

HB1333_L.006

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB19-1333 be amended as follows:

1 Amend printed bill, page 40, after line 18 insert:

2 "SECTION 17. In Colorado Revised Statutes, 39-26-623, **amend**
3 **as amended by House Bill 19-1240** (1)(a)(II)(A) as follows:

4 **39-22-623. Disposition of collections - definition.** (1) The
5 proceeds of all money collected under this article 22, less the reserve
6 retained for refunds, shall be credited as follows:

7 (a) (II) (A) Effective July 1, 1987, an amount equal to
8 twenty-seven percent of the gross state cigarette tax shall be apportioned
9 to incorporated cities and incorporated towns that levy taxes and adopt
10 formal budgets and to counties. For the purposes of this section, a city
11 and county is considered a city. The city or town share shall be
12 apportioned according to the percentage of state sales tax revenues
13 collected by the department of revenue in an incorporated city or town as
14 compared to the total state sales tax collections that may be allocated to
15 all political subdivisions in the state; the county share shall be the same
16 as that which the percentage of state sales tax revenues collected in the
17 unincorporated area of the county bears to total state sales tax revenues
18 that may be allocated to all political subdivisions in the state. The
19 department of revenue shall certify to the state treasurer, at least annually,
20 the percentage for allocation to each city, town, and county, and the
21 department shall apply the percentage for allocation certified shall be
22 applied by said department in all distributions to cities, towns, and
23 counties until changed by certification to the state treasurer. In order to
24 qualify for distributions of state income tax money, units of local
25 government are prohibited from imposing taxes on any person as a
26 condition for engaging in the business of selling cigarettes. For purposes
27 of this subsection (1)(a)(II), the "gross state cigarette tax" means the total
28 tax FROM TEN MILLS ON EACH CIGARETTE before the discount provided for
29 in section 39-28-104 (1), PLUS AN AMOUNT EQUAL TO THE AMOUNT
30 DEPOSITED IN THE GENERAL FUND FOR THE STATE FISCAL YEAR UNDER
31 SECTION 24-22-118 (3)(c)(II). For any city, town, or county that was
32 previously disqualified from the apportionment set forth in this subsection
33 (1)(a)(II)(A) by reason of imposing a fee or license related to the sale of
34 cigarettes, the city, town, or county is eligible for any allocation of money
35 that is based on an apportionment made on or after the effective date of
36 this subsection (1)(a)(II)(A), as amended, but not for an allocation of
37 money that is based on an apportionment made before the effective date
38 of this subsection (1)(a)(II)(A), as amended."

39 Renumber succeeding section accordingly.