

HB1289_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB26-1289 be amended as follows:

- 1 Amend printed bill, page 12, line 20 after "(I)" insert "(A)".
- 2 Page 12, after line 27 insert:
 - 3 "(B) FOR AMOUNTS INVESTED IN A QUALIFIED OPPORTUNITY FUND
 - 4 AFTER DECEMBER 31, 2026, OTHER THAN A COLORADO QUALIFIED
 - 5 OPPORTUNITY FUND, THE AMOUNT OF GAIN EXCLUDED FROM FEDERAL
 - 6 GROSS INCOME AS A RESULT OF AN ELECTION MADE BY THE TAXPAYER
 - 7 PURSUANT TO SECTION 1400Z-2(c) OF THE INTERNAL REVENUE CODE."
- 8 Page 13, line 3, after "IN" insert "COLORADO".
- 9 Page 13, line 4, strike "QUALIFIED" and substitute "COLORADO
- 10 QUALIFIED".
- 11 Page 19, line 27, after the period add "PURSUANT TO A WATER'S-EDGE
- 12 ELECTION, THE COMBINED GROUP SHALL TAKE INTO ACCOUNT THE NET
- 13 INCOME AND APPORTIONMENT FACTORS OF THE MEMBERS OF THE
- 14 AFFILIATED GROUP PURSUANT TO SUBSECTION (11.5) OF THIS SECTION TO
- 15 THE EXTENT SET FORTH IN SUBSECTION (8.5)(b) OF THIS SECTION."
- 16 Page 20, line 1, strike "INCLUDE" and substitute "TAKE INTO ACCOUNT".
- 17 Page 20, line 22, strike "INCLUDED" and substitute "TAKEN INTO
- 18 ACCOUNT".
- 19 Page 20, line 24, strike "INCLUDE:" and substitute "TAKE INTO ACCOUNT:".
- 20 Page 23, line 9, strike "NOTWITHSTANDING" and substitute "WITHOUT
- 21 REGARD TO".
- 22 Page 24, line 12, strike "To" and substitute "FOR INCOME TAX YEARS
- 23 BEGINNING ON OR AFTER JANUARY 1, 2027, TO".
- 24 Page 24, line 26, strike "(3)(q)" and substitute "(3)(q); and **add** (2)(l) and
- 25 (3)(u)".
- 26 Page 25, after line 1 insert:
 - 27 "(2) There shall be added to federal taxable income:
 - 28 (l) (I) (A) FOR INCOME TAX YEARS BEGINNING ON AND AFTER

1 JANUARY 1, 2027, THE EXCESS OF ANY GAIN EXCLUDED FROM FEDERAL
2 GROSS INCOME PURSUANT TO SECTION 1400Z-2 (a)(I)(A) OF THE INTERNAL
3 REVENUE CODE OVER THE AMOUNT OF THAT GAIN INVESTED BY THE
4 TAXPAYER IN A COLORADO QUALIFIED OPPORTUNITY FUND IN A MANNER
5 THAT QUALIFIES FOR EXCLUSION FROM FEDERAL GROSS INCOME PURSUANT
6 TO SECTION 1400Z-2 (a)(I)(A) OF THE INTERNAL REVENUE CODE.

7 (B) FOR AMOUNTS INVESTED IN A QUALIFIED OPPORTUNITY FUND
8 AFTER DECEMBER 31, 2026, OTHER THAN A COLORADO QUALIFIED
9 OPPORTUNITY FUND, THE AMOUNT OF GAIN EXCLUDED FROM FEDERAL
10 GROSS INCOME AS A RESULT OF AN ELECTION MADE BY THE TAXPAYER
11 PURSUANT TO SECTION 1400Z-2(c) OF THE INTERNAL REVENUE CODE.

