

SB006\_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB19-006 be amended as follows:

1 Amend reengrossed bill, page 3, strike lines 18 through 27.

2 Page 4, strike lines 1 through 6 and substitute:

3 "SECTION 2. In Colorado Revised Statutes, 39-26-123, amend  
4 (3) as follows:

5 **39-26-123. Receipts - disposition - transfers of general fund**  
6 **surplus - sales tax holding fund - creation - definitions.** (3) For any  
7 state fiscal year commencing on or after July 1, 2013, the state treasurer  
8 shall credit eighty-five percent of all net revenue collected under ~~the~~  
9 ~~provisions of this article~~ ARTICLE 26 to the old age pension fund created  
10 in section 1 of article XXIV of the state constitution. The state treasurer  
11 shall credit to the general fund the remaining fifteen percent of the net  
12 revenue, less:

13 (a) Ten million dollars, which the state treasurer shall credit to the  
14 older Coloradans cash fund created in section 26-11-205.5 (5); ~~C.R.S.~~

15 (b) TEN MILLION DOLLARS FOR THE 2019-20 STATE FISCAL YEAR,  
16 WHICH THE STATE TREASURER SHALL CREDIT TO THE ELECTRONIC SALES  
17 AND USE TAX SIMPLIFICATION SYSTEM CASH FUND CREATED IN SECTION  
18 39-26-802.7 (3); AND

19 (c) EIGHT MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS  
20 FOR THE 2020-21 STATE FISCAL YEAR, WHICH THE STATE TREASURER  
21 SHALL CREDIT TO THE ELECTRONIC SALES AND USE TAX SIMPLIFICATION  
22 SYSTEM CASH FUND CREATED IN SECTION 39-26-802.7 (3).".

23 Page 4, line 10, after "**implementation -**" insert "**cash fund -**".

24 Page 5, after line 20 insert:

25 "(3) (a) THE ELECTRONIC SALES AND USE TAX SIMPLIFICATION  
26 SYSTEM CASH FUND IS HEREBY CREATED IN THE STATE TREASURY. THE  
27 FUND CONSISTS OF MONEY CREDITED TO THE FUND PURSUANT TO SECTION  
28 39-26-123 (3) AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY  
29 MAY APPROPRIATE OR TRANSFER TO THE FUND.

30 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
31 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
32 ELECTRONIC SALES AND USE TAX SIMPLIFICATION SYSTEM CASH FUND TO  
33 THE FUND.

34 (c) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
35 ASSEMBLY, THE OFFICE OF INFORMATION TECHNOLOGY MAY EXPEND

1 MONEY FROM THE FUND FOR THE INITIAL FUNDING AND ONGOING  
2 MAINTENANCE OF THE ELECTRONIC SALES AND USE TAX SIMPLIFICATION  
3 SYSTEM. ANY CONTRACT ENTERED INTO FOR THE SYSTEM MUST PROVIDE  
4 THAT INITIAL FUNDING PAYMENTS TO THE VENDOR ARE MADE ON A  
5 QUARTERLY BASIS."

6 Renumber succeeding subsection accordingly.

7 Page 5, after line 25 insert:

8 "SECTION 4. In Colorado Revised Statutes, 24-75-402, add  
9 (5)(qq) as follows:

10 **24-75-402. Cash funds - limit on uncommitted reserves -**  
11 **reduction in the amount of fees - exclusions - repeal.**  
12 (5) Notwithstanding any provision of this section to the contrary, the  
13 following cash funds are excluded from the limitations specified in this  
14 section:

15 (qq) THE ELECTRONIC SALES AND USE TAX SIMPLIFICATION SYSTEM  
16 CASH FUND CREATED IN SECTION 39-26-802.7 (3).

17 **SECTION 5. Appropriation.** (1) For the 2019-20 state fiscal  
18 year, \$9,183,000 is appropriated to the Office of the Governor for use by  
19 the Office of Information Technology. This appropriation is from the  
20 electronic sales and use tax simplification system cash fund created in  
21 section 39-26-802.7 (3), C.R.S. To implement this act, the office of  
22 information technology may use this appropriation for the initial funding  
23 of the electronic sales and use tax simplification system.

24 (2) (a) For the 2019-20 state fiscal year, \$817,000 is appropriated  
25 to the department of revenue. This appropriation is from the electronic  
26 sales and use tax simplification system cash fund created in section  
27 39-26-802.7 (3), C.R.S. To implement this act, the department may use  
28 this appropriation for the purchase of information technology services,  
29 specifically a global information system (GIS) database to maintain  
30 jurisdictional boundaries of sales tax districts and to calculate appropriate  
31 sales and use tax rates for individual addresses.

32 (b) For the 2019-20 state fiscal year, \$817,000 is appropriated to  
33 the office of the governor for use by the office of information technology.  
34 This appropriation is from reappropriated funds received from the  
35 department of revenue under subsection (2)(a) of this section. To  
36 implement this act, the office may use this appropriation to provide  
37 information technology services for the department of revenue as  
38 specified in subsection (2)(a) of this section."

39 Renumber succeeding section accordingly.

- 1 Page 1, line 109, strike "JURISDICTIONS." and substitute "JURISDICTIONS,
- 2 AND MAKING AN APPROPRIATION."

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