of an aircraft.

7 (3) SUBSECTIONS (1)(b) AND (2)(b) OF THIS SECTION ARE
8 REPEALED, EFFECTIVE DECEMBER 31, 2028.

9 **SECTION 27.** In Colorado Revised Statutes, 39-26-711.5,
10 **amend** (1) introductory portion; and **add** (4) as follows:

11 **39-26-711.5. Aircraft - use outside state - repeal.** (1) PRIOR TO
12 JANUARY 1, 2025, the sale, storage, use, and consumption of a new or
13 used aircraft shall be exempt from taxation under the provisions of part
14 1 and part 2 of this article 26 if:

15 (4) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2028.

16 **SECTION 28.** In Colorado Revised Statutes, 39-27-102.5,
17 **amend** (2.5)(a)(II) and (2.5)(a)(III); and **add** (2.5)(a)(IV) as follows:

18 **39-27-102.5. Exemptions on tax imposed - ex-tax purchases -**
19 **definition - repeal.** (2.5) (a) (II) PRIOR TO JANUARY 1, 2025, gasoline
20 used by domestic or foreign part 121 air carriers or part 135 commuter air
21 carriers authorized to provide passenger and cargo air transportation
22 services pursuant to the regulations of the office of the secretary of
23 transportation and federal aviation administration of the United States
24 department of transportation is exempt from the tax imposed pursuant to
25 this part 1. For those air carriers that are certificated by the United States
26 department of transportation for both part 121 air carrier operations and
27 part 135 on-demand operations, the provisions of this subsection

1 (2.5)(a)(II) shall not apply to the air carrier's part 135 on-demand
2 operations.

3 (III) PRIOR TO JANUARY 1, 2025, gasoline used by direct air
4 carriers providing air transportation to authorized public charter operators
5 pursuant to 14 CFR 380 is exempt from the tax imposed pursuant to this
6 part 1.

7 (IV) SUBSECTIONS (2.5)(a)(II) AND (2.5)(a)(III) OF THIS SECTION
8 AND THIS SUBSECTION (2.5)(a)(IV) ARE REPEALED, EFFECTIVE DECEMBER
9 31, 2028.

10 **SECTION 29.** In Colorado Revised Statutes, 39-28-104, **amend**
11 (4)(a); and **add** (4)(e) as follows:

12 **39-28-104. Evidence of payment of tax - credits - redemptions**
13 **- repeal.** (4) (a) PRIOR TO JANUARY 1, 2025, credit shall be given by the
14 department to a wholesaler for all taxes levied pursuant to this article and
15 section 21 of article X of the state constitution and paid pursuant to the
16 provisions of this ~~article~~ ARTICLE 28 that are bad debts. Such credit shall
17 offset taxes levied pursuant to this article and section 21 of article X of
18 the state constitution and paid pursuant to the provisions of this article
19 only. No credit shall be given unless the bad debt has been charged off as
20 uncollectible on the books of the wholesaler. Subsequent to receiving the
21 credit, if the wholesaler receives a payment for the bad debt, the
22 wholesaler shall be liable to the department for the amount received and
23 shall remit this amount in the next payment to the department under this
24 section or section 39-28-105.

25 (e) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE DECEMBER 31,
26 2028.

27 **SECTION 30.** In Colorado Revised Statutes, 39-28.5-107,

1 **amend as it will become effective January 1, 2024, (2)(a); and add**
2 **(2)(e) as follows:**

3 **39-28.5-107. When credit may be obtained for tax paid -**
4 **repeal.** (2) (a) PRIOR TO JANUARY 1, 2025, credit shall be given by the
5 department to a distributor or remote retail seller for all taxes levied
6 pursuant to this article 28.5 and section 21 of article X of the state
7 constitution and paid pursuant to the provisions of this article 28.5 that
8 are bad debts. Such credit shall offset taxes levied pursuant to this article
9 28.5 and section 21 of article X of the state constitution and paid pursuant
10 to the provisions of this article 28.5 only. No credit shall be given unless
11 the bad debt has been charged off as uncollectible on the books of the
12 distributor or remote retail seller. Subsequent to receiving the credit, if the
13 distributor or remote retail seller receives a payment for the bad debt, the
14 distributor or remote retail seller shall be liable to the department for the
15 amount received and shall remit this amount in the next payment to the
16 department under section 39-28.5-106.

