

## CHAPTER 161

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**TAXATION**

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**HOUSE BILL 01-1212**

BY REPRESENTATIVE(S) Young, Miller, Coleman, Dean, Grossman, Hodge, Scott, and Stengel;  
also SENATOR(S) Anderson, Linkhart, Reeves, Taylor, and Windels.

**AN ACT**

CONCERNING THE COLLECTION OF SALES TAXES, AND, IN CONNECTION THEREWITH, REQUIRING VENDORS THAT REMIT LARGE AMOUNTS OF SALES TAXES TO THE DEPARTMENT OF REVENUE TO REMIT THE SALES TAXES THROUGH ELECTRONIC FUNDS TRANSFERS.

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

**SECTION 1.** Part 1 of article 26 of title 39, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**39-26-105.5. Remittance of sales taxes - mandatory electronic funds transfers.** FOR ANY CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2002, ANY VENDOR WHOSE LIABILITY FOR STATE SALES TAX ONLY FOR THE PREVIOUS CALENDAR YEAR WAS MORE THAN SEVENTY-FIVE THOUSAND DOLLARS SHALL USE ELECTRONIC FUNDS TRANSFERS TO REMIT ALL STATE AND LOCAL SALES TAXES REQUIRED TO BE REMITTED TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE. THE EXECUTIVE DIRECTOR MAY PROMULGATE RULES TO EFFECTIVELY IMPLEMENT THIS SECTION, BUT SHALL FIRST CONSULT WITH THE STATE TREASURER TO ENSURE THAT ANY RULES PROMULGATED DO NOT ADVERSELY AFFECT THE ABILITY OF THE STATE TREASURER TO OPTIMIZE SALES TAX INVESTMENT EARNINGS. SUCH RULES SHALL BE PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S. THE EXECUTIVE DIRECTOR SHALL NOT REQUIRE ANY TAXPAYER REQUIRED TO REMIT SALES TAXES BY ELECTRONIC FUNDS TRANSFERS TO REMIT SALES TAX PRIOR TO THE DEADLINE SPECIFIED IN SECTION 39-26-105 FOR TAXPAYERS WHO REMIT SALES TAXES BY OTHER MEANS.

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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.*

**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: May 18, 2001