

CHAPTER 13

TAXATION

SENATE BILL 11-163

BY SENATOR(S) Lambert, Hodge, Steadman, Cadman;
also REPRESENTATIVE(S) Gerou, Becker, Ferrandino.

AN ACT**CONCERNING THE REPEAL OF THE ALTERNATIVE FUELS REBATE PROGRAM.**

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

SECTION 1. Repeal. 39-33-101, 39-33-102, 39-33-103.5, 39-33-104, and 39-33-106, Colorado Revised Statutes, are repealed.

SECTION 2. The introductory portion to 39-33-105 (1) and 39-33-105 (2) and (3), Colorado Revised Statutes, are amended, and the said 39-33-105 is further amended BY THE ADDITION OF A NEW SUBSECTION to read:

39-33-105. Alternative fuels rebate fund - repeal. (1) FOR FISCAL YEARS PRIOR TO THE 2011-12 FISCAL YEAR, the following, together with any other moneys appropriated by the general assembly, shall be credited to the alternative fuels rebate fund which is hereby created in the state treasury:

(2) FOR FISCAL YEARS PRIOR TO THE 2011-12 FISCAL YEAR, the moneys in the alternative fuels rebate fund shall be subject to annual appropriation by the general assembly to the executive director for the purposes set forth in this article. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. Any moneys not appropriated shall remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year. Any unencumbered moneys remaining in the fund upon the repeal of this section shall be transferred to the AIR account.

(3) Notwithstanding any provision of this section to the contrary, ~~on June 30, 2011, the state treasurer shall deduct one million five hundred thousand dollars from the alternative fuels rebate fund and transfer such sum~~ ANY MONEYS REMAINING IN

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

THE ALTERNATE FUELS REBATE FUND ON JUNE 30, 2011, SHALL BE TRANSFERRED to the general fund.

(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2012.

SECTION 3. 25-7-105 (14), Colorado Revised Statutes, is amended to read:

25-7-105. Duties of commission - rules. (14) The commission shall repeal the clean vehicle fleet program mandated by section 246 of the federal act and shall replace such program if required by federal law. Nothing in this subsection (14) shall be deemed to impair the availability of the income tax credit established pursuant to section 39-22-516, C.R.S. ~~or the rebate established pursuant to article 33 of title 39, C.R.S.~~

SECTION 4. Applicability. This act shall apply to applications for rebates pursuant to the alternative fuels rebate program received by the executive director of the department of revenue on or after the effective date of this act.

SECTION 5. 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: March 9, 2011