17 (e) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE DECEMBER 31,
18 2028.

19 **SECTION 31.** In Colorado Revised Statutes, 39-21-303, **amend**
20 **(4); and repeal (3)(b) as follows:**

21 **39-21-303. Tax profile and expenditure report - repeal.**
22 ~~(3) (b) No later than February 1, 2013, and February 1 of every~~
23 ~~odd-numbered year thereafter, the executive director, or his or her~~
24 ~~designee, shall present the tax profile and expenditure report to the~~
25 ~~finance committees of the house of representatives and the senate, or any~~
26 ~~successor committees.~~

27 (4) The reporting requirement set forth in this section is exempt

1 from the provisions of section 24-1-136 (11). ~~C.R.S., and the biennial~~
2 ~~reporting requirement shall remain in effect until changed by the general~~
3 ~~assembly acting by bill.~~

4 **SECTION 32.** In Colorado Revised Statutes, 39-22-104, **amend**
5 (4)(n.5)(I)(A) and (4)(n.5)(IV); and **add** (4)(i)(VI) as follows:

6 **39-22-104. Income tax imposed on individuals, estates, and**
7 **trusts - single rate - report - legislative declaration - definitions -**
8 **repeal.** (4) There shall be subtracted from federal taxable income:

9 (i) (VI) THE PURPOSE OF THE DEDUCTION AUTHORIZED IN THIS
10 SUBSECTION (4)(i) IS TO CREATE ADDITIONAL INCENTIVES FOR SAVING FOR
11 COLLEGE TUITION NOT ALREADY CREATED BY OTHER STATE OR FEDERAL
12 LAW.

13 (n.5) (I) (A) For income tax years commencing on or after January
14 1, 2014, but prior to January 1, 2017, and for income tax years
15 commencing on or after January 1, 2020, but prior to ~~January 1, 2026,~~
16 JANUARY 1, 2025, an amount equal to fifty percent of a landowner's costs
17 incurred in performing wildfire mitigation measures in that income tax
18 year on his or her property located within the state; except that the amount
19 of the deduction claimed in an income tax year shall not exceed two
20 thousand five hundred dollars or the total amount of the landowner's
21 federal taxable income for the income tax year for which the deduction
22 is claimed, whichever is less.

23 (IV) This subsection (4)(n.5) is repealed, effective ~~January 1,~~
24 ~~2030~~ JANUARY 1, 2028.

25 **SECTION 33.** In Colorado Revised Statutes, 39-22-538, **amend**
26 (3)(a) and (3)(b)(I) as follows:

27 **39-22-538. Credit for health-care preceptors working in health**

1 **professional shortage areas - legislative declaration - definitions.**

2 (3) (a) (I) For income tax years commencing on or after January 1, 2017,
3 but prior to ~~January 1, 2033~~ JANUARY 1, 2025, and subject to the
4 requirements of subsection (3)(b)(I)(A) of this section, a taxpayer is
5 allowed a credit against the income taxes imposed by this article 22 in an
6 amount equal to one thousand dollars for a preceptorship provided by the
7 taxpayer during the applicable income tax year for which the credit is
8 claimed.

9 (II) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY
10 1, 2025, BUT PRIOR TO JANUARY 1, 2033, AND SUBJECT TO THE
11 REQUIREMENTS OF SUBSECTION (3)(b)(I)(B) OF THIS SECTION, A TAXPAYER
12 IS ALLOWED A CREDIT AGAINST THE INCOME TAXES IMPOSED BY THIS
13 ARTICLE 22 IN AN AMOUNT EQUAL TO TWO THOUSAND DOLLARS FOR EACH
14 PRECEPTORSHIP PROVIDED BY THE TAXPAYER DURING THE APPLICABLE
15 INCOME TAX YEAR FOR WHICH THE CREDIT IS CLAIMED. A CREDIT IS
16 ALLOWED FOR A MAXIMUM OF THREE PRECEPTORSHIPS PER APPLICABLE
17 INCOME TAX YEAR. THE MAXIMUM TOTAL CREDIT IN A TAXABLE YEAR IS
18 SIX THOUSAND DOLLARS.