12 (II) FOR PURPOSES OF THIS SUBSECTION (2)(I), "COLORADO
13 QUALIFIED OPPORTUNITY FUND" MEANS A QUALIFIED OPPORTUNITY FUND
14 THAT HOLDS AT LEAST NINETY PERCENT OF ITS ASSETS IN COLORADO
15 QUALIFIED OPPORTUNITY ZONE PROPERTY. COLORADO QUALIFIED
16 OPPORTUNITY ZONE PROPERTY IS:

17 (A) QUALIFIED OPPORTUNITY ZONE BUSINESS PROPERTY,
18 SUBSTANTIALLY ALL OF THE USE OF WHICH, DURING SUBSTANTIALLY ALL
19 OF THE FUND'S HOLDING PERIOD FOR THE PROPERTY, WAS IN A QUALIFIED
20 OPPORTUNITY ZONE WITHIN COLORADO; OR

21 (B) QUALIFIED OPPORTUNITY ZONE STOCK OR A QUALIFIED
22 OPPORTUNITY ZONE PARTNERSHIP INTEREST IN A QUALIFIED OPPORTUNITY
23 ZONE BUSINESS, IN WHICH SUBSTANTIALLY ALL OF THE TANGIBLE
24 PROPERTY OWNED OR LEASED IS QUALIFIED OPPORTUNITY ZONE BUSINESS
25 PROPERTY AS DESCRIBED IN SECTION 1400Z-2 (d)(3)(A)(i) OF THE
26 INTERNAL REVENUE CODE AND SUBSTANTIALLY ALL OF THE USE OF WHICH
27 IS IN A QUALIFIED OPPORTUNITY ZONE WITHIN COLORADO.

28 (III) FOR PURPOSES OF SUBSECTION (2)(I)(II) OF THIS SECTION:

29 (A) PROPERTY HELD IN THE FUND SHALL BE MEASURED UNDER
30 RULES SIMILAR TO THE RULES OF SECTION 1400Z-2 (d)(I) OF THE
31 INTERNAL REVENUE CODE; AND

32 (B) THE TERMS USED HAVE THE SAME MEANING AS SET FORTH IN
33 SECTION 1400Z-2 OF THE INTERNAL REVENUE CODE."

34 Page 25, after line 24 insert:

35 "(u) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY
36 1, 2027, THE AMOUNT OF GAIN INCLUDED IN FEDERAL GROSS INCOME
37 PURSUANT TO SECTION 1400Z-2 (b) OF THE INTERNAL REVENUE CODE TO
38 THE EXTENT THAT SUCH GAIN WAS ADDED TO FEDERAL TAXABLE INCOME
39 PURSUANT TO SECTION 39-22-304 (2)(I) FOR A PRIOR TAX YEAR."

40 Page 27, after line 23 insert:

41 **"SECTION 8. In Colorado Revised Statutes, 39-22-516.8, amend**

- 1 (8.7)(d) as follows:
2 **39-22-516.8. Tax credit for innovative trucks - tax preference**
3 **performance statement - legislative declaration - definitions - repeal.**
4 (8.7) (d) If the June 2025 revenue forecast, ~~and each June revenue~~
5 ~~forecast through the June 2027 revenue forecast~~ as prepared by either
6 legislative council staff or the office of state planning and budgeting,
7 projects that state revenues, as defined in section 24-77-103.6 (6)(c), will
8 not increase by at least four percent for the next fiscal year, the amount
9 of the credit allowed pursuant to subsection (8.7)(a)(III), (8.7)(a)(IV), or
10 (8.7)(a)(V) of this section for ~~any~~ THE INCOME tax year commencing in
11 the calendar year that begins during said next fiscal year is reduced by
12 fifty percent; except that if the amount of reduced credit is equal to or less
13 than five hundred dollars, then no credit is available for ~~such a~~ THE
14 INCOME tax year."
- 15 Renumber succeeding sections accordingly.
- 16 Page 27, line 24, after "**amend**" insert "(2)(c)".
- 17 Page 27, line 25, strike "(4)(c)" and substitute "(2)(a.5) and (4)(c)".
- 18 Page 28, after line 1 insert:
- 19 "(a.5) "INFESTATION MITIGATION MEASURERS" MEANS THE
20 THINNING OF WOODY VEGETATION THAT IS AT RISK OF MOUNTAIN PINE
21 BEETLE OR SPRUCE BEETLE INFESTATION OR THAT HAS BEEN KILLED BY
22 MOUNTAIN PINE BEETLES OR SPRUCE BEETLES, IF SUCH ACTIVITIES MEET
23 OR EXCEED ANY COLORADO STATE FOREST SERVICE STANDARDS OR ANY
24 OTHER APPLICABLE STATE RULES.
- 25 (c) "Landowner" means any INDIVIDUAL owner of record of
26 private land located within the state, including any easement,
27 right-of-way, or estate in the land, and includes the heirs, successors, and
28 assigns of such land. "Landowner" shall not include any partnership, S
29 corporation, or other similar entity that owns private land as an entity.
30 ~~unless there is a dwelling on that land that is designed for residential~~
31 ~~occupancy".~~
- 32 Page 28, strike lines 9 through 15.
- 33 Page 29, line 16, strike "MEASURES" and substitute "MEASURES,
34 INFESTATION MITIGATION MEASURES, OR BOTH".
- 35 Page 29, strike lines 25 through 27.
- 36 Page 30, strike lines 1 through 8 and substitute:

