

**COLORADO**
Department of Revenue

Executive Director's Office

Physical Address:
1375 Sherman Street
Denver, CO 80203Mailing Address:
P.O. Box 17087
Denver, CO 80217-0087

February 16, 2017

The Honorable Mike Foote
Chair, House State, Veterans & Military Affairs Committee
Colorado General Assembly

Dear Representative Foote,

Pursuant to section 24-1-136 (11)(a)(I), C.R.S., any report that is required to be made to the General Assembly by an Executive Agency or the Judicial Branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the General Assembly, acting by bill, continues the requirement. The Colorado Department of Revenue (CDOR) appreciates the opportunity to provide feedback on the reports that are scheduled to repeal or be altered as outlined in LLS 17-0281.01.

CDOR Positions on Bill Draft:*Section 1: Annual Retail Marijuana Report*

CDOR is amendable to allowing this report to repeal. This report is intended to advise the General Assembly of budgetary information and enforcement activities of the Marijuana Enforcement Division (MED), CDOR, as it related to retail marijuana establishments. The bulk of the information contained in this report is on the MED website and included in the DOR Annual Report. CDOR is unaware of anyone who uses this report.

Section 2: Report of Liquor Enforcement Actions

CDOR is amendable to allowing this report to repeal. This report is intended to advise the General Assembly how many and what type of enforcement actions the Liquor Enforcement Division (LED), CDOR, took during the year. The bulk of the information contained in this report is on the LED website and included in the DOR Annual Report. CDOR is unaware of anyone who uses this report.

Section 3: Colorado Lottery Financial Statements and Supplementary Information Including Statement of Lottery Revenues, Prize Disbursements, and Other Expenses

CDOR is amendable to narrowing the distribution list for the Lottery monthly financials statements. The statements give the users a monthly income statement and balance sheet for the Lottery's operations. The Lottery routinely sends and plans to continue to send this report directly to outside stakeholders (primarily proceeds recipients). The Lottery is not aware of anyone requesting the report.

FYI: The Lottery has an annual audit of fiscal year financial statements. That audit report, including the annual financial statements and supplemental information, along with the auditor's opinion and any recommendations, is published on the State Auditor's website.

Section 4: Colorado Lottery Annual Report

CDOR is amendable to narrowing the distribution list for the Lottery Annual Report. The Lottery's Annual Report gives the users an annual income statement and balance sheet for the Lottery's operations, along with any recommendations for change in the statutes that the Lottery Commission or Lottery Director deems necessary or desirable. The Lottery does not distribute this report directly to any stakeholders outside of the General Assembly. The Lottery is not aware of anyone requesting the report.

FYI: The Lottery has an annual audit of fiscal year financial statements. That audit report, including the annual financial statements and supplemental information, along with the auditor's opinion and any recommendations, is published on the State Auditor's website.

Section 5: Report on Electronic Benefits Transfers

CDOR is amendable to allowing this report to repeal January 2, 2019. This report is intended to advise the General Assembly regarding the unlawful use of Electronic Benefit Transfer (EBT) cards at Automated Teller Machines (ATMs) where these cards are prohibited. Per Section 26-2-104, C.R.S, CDOR is statutorily required to continue to track this information and can be made available upon request. CDOR is unaware of anyone who uses this report.

FYI: Per Section 24-35-211(2), C.R.S., the Colorado Department of Human Services also submits EBT reports to the General Assembly.

Section 6: Conservation Easement Department of Revenue Quarterly Report

CDOR is amendable to allowing this report to repeal. This report is a quarterly update on the status of cases involving conservation easement tax credits which were disallowed in full or in part by CDOR. The report should be repealed because:

- The report was required as part of legislation (HB11-1300) to address a "back-log" of cases needing resolution. The back-log has been addressed with only eight cases remaining, all of which have settlement agreements in principle.

- The review of conservation easement transactions has shifted from CDOR to the Division of Real Estate, Department of Regulatory Agencies, for all donations made on or after January 1, 2014.
- Continued reporting of information on disallowed tax credits after the change in agency review will merely involve cases which have failed to provide required documentation or credits which have been overused or oversold.

Section 7: Annual Report – Division of Motor Vehicles: Exception Processing, Section 42-1-229, C.R.S.

CDOR is amendable to allowing this report to repeal July 2, 2018. This is an annual report of the Exceptions Processing Program that assists individuals who, for reason beyond their control, are unable to present all the necessary documents to establish identity, date of birth and/or lawful presence to obtain state-issued identification. CDOR will continue to generate the statistical information in the report for internal use to monitor the effectiveness of this Program; this information can be made available upon request. This report has been requested only one time.

Section 8: Specialty License Plate Annual Report

CDOR is amendable to allowing this report to repeal. This is an annual report on plate revenues, special plate purchases, CDOR expenses for the manufacture and distribution of license plates and registration products, and any recommended statutory changes. Most of the information is included in the CDOR Annual Report and some of the information is posted in different reports that are posted on the CDOR website. CDOR is unaware of anyone who uses this information and has not received requests for this information.

Section 9: Quality Assurance and Enforcement Measures Report

CDOR is amendable to allowing this report to repeal. This is an annual report of the motor vehicle emissions inspection program. CDOR is unaware of anyone who uses this information and has not received requests for this information.

Sincerely,
Jean Robinson
Legislative Liaison
Colorado Department of Revenue

cc: Members, House State, Veterans & Military Affairs Committee

Repeal?	LLS 17-0281.01	Report Title	C.R.S.	Report Recipient	Frequency	1 st Due Date
Repeal	Section 1	Annual Retail Marijuana Report	12-43.4-104 (6)	House and Senate Finance	Annual	4/1/2014
Repeal	Section 2	Report of Liquor Enforcement Actions	12-47-601 (8)	House Chief Clerk; Senate Secretary	Annual	
No Change to Bill Draft	Section 3	Colorado Lottery Financial Statements and Supplementary Information Including Statement of Lottery Revenues, Prize Disbursements, and Other Expenses	24-35-204 (3)(k)	Speaker and President; House and Senate Minority Leaders; Governor	Monthly	
No Change to Bill Draft	Section 4	Colorado Lottery Annual Report	24-35-211 (2)	JBC; Audit; Governor	Annual	3/1/2000
Repeal	Section 5	Report on Electronic Benefits Transfers	26-2-104 (2)(f)	House and Senate Health	Annual	1/1/2016
Repeal	Section 6	Conservation Easement Department of Revenue Quarterly Report	39-22-522.5 (12)	House and Senate Finance; JBC	Quarterly	7/1/2011
Repeal	Section 7	Annual Report (Exception Process)	42-1-229	TLRC	Annual	7/1/2014
Repeal	Section 8	Annual Report on Special License Plate Fees	42-3-302 (2)	General Assembly	Annual	3/1/2010
Repeal	Section 9	Quality and Assurance and Enforcement Issues Report	42-4-305 (11)	House and Senate Transportation; TLRC	Annual	5/1/2003