19 (b) Notwithstanding any other provision of this section:

20 (I) (A) FOR INCOME TAX YEARS COMMENCING BEFORE JANUARY
21 1, 2025, the aggregate amount of the credit awarded to any one taxpayer
22 under this section shall not exceed one thousand dollars for any one
23 income tax year regardless of the number of preceptorships undertaken
24 by the taxpayer during the applicable income tax year or the number of
25 eligible health professional students the taxpayer instructs, trains, or
26 supervises during the applicable income tax year;

27 (B) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY

1 1, 2025, BUT PRIOR TO JANUARY 1, 2033, THE AGGREGATE AMOUNT OF THE
2 CREDIT AWARDED TO ANY ONE TAXPAYER UNDER THIS SECTION SHALL NOT
3 EXCEED SIX THOUSAND DOLLARS FOR ANY ONE INCOME TAX YEAR
4 REGARDLESS OF THE NUMBER OF PRECEPTORSHIPS UNDERTAKEN BY THE
5 TAXPAYER DURING THE APPLICABLE INCOME TAX YEAR OR THE NUMBER
6 OF ELIGIBLE HEALTH PROFESSIONAL STUDENTS THE TAXPAYER INSTRUCTS,
7 TRAINS, OR SUPERVISES DURING THE APPLICABLE INCOME TAX YEAR.

8 **SECTION 34.** In Colorado Revised Statutes, 39-22-543, **amend**
9 (2)(a) and (4) as follows:

10 **39-22-543. Credit for wildfire hazard mitigation expenses -**
11 **legislative declaration - definitions - repeal.** (2) As used in this section,
12 unless the context otherwise requires:

13 (a) "Costs" means any actual out-of-pocket expense incurred and
14 paid by the landowner TO A THIRD-PARTY SERVICE PROVIDER, documented
15 by receipt, for performing wildfire mitigation measures. "Costs" does not
16 include any inspection or certification fees, in-kind contributions,
17 donations, incentives, or cost sharing associated with performing wildfire
18 mitigation measures. "Costs" does not include expenses paid by the
19 landowner from any grants awarded to the landowner for performing
20 wildfire mitigation measures. "COSTS" DOES NOT INCLUDE ANY AMOUNT
21 PAID BY THE LANDOWNER FOR THE PURCHASE OR RENTAL OF ANY ARTICLE
22 OF TANGIBLE PERSONAL PROPERTY FOR THE LANDOWNER'S OWN USE.

23 (4) (a) For income tax years commencing on or after January 1,
24 2023, but prior to ~~January 1, 2026~~, JANUARY 1, 2025, a landowner with
25 a federal taxable income at or below one hundred twenty thousand dollars
26 for the income tax year commencing on or after January 1, 2023, as
27 adjusted for inflation and rounded to the nearest hundred dollar amount

1 for each income tax year thereafter, is allowed a credit against the income
2 taxes imposed by this article 22 in an amount equal to twenty-five percent
3 of up to two thousand five hundred dollars in costs for wildfire mitigation
4 measures. The maximum total credit in a taxable year is six hundred
5 twenty-five dollars.

6 (b) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY
7 1, 2025, BUT PRIOR TO JANUARY 1, 2028, A LANDOWNER WITH A FEDERAL
8 TAXABLE INCOME AT OR BELOW ONE HUNDRED TWENTY THOUSAND
9 DOLLARS FOR THE INCOME TAX YEAR COMMENCING ON OR AFTER
10 JANUARY 1, 2023, AS ADJUSTED FOR INFLATION AND ROUNDED TO THE
11 NEAREST HUNDRED DOLLARS FOR EACH INCOME TAX YEAR THEREAFTER,
12 IS ALLOWED A CREDIT AGAINST THE INCOME TAXES IMPOSED BY THIS
13 ARTICLE 22 IN AN AMOUNT EQUAL TO THE LANDOWNER'S COSTS INCURRED
14 FOR WILDFIRE MITIGATION MEASURES IN AN AMOUNT UP TO ONE
15 THOUSAND DOLLARS. THE MAXIMUM TOTAL CREDIT IN A TAXABLE YEAR
16 IS ONE THOUSAND DOLLARS.

