

## CHAPTER 171

---

**TAXATION**


---

**SENATE BILL 08-016**

BY SENATOR(S) Spence, Gibbs, Groff, Harvey, Kester, Kopp, Penry, Sandoval, Shaffer, Tochtrop, and Veiga;  
also REPRESENTATIVE(S) Benefield, Fischer, Frangas, Kefalas, McFadyen, Primavera, Rose, Stafford, and Todd.

**AN ACT**

**CONCERNING THE ADDITION OF A LINE TO COLORADO STATE INDIVIDUAL INCOME TAX RETURN FORMS WHEREBY INDIVIDUAL TAXPAYERS MAY MAKE A VOLUNTARY CONTRIBUTION TO THE 9HEALTH FAIR FUND.**

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

**SECTION 1.** Article 22 of title 39, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 34**  
**9HEALTH FAIR VOLUNTARY CONTRIBUTION**

**39-22-3401. Legislative declaration.** (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT 9HEALTH FAIR, A NONPROFIT ENTITY, OFFERS FREE AND LOW-COST HEALTH SCREENINGS AND EDUCATION THROUGH VOLUNTEER-RUN, COMMUNITY-INITIATED PROGRAMS AND PROVIDES NEEDED SERVICES FOR THOUSANDS OF PEOPLE IN COLORADO. THE GENERAL ASSEMBLY FURTHER FINDS THAT, FOR SOME PEOPLE, THEIR ONLY CONTACT WITH A HEALTH CARE PROFESSIONAL IS AT A 9HEALTH FAIR LOCATION, AND 9HEALTH FAIR PROVIDES FREE VOUCHERS TO THOSE WHO COULD NOT OTHERWISE AFFORD IMPORTANT HEALTH SCREENINGS. 9HEALTH FAIR'S MISSION IS TO PROMOTE HEALTH AWARENESS AND TO ENCOURAGE INDIVIDUALS TO ASSUME RESPONSIBILITY FOR THEIR OWN HEALTH. THE GENERAL ASSEMBLY FURTHER FINDS THAT 9HEALTH FAIR IMPACTS LIVES AND COMMUNITIES, IDENTIFYING THOUSANDS OF PREVIOUSLY UNDETECTED HEALTH ISSUES EACH YEAR, AND CONTRIBUTES TO IMPROVEMENT IN THE HEALTH OF THE STATE'S POPULATION. EIGHTY-SEVEN THOUSAND INDIVIDUALS PARTICIPATED IN THE 2007 9HEALTH FAIR AT OVER ONE HUNDRED SIXTY LOCATIONS IN FIFTY COUNTIES. SINCE 1980, WITH THE HELP OF VOLUNTEER FORCES FROM RELIGIOUS INSTITUTIONS, SCHOOLS, RECREATION CENTERS, SERVICE ORGANIZATIONS, AND HOSPITALS AND WITH THE SUPPORT OF THE

---

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

COLORADO NATIONAL GUARD, 9HEALTH FAIR HAS DIRECTLY IMPACTED OVER ONE AND A HALF MILLION LIVES.

(2) IN ORDER TO ASSIST 9HEALTH FAIR IN FULFILLING ITS MISSION, THE GENERAL ASSEMBLY RECOGNIZES THAT THE CITIZENS OF COLORADO MAY BE WILLING TO PROVIDE MONEYS TO ASSIST IN 9HEALTH FAIR'S HEALTH PROMOTION EFFORTS. IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY TO PROVIDE COLORADO CITIZENS THE OPPORTUNITY TO SUPPORT THE EFFORTS OF 9HEALTH FAIR BY ALLOWING CITIZENS TO MAKE A VOLUNTARY CONTRIBUTION ON THEIR STATE INCOME TAX RETURNS FOR SUCH PURPOSE.

**39-22-3402. Voluntary contribution designation - procedure.** FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2008, BUT PRIOR TO JANUARY 1, 2011, THE COLORADO STATE INDIVIDUAL INCOME TAX RETURN FORM SHALL CONTAIN A LINE WHEREBY EACH INDIVIDUAL TAXPAYER MAY DESIGNATE THE AMOUNT OF THE CONTRIBUTION, IF ANY, THE INDIVIDUAL WISHES TO MAKE TO THE 9HEALTH FAIR FUND CREATED IN SECTION 39-22-3403.

**39-22-3403. Contributions credited to the 9Health Fair fund - creation - appropriation.** (1) THE DEPARTMENT OF REVENUE SHALL DETERMINE ANNUALLY THE TOTAL AMOUNT DESIGNATED PURSUANT TO SECTION 39-22-3402 AND SHALL REPORT THAT AMOUNT TO THE STATE TREASURER AND TO THE GENERAL ASSEMBLY. THE STATE TREASURER SHALL CREDIT THAT AMOUNT TO THE 9HEALTH FAIR FUND, WHICH FUND IS HEREBY CREATED IN THE STATE TREASURY. ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND.

(2) THE GENERAL ASSEMBLY SHALL APPROPRIATE ANNUALLY FROM THE 9HEALTH FAIR FUND TO THE DEPARTMENT OF REVENUE ITS COSTS OF ADMINISTERING MONEYS DESIGNATED AS CONTRIBUTIONS TO THE FUND. ALL MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR, AFTER SUBTRACTING THE APPROPRIATION TO THE DEPARTMENT, SHALL BE TRANSFERRED TO 9HEALTH FAIR, A COLORADO NONPROFIT ORGANIZATION.

**39-22-3404. Repeal of part.** THIS PART 34 IS REPEALED, EFFECTIVE JANUARY 1, 2012, UNLESS THE VOLUNTARY CONTRIBUTION TO THE 9HEALTH FAIR FUND ESTABLISHED BY SECTION 39-22-3403 IS CONTINUED OR REESTABLISHED BY THE GENERAL ASSEMBLY ACTING BY BILL PRIOR TO SAID DATE.

**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, (August 6, 2008, if adjournment sine die is on May 7, 2008); 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: April 23, 2008