1 "(b) FOR INCOME TAX YEARS BEGINNING ON OR AFTER JANUARY
2 1, 2026, IF THE AMOUNT OF A CREDIT ALLOWED BY THIS SECTION EXCEEDS
3 THE TAXPAYER'S INCOME TAXES DUE, THE EXCESS MAY NOT BE CARRIED
4 FORWARD AND IS REFUNDED TO THE TAXPAYER."

5 Page 30, line 12, after "(2)(e)," insert "(2)(f),".

6 Page 30, line 13, strike "and (5)(c);" and substitute "(5)(c), and (6);".

7 Page 30, line 25, strike "QUALIFIED PRODUCER,".

8 Page 31, line 2, strike "ORGANIZATION THAT:" and substitute "NONPROFIT
9 ORGANIZATION THAT:

10 (I) IS SUBJECT TO TAX PURSUANT TO THIS ARTICLE 22 OR THAT IS
11 EXEMPT FROM TAX PURSUANT TO SECTION 39-22-112 (1);".

12 Renumber succeeding subparagraphs accordingly.

13 Page 31, line 4, after "RAW" insert "COLORADO".

14 Page 31, line 6, strike "AGRICULTURAL PRODUCTS TO" and substitute
15 "COLORADO AGRICULTURAL PRODUCTS FROM".

16 Page 31, line 10, after "RAW" insert "COLORADO".

17 Page 31, strike lines 14 through 17 and substitute:

18 "(f) "Small family farm" has the same meaning as set forth in
19 section 35-1-117 (8)(d) FOR INCOME TAX YEARS COMMENCING BEFORE
20 JANUARY 1, 2027. FOR INCOME TAX YEARS COMMENCING ON OR AFTER
21 JANUARY 1, 2027, "SMALL FAMILY FARM" MEANS A FARM THAT IS
22 COLORADO-OWNED AND COLORADO-OPERATED, FILES A SCHEDULE F WITH
23 THE INTERNAL REVENUE SERVICE, AND ACTS AS A WHOLESALER OR
24 VENDOR TO A CHARITABLE FOOD PROGRAM, SMALL FOOD RETAILER,
25 SCHOOL, CHILD CARE CENTER, OR OLDER ADULT FACILITY THAT IS
26 LOCATED IN OR PROVIDES FOOD TO A LOCAL, STATE, OR FEDERALLY
27 DEFINED "LOW INCOME, LOW ACCESS NEIGHBORHOOD".

28 Page 31, line 22, strike "INDEPENDENT OR NONPROFIT-MANAGED," and
29 substitute "INDEPENDENT,".

30 Page 31, after line 24, insert:

31 (A) IS SUBJECT TO TAX PURSUANT TO THIS ARTICLE 22 OR IS
32 EXEMPT FROM TAX PURSUANT TO SECTION 39-22-112 (1);".