17 **SECTION 35.** In Colorado Revised Statutes, 39-22-509, **amend**
18 (3)(b) as follows:

19 **39-22-509. Credit against tax - employer expenditures for**
20 **alternative transportation options for employees - legislative**
21 **declaration - definitions - repeal.** (3) (b) (I) FOR INCOME TAX YEARS
22 COMMENCING BEFORE JANUARY 1, 2024, a local government or nonprofit
23 organization shall file a corporate income tax return for informational
24 purposes for each income tax year that the local government or nonprofit
25 organization claims the credit allowed in subsection (3)(a) of this section.

26 (II) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY
27 1, 2024, BUT BEFORE JANUARY 1, 2025, A LOCAL GOVERNMENT OR

1 NONPROFIT ORGANIZATION THAT CLAIMS THE CREDIT ALLOWED IN
2 SUBSECTION (3)(a) OF THIS SECTION SHALL FILE A RETURN PURSUANT TO
3 SECTION 39-22-601 (7)(b).

4 **SECTION 36.** In Colorado Revised Statutes, 39-22-522, **add** (12)
5 as follows:

6 **39-22-522. Credit against tax - conservation easements -**
7 **definition.** (12) FOR INCOME TAX YEARS COMMENCING ON OR AFTER
8 JANUARY 1, 2024, EVERY TAXPAYER EXEMPT FROM TAXES PURSUANT TO
9 SECTION 39-22-112 THAT CLAIMS THE CREDIT ALLOWED IN THIS SECTION
10 SHALL FILE A RETURN PURSUANT TO SECTION 39-22-601 (7)(b).

11 **SECTION 37.** In Colorado Revised Statutes, 39-22-526, **add**
12 (3.7) as follows:

13 **39-22-526. Credit for environmental remediation of**
14 **contaminated land - legislative declaration - definition - repeal.**
15 (3.7) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1,
16 2024, BUT PRIOR TO JANUARY 1, 2025, EVERY TAXPAYER EXEMPT FROM
17 TAXES PURSUANT TO SECTION 39-22-112 THAT CLAIMS THE CREDIT
18 ALLOWED IN THIS SECTION SHALL FILE A RETURN PURSUANT TO SECTION
19 39-22-601 (7)(b).

20 **SECTION 38.** In Colorado Revised Statutes, 39-26-721, **amend**
21 (3) as follows:

22 **39-26-721. Manufactured homes and tiny homes.** (3) (a) PRIOR
23 TO JANUARY 1, 2025, the sale, storage, usage, or consumption of a
24 manufactured home, as defined in section 39-1-102 (7.8), or a tiny home,
25 as defined in section 24-32-3302 (35), is exempt from taxation under
26 parts 1 and 2 of this article 26.

27 (b) ON AND AFTER JANUARY 1, 2025, THE SALE, STORAGE, USAGE,

1 OR CONSUMPTION OF A MANUFACTURED HOME, AS DEFINED IN SECTION
2 39-1-102 (7.8), A MODULAR HOME, AS DEFINED IN SECTION 39-1-102 (8.3),
3 OR A TINY HOME, AS DEFINED IN SECTION 24-32-3302 (35), IS EXEMPT
4 FROM TAXATION UNDER PARTS 1 AND 2 OF THIS ARTICLE 26.

