

## CHAPTER 109

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**TAXATION**

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**SENATE BILL 97-092**

BY SENATORS Ament, Alexander, Arnold, Bishop, Chlouber, Congrove, Dennis, Johnson, Matsunaka, Norton, Powers, Rizzuto, and Wattenberg;  
also REPRESENTATIVES Owen, Taylor, Lamborn, Schwarz, and Udall.

**AN ACT**

CONCERNING THE IMPOSITION OF STATE SALES AND USE TAX ON TRANSACTIONS RELATING TO LIVESTOCK.

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

**SECTION 1.** 39-26-102, Colorado Revised Statutes, 1994 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**39-26-102. Definitions - repeal.** As used in this article, unless the context otherwise requires:

(5.5) "LIVESTOCK" MEANS CATTLE, HORSES, MULES, BURROS, SHEEP, LAMBS, POULTRY, SWINE, OSTRICH, LLAMA, ALPACA, AND GOATS, REGARDLESS OF USE, AND ANY OTHER ANIMAL WHICH IS RAISED PRIMARILY FOR FOOD, FIBER, OR HIDE PRODUCTION. "LIVESTOCK" SHALL ALSO MEAN "ALTERNATIVE LIVESTOCK" AS DEFINED UNDER SECTION 35-41.5-102, C.R.S. "LIVESTOCK" SHALL NOT MEAN A PET ANIMAL AS DEFINED UNDER SECTION 35-80-102 (10), C.R.S.

**SECTION 2.** 39-26-114 (5) and (6), Colorado Revised Statutes, 1994 Repl. Vol., are amended to read:

**39-26-114. Exemptions - disputes - credits or refunds - repeal.** (5) All sales and purchases of ~~neat cattle, sheep, lambs, poultry, swine, and goats~~ LIVESTOCK; ~~all sales and purchases of mares and stallions for breeding purposes~~; all sales and purchases of live fish for stocking purposes; and all farm close-out sales shall be exempt from taxation under this part 1, and the storage, use, or consumption of such property shall be exempt from taxation under part 2 of this article.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(6) All sales and purchases of feed for livestock, ~~including horses, or poultry~~, all sales and purchases of seeds, and all sales and purchases of orchard trees shall be exempt from taxation under this part 1, and the storage, use, or consumption of such property shall be exempt from taxation under part 2 of this article.

**SECTION 3. Effective date.** This act shall take effect July 1, 1997.

**SECTION 4. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 19, 1997