- 1 Renumber succeeding sub-subparagraphs accordingly.
- 2 Page 31, line 25, after "SEPARATE" insert "COLORADO RETAIL".
- 3 Page 33, lines 5 and 6, strike "FIVE HUNDRED DOLLARS" and substitute
4 "THREE HUNDRED SEVENTY-FIVE DOLLARS".
- 5 Page 33, lines 21 and 22, strike "QUALIFIED PRODUCER,".
- 6 Page 34, line 6, strike "income tax" and substitute "~~income tax~~
7 CALENDAR".
- 8 Page 34, line 7, strike "INCOME TAX" and substitute "CALENDAR".
- 9 Page 34, line 8, strike "INCOME".
- 10 Page 34, line 9, strike the first "TAX" and substitute "CALENDAR" and
11 strike "INCOME TAX" and substitute "CALENDAR".
- 12 Page 34, strike line 11 and substitute "MILLION DOLLARS.".
- 13 Page 34, strike lines 12 through 18.
- 14 Page 35, strike lines 10 through 17 and substitute:
15 (6) To claim the income tax credit allowed pursuant to this
16 section, the purchaser or member of the consortium shall attach a copy of
17 the tax credit certificate to its state income tax return. No tax credit is
18 allowed pursuant to this section unless the purchaser or member of the
19 consortium provides a copy of the tax credit certificate with its filed state
20 income tax return. The amount of the credit that the purchaser or member
21 of the consortium may claim pursuant to this section is the amount stated
22 on the tax credit certificate. IF THE PURCHASER IS EXEMPT FROM TAX
23 PURSUANT TO SECTION 39-22-112 (1), THE PURCHASER SHALL FILE A
24 RETURN PURSUANT TO SECTION 39-22-601 (7)(b).
- 25 Page 37, strike lines 6 and 7 and substitute "(2)(e)(XI), (2)(j), and
26 (6)(a)(I); and **add** (8)(d) as follows:".
- 27 Page 37, strike lines 10 through 24.
- 28 Page 38, strike lines 26 and 27.
- 29 Strike pages 39 through 41.
- 30 Page 42, strike lines 1 through 6 and substitute:

1 "(8) **Limit on aggregate amount of tax credits available to be**
2 **reserved.**

3 (d) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (8)(a) OF
4 THIS SECTION, FOR ANY SEMI-ANNUAL APPLICATION PERIOD COMMENCING
5 ON OR AFTER JULY 1, 2026, THE OFFICE MAY ADJUST THE LIMITS IN
6 SUBSECTION (8)(a) OF THIS SECTION AS SET FORTH IN SECTION 39-22-522
7 (4)(f).

8 **SECTION 13.** In Colorado Revised Statutes, 39-22-552, **amend**
9 (4)(c)(I)(B) and (4)(e); and **add** (4)(f) as follows:

10 **39-22-552. Tax credit for expenditures made in connection**
11 **with a geothermal energy project - tax preference performance**
12 **statement - legislative declaration - definitions - repeal.**

13 (4) (c) (I) (B) Based upon the totality of the factors set forth in
14 subsection (4)(d) of this section and based on considerations required for
15 geothermal energy projects as set forth in subsection (5) of this section,
16 which the office may weigh equally or differently, the office shall
17 determine an applicable amount of credit that may be reserved for the
18 benefit of the eligible taxpayer which may be all, part, or none of the
19 credit amount requested in the eligible taxpayer's application; except that
20 the office shall not reserve an amount in excess of the limitations set forth
21 in subsection (3)(b) of this section, and, EXCEPT AS PROVIDED IN
22 SUBSECTION (4)(f) OF THIS SECTION, the aggregate amount of credits
23 reserved for all owners must not exceed thirty-five million dollars for all
24 taxpayers in all years the credit is allowed.

25 (e) (I) The reservation of tax credits does not entitle an eligible
26 taxpayer to an issuance of any credits until the eligible taxpayer provides
27 the office with any documentation required by the office and a cost
28 certification of the expenditure made in connection with an approved
29 geothermal energy project during the tax year in which the reservation is
30 approved. The cost certification must be audited by a licensed public
31 accountant that is not affiliated with the eligible taxpayer. The office shall
32 review the cost certification to verify that it satisfies the information
33 provided in the eligible taxpayer's application. If the office determines
34 that the eligible taxpayer made a qualified expenditure, the office shall
35 issue a tax credit certificate in the applicable amount.

36 (II) IF THE APPLICABLE AMOUNT OF QUALIFIED EXPENDITURES
37 MADE BY THE ELIGIBLE TAXPAYER IS LESS THAN THE AMOUNT RESERVED
38 PURSUANT TO SUBSECTION (4)(c) OF THIS SECTION, THE OFFICE MAY
39 RESERVE THE EXCESS CREDIT FOR THE BENEFIT OF THE ELIGIBLE TAXPAYER
40 FOR A FUTURE TAX YEAR OR RESERVE THE EXCESS FOR THE BENEFIT OF
41 ANOTHER APPLICANT AS SET FORTH IN SUBSECTION (4)(c) OF THIS
42 SECTION; EXCEPT THAT THE OFFICE SHALL NOT RESERVE CREDITS FOR ANY
43 TAX YEAR BEGINNING ON OR AFTER JANUARY 1, 2033.