5 **SECTION 39.** In Colorado Revised Statutes, 29-2-105, **amend**
6 (1)(d)(I)(P) as follows:

7 **29-2-105. Contents of sales tax ordinances and proposals.**

8 (1) The sales tax ordinance or proposal of any incorporated town, city,
9 or county adopted pursuant to this article 2 shall be imposed on the sale
10 of tangible personal property at retail or the furnishing of services, as
11 provided in subsection (1)(d) of this section. Any countywide or
12 incorporated town or city sales tax ordinance or proposal shall include the
13 following provisions:

14 (d) (I) A provision that the sale of tangible personal property and
15 services taxable pursuant to this article 2 is the same as the sale of
16 tangible personal property and services taxable pursuant to section
17 39-26-104, except as otherwise provided in this subsection (1)(d). The
18 sale of tangible personal property and services taxable pursuant to this
19 article 2 is subject to the same sales tax exemptions as those specified in
20 part 7 of article 26 of title 39; except that the sale of the following may be
21 exempted from a town, city, or county sales tax only by the express
22 inclusion of the exemption either at the time of adoption of the initial
23 sales tax ordinance or resolution or by amendment thereto:

24 (P) The exemption for manufactured homes, MODULAR HOMES,
25 and tiny homes set forth in section 39-26-721 (3);

26 **SECTION 40.** In Colorado Revised Statutes, 39-26-724, **add** (3)
27 as follows:

1 **39-26-724. Components used to produce energy from a**
2 **renewable energy source - definitions.** (3) THE PURPOSE OF THE
3 EXEMPTION AUTHORIZED IN THIS SECTION IS TO CREATE ADDITIONAL
4 INCENTIVES FOR DEVELOPING RENEWABLE ENERGY PROJECTS NOT
5 ALREADY CREATED BY OTHER STATE OR FEDERAL LAW.

6 **SECTION 41.** In Colorado Revised Statutes, 39-30-111, **repeal**
7 (2), (3), and (4) as follows:

8 **39-30-111. Department of revenue - enterprise zone data -**
9 **electronic filing - submission of carryforward schedule.** (2) ~~For the~~
10 ~~2012 income tax year and each income tax year thereafter, any taxpayer~~
11 ~~that claims one or more income tax credits pursuant to this article shall~~
12 ~~submit to the department of revenue, along with the taxpayer's state~~
13 ~~income tax return, a full carryforward schedule for each income tax credit~~
14 ~~claimed pursuant to this article.~~

15 (3) ~~For the 2012 income tax year and each income tax year~~
16 ~~thereafter, the department of revenue shall aggregate and report data on~~
17 ~~all of the income tax credits that are claimed pursuant to this article for~~
18 ~~each income tax year. The department shall categorize such aggregated~~
19 ~~data by the date that the income tax credit was certified by an enterprise~~
20 ~~zone administrator, the specific income tax credit allowed pursuant to this~~
21 ~~article that each taxpayer was authorized to claim, and the total amount~~
22 ~~of the income tax credits claimed for each income tax credit allowed~~
23 ~~pursuant to this article.~~

24 (4) ~~The department of revenue shall submit the data collected~~
25 ~~pursuant to subsection (2) of this section and aggregated pursuant to~~
26 ~~subsection (3) of this section to the Colorado office of economic~~
27 ~~development on August 1, 2013, and on August 1 each year thereafter.~~

1 **SECTION 42.** In Colorado Revised Statutes, 39-21-113, **amend**
2 (22) as follows:

3 **39-21-113. Reports and returns - rule - repeal.**

4 (22) Notwithstanding the provisions of this section, the executive
5 director shall supply the Colorado office of economic development with
6 information relating to the actual amount of any enterprise zone tax credit
7 claimed pursuant to article 30 of this title or any CHIPS zone tax credit
8 claimed pursuant to article 36 of this title as well as information
9 submitted to and aggregated by the department pursuant to ~~section~~
10 ~~39-30-111 (2) and (3) and~~ section 39-36-106 (1) and (3) regarding such
11 income tax credits. Any information provided to the office pursuant to
12 this subsection (22) shall remain confidential, and all office employees
13 shall be subject to the limitations set forth in subsection (4) of this section
14 and the penalties contained in subsection (6) of this section. Nothing in
15 this subsection (22) shall prevent the office from making aggregated data
16 regarding enterprise zone and CHIPS zone tax credits available.

17 **SECTION 43. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2024 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.