

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB22-1118 be amended as follows:

1 Amend printed bill, page 2, strike lines 2 through 22.

2 Page 3, strike lines 1 through 10 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, 39-21-110, **amend**
4 (1) introductory portion and (1)(b); and **add** (1)(c) as follows:

5 **39-21-110. Interest on overpayments.** (1) Interest shall be
6 allowed and paid upon any overpayment in respect to any tax or any
7 charge on oil and gas production imposed pursuant to articles 22 to 29 of
8 this title, article 60 of title 34, or article 3 of title 42 ~~C.R.S.~~, at the rate
9 imposed under section 39-21-110.5. Such interest shall be allowed and
10 paid as follows:

11 (b) EXCEPT AS PROVIDED IN SUBSECTION (1)(c) OF THIS SECTION,
12 in the case of a refund, from the date of the overpayment to a date, to be
13 determined by the executive director of the department of revenue or ~~his~~
14 THEIR delegate, preceding the date of the refund by not more than thirty
15 days, whether or not such refund is accepted by the taxpayer after tender
16 of such refund to the taxpayer. The acceptance of such refund shall be
17 without prejudice to any right of the taxpayer to claim any additional
18 overpayment and interest thereon; OR

19 (c) (I) IN THE CASE OF A REFUND CLAIM MADE BY A PURCHASER
20 FOR SALES OR USE TAX PAID TO A VENDOR UNDER SECTION 39-26-703 (2)
21 ON OR AFTER JULY 1, 2022, BUT BEFORE JULY 1, 2026, FROM THE DATE
22 THAT THE CLAIM FOR REFUND WAS FILED TO A DATE, TO BE DETERMINED
23 BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE OR THEIR
24 DELEGATE, PRECEDING THE DATE OF THE REFUND BY NOT MORE THAN
25 THIRTY DAYS, WHETHER OR NOT SUCH REFUND IS ACCEPTED BY THE
26 TAXPAYER AFTER TENDER OF SUCH REFUND TO THE TAXPAYER, BUT ONLY
27 IF THE DATE OF THE REFUND IS MORE THAN ONE HUNDRED AND EIGHTY
28 DAYS FROM THE DATE THE CLAIM FOR REFUND WAS FILED. THE
29 ACCEPTANCE OF SUCH REFUND SHALL BE WITHOUT PREJUDICE TO ANY
30 RIGHT OF THE PURCHASER TO CLAIM ANY ADDITIONAL OVERPAYMENT AND
31 INTEREST THEREON.

32 (II) THIS SUBSECTION (1)(c) IS REPEALED, EFFECTIVE JULY 1,
33 2030."

34 Renumber succeeding sections accordingly.

** ** ** ** **