

CHAPTER 322

GOVERNMENT - LOCAL

HOUSE BILL 99-1247

BY REPRESENTATIVE Sinclair;
also SENATOR Epps.

AN ACT

CONCERNING THE REPEAL OF THE PROHIBITION ON HOME RULE LOCAL GOVERNMENTS TO IMPOSE A USE TAX ON TAXABLE TANGIBLE PERSONAL PROPERTY THAT IS USED WITHIN A HOME RULE LOCAL GOVERNMENT MORE THAN THREE YEARS AFTER THE MOST RECENT SALE OF SUCH PROPERTY IF, WITHIN THE THREE YEARS FOLLOWING SUCH SALE, SUCH PROPERTY HAS BEEN SIGNIFICANTLY USED WITHIN THE STATE FOR THE PRINCIPAL PURPOSE FOR WHICH IT WAS PURCHASED.

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

SECTION 1. 29-2-109 (2), Colorado Revised Statutes, is amended to read:

29-2-109. Contents of use tax ordinances and proposals. (2) No use tax of any ~~home rule city, town or city and county~~ shall be imposed with respect to the use or consumption of taxable tangible personal property within the ~~home rule city, town or city and county~~ which THAT occurs more than three years after the most recent sale of the property if, within the three years following such sale, the property has been significantly used within the state for the principal purpose for which it was purchased.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 3, 1999

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