44 (f) (I) BEGINNING JULY 1, 2026, THE OFFICE MAY INCREASE THE
45 LIMIT ON THE AGGREGATE AMOUNT OF CREDITS RESERVED FOR ALL

1 OWNERS SET FORTH IN SUBSECTION (4)(c)(I)(B) OF THIS SECTION TO THE
2 EXTENT OF THE EXCESS OF THE AGGREGATE AMOUNT OF CREDIT
3 AVAILABLE PURSUANT TO SECTION 39-22-551 (8)(b) OVER THE AMOUNT
4 OF CREDITS RESERVED OR AWARDED BY THE OFFICE PURSUANT TO SECTION
5 39-22-551 (6)(a) OR (7)(c), RESPECTIVELY. THE OFFICE SHALL DECREASE
6 ACCORDINGLY THE AGGREGATE AMOUNT OF CREDIT AVAILABLE PURSUANT
7 TO SECTION 39-22-551 (8)(b).

8 (II) BEGINNING JULY 1, 2026, THE OFFICE MAY INCREASE THE
9 AGGREGATE AMOUNT OF CREDIT AVAILABLE PURSUANT TO SECTION
10 39-22-551 (8)(b) BY ANY AMOUNT NOT RESERVED OR ALLOWED PURSUANT
11 TO SUBSECTION (4) OF THIS SECTION. THE OFFICE SHALL DECREASE
12 ACCORDINGLY THE LIMIT ON THE AGGREGATE AMOUNT OF CREDITS
13 RESERVED FOR ALL OWNERS SET FORTH IN SUBSECTION (4)(c)(I)(B) OF
14 THIS SECTION."

15 Renumber succeeding sections accordingly.

16 Page 45, lines 11 and 13, after "FUEL" insert "FOR USE".

17 Page 45, line 17, strike "DEPARTMENT" and substitute "OFFICE".

18 Page 45, after line 20 insert:

19 "(a) "CARBON INTENSITY" MEANS THE AMOUNT OF GREENHOUSE
20 GASES GENERATED PER GALLON OF SUSTAINABLE AVIATION FUEL
21 PRODUCED."

22 Reletter succeeding paragraphs accordingly.

23 Page 45, line 25, after "FUEL" insert "FOR UPLIFT AND USE".

24 Page 46, line 1, strike "(1)." and substitute "(1); EXCEPT THAT "QUALIFIED
25 PURCHASER" DOES NOT INCLUDE A SUSTAINABLE AVIATION FUEL
26 PRODUCER OR BLENDER."

27 Page 46, line 4, after "(a)" insert "(I)".

28 Page 46, line 7, strike "EQUAL TO" and substitute "NOT LESS THAN".

29 Page 46, line 10, after "PURCHASED" insert "FOR USE".

30 Page 46, after line 12 insert:

31 "(II) FOR TAX YEARS BEGINNING ON OR AFTER JANUARY 1, 2028,
32 THE OFFICE MAY ALLOW AN ADDITIONAL CREDIT OF FIFTY CENTS FOR EACH

1 GALLON OF SUSTAINABLE AVIATION FUEL PRODUCED IN THE STATE THAT
2 THE QUALIFIED TAXPAYER PURCHASED FOR USE IN THE STATE DURING THE
3 INCOME TAX YEAR, EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION
4 (3)(b) OF THIS SECTION."

5 Page 46, after line 20 insert:

6 "(c) FOR PURPOSES OF THIS SECTION, SUSTAINABLE AVIATION FUEL
7 IS DEEMED TO BE PURCHASED FOR USE IN THE STATE IF IT IS DELIVERED TO
8 AND USED FOR FUELING AIRCRAFT AT A COLORADO AIRPORT, AIRFIELD, OR
9 AIRPARK NOTWITHSTANDING THE SUBSEQUENT OPERATION OF SUCH
10 AIRCRAFT OUTSIDE THE STATE. EXCEPT AS PROVIDED IN THIS SUBSECTION
11 (3)(c), FUEL LOADED INTO A CARGO TANK OR OTHERWISE EXPORTED FROM
12 THE STATE IS NOT DEEMED TO BE PURCHASED FOR USE IN THE STATE."

13 Page 46, line 21, strike "A" and substitute "PRIOR TO PURCHASING
14 SUSTAINABLE AVIATION FUEL FOR USE IN THE STATE, A".

15 Page 46, line 22, strike "CLAIM" and substitute "RESERVE".

16 Page 46, strike lines 26 and 27 and substitute "QUALIFIED TAXPAYER,
17 DOCUMENTATION REGARDING THE CARBON INTENSITY OF THE
18 SUSTAINABLE AVIATION FUEL THAT WILL BE PURCHASED, AND AN
19 ESTIMATE OF THE AMOUNT OF SUSTAINABLE AVIATION FUEL THE
20 QUALIFIED TAXPAYER PLANS TO PURCHASE FOR USE IN THE STATE
21 DURING".

22 Page 47, strike lines 2 through 4 and substitute:

23 "(b) AFTER REVIEWING THE APPLICATION, THE OFFICE SHALL
24 DETERMINE WHETHER THE APPLICANT QUALIFIES FOR THE CREDIT AND THE
25 AMOUNT OF CREDIT TO BE RESERVED FOR THE BENEFIT OF THE QUALIFIED
26 TAXPAYER, WHICH MAY BE ALL, PART, OR NONE OF THE AMOUNT
27 REQUESTED IN THE APPLICATION. THE OFFICE SHALL NOTIFY THE
28 APPLICANT IN WRITING OF ITS DECISION AND THE AMOUNT RESERVED, IF
29 ANY. THE AGGREGATE AMOUNT OF CREDIT THE OFFICE MAY RESERVE
30 PURSUANT TO THIS SUBSECTION (4) MUST NOT EXCEED THREE MILLION
31 DOLLARS PER CALENDAR YEAR. IN THE CASE OF A QUALIFIED TAXPAYER
32 WITH AN INCOME TAX YEAR OTHER THAN A CALENDAR YEAR, CREDIT
33 RESERVED PURSUANT TO THIS SUBSECTION (4) MAY BE CLAIMED FOR THE
34 TAX YEAR THAT BEGINS DURING THE CALENDAR YEAR.

35 (c) FOLLOWING THE CLOSE OF THE TAX YEAR, IN ACCORDANCE
36 WITH THE STANDARDS DEVELOPED BY THE OFFICE PURSUANT TO
37 SUBSECTION (4)(e) OF THIS SECTION, THE QUALIFIED TAXPAYER SHALL
38 SUBMIT DOCUMENTATION SUBSTANTIATING THE QUALIFIED TAXPAYER'S

1 PURCHASES OF SUSTAINABLE AVIATION FUEL FOR USE IN THE STATE
2 DURING THE TAX YEAR. UPON A DETERMINATION BY THE OFFICE THAT THE
3 PURCHASES QUALIFY FOR THE CREDIT ALLOWED BY THIS SECTION, THE
4 OFFICE SHALL ISSUE THE TAXPAYER A TAX CREDIT CERTIFICATE FOR THE
5 LESSER OF THE CREDIT ALLOWED PURSUANT TO SUBSECTION (3)(a) OF THIS
6 SECTION WITH RESPECT TO THE AMOUNT OF SUSTAINABLE AVIATION FUEL
7 ACTUALLY PURCHASED FOR USE IN THE STATE OR THE AMOUNT OF CREDIT
8 RESERVED FOR THE BENEFIT OF THE QUALIFIED TAXPAYER PURSUANT TO
9 THIS SUBSECTION (4).".

10 Reletter succeeding paragraphs accordingly.

11 Page 48, line 5, strike "PRODUCTION".

12 Page 48, line 23, strike "39-22-549,".

13 Page 49, strike line 24 and substitute "~~article~~ ARTICLE 26 and any use tax
14 imposed pursuant to article 2 of title 29, C.R.S.".

15 Page 49, line 25, strike "THIS TITLE 39,".

16 Page 50, line 19, after the period add "THE DEPARTMENT OF
17 TRANSPORTATION SHALL NOTIFY THE DEPARTMENT OF REVENUE OF THE
18 IDENTITY OF ANY COMMON CARRIER ELIGIBLE FOR THE EXEMPTION
19 ALLOWED BY THIS SUBSECTION (2)(c).".

20 Page 50, strike lines 20 through 27.

21 Page 51, strike lines 1 through 6.

22 Page 51, strike lines 14 through 16 and substitute "~~fiscal year~~
23 ~~commencing on July 1, 2026~~, CALENDAR YEAR COMMENCING ON
24 JANUARY 1, 2031, all sales, storage, and use of".

25 Page 52, strike lines 6 and 7 and substitute "VALUE OF EXEMPT SALES.".

26 Page 55, line 16, strike "tax and the" and substitute "~~tax and the~~ TAX,
27 AND, IN ADDITION, FOR ANY TAX PERIOD, THE".

28 Page 58, strike like 13 and substitute "(2)(c)(I) introductory portion and
29 (2.6)(a) introductory portion;"

30 Page 58, line 14, strike "(4)(c)" and substitute "(1)(a)(III), (1)(b)(VIII),
31 (4)(c),".

1 Page 58, strike lines 18 through 27 and substitute:

2 "(1) (a) (III) NOTWITHSTANDING SUBSECTION (1)(a)(I) OF THIS
3 SECTION, FOR CREDITS ALLOWED BEGINNING IN INCOME TAX YEARS
4 COMMENCING ON OR AFTER JANUARY 1, 2027, A TAXPAYER IS NOT
5 ALLOWED A CREDIT WITH RESPECT TO A QUALIFIED INVESTMENT IN A
6 COMMERCIAL TRUCK, TRUCK TRACTOR, TRACTOR, OR SEMITRAILER WITH
7 A GROSS VEHICLE WEIGHT RATING OF FIFTY-FOUR THOUSAND POUNDS OR
8 GREATER THAT IS DESIGNATED AS CLASS A PERSONAL PROPERTY AS
9 SPECIFIED IN SECTION 42-3-106 (2)(a).

10 (b) (VIII) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE
11 DECEMBER 31, 2026."

12 Page 60, strike line 16 and substitute "**amend** (1)(b) as follows:".

13 Page 60, strike lines 19 through 27.

14 Page 61, strike lines 1 through 25.

15 Page 62, lines 3 and 4, strike "the first two" and substitute "~~the first two~~
16 ANY TWO OF THE FIRST TEN".

17 Page 62, line 17, strike "SECTION" and substitute "SUBSECTION (1)(b)".

18 Page 62, strike lines 18 through 24.

19 Page 70, after line 22 insert:

20 "**SECTION 41.** In Colorado Revised Statutes, 42-1-225, **amend**
21 (1)(c) and (2)(c); and **add** (3) and (4) as follows:

22 **42-1-225. Commercial vehicle enterprise tax fund - creation**
23 **- repeal.**

24 (1) (c) On or after July 1, 2025, BUT BEFORE JULY 1, 2027, the
25 fund consists of money collected and transmitted to the fund pursuant to
26 section 42-4-1701 (4)(a)(II). The general assembly shall annually
27 appropriate the money in the fund to cover the actual cost of
28 administering section 39-30-104 (1)(b). After receiving the statement
29 pursuant to section 39-30-104 (1)(b)(VI), the state treasurer shall credit
30 the total cost of the amount of the tax credits stated therein to the general
31 fund. Any money remaining in the commercial vehicle enterprise tax fund
32 at the end of the STATE fiscal year shall not revert to the general fund,
33 EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION.

34 (2) (c) On July 1, 2025, and ~~each July 1 thereafter~~ ON JULY 1,
35 2026, the department shall allocate the fund balance, not including the
36 amount appropriated to cover the actual cost of administering section

1 39-30-104 (1)(b), to offset the income tax credit granted in section
2 39-30-104 (1)(b).

3 (3) ON JULY 1, 2027, THE STATE TREASURER SHALL TRANSFER ALL
4 OF THE MONEY IN THE FUND TO THE COLORADO ECONOMIC DEVELOPMENT
5 FUND, CREATED IN SECTION 24-46-105 (1)(a).

6 (4) THIS SECTION 42-1-225 IS REPEALED, EFFECTIVE JULY 1, 2031.

7 **SECTION 42.** In Colorado Revised Statutes, 42-4-1701, **amend**
8 (4)(a)(II)(B) as follows:

9 **42-4-1701. Traffic offenses and infractions classified -**
10 **penalties - penalty and surcharge schedule - repeal.**

11 (4) (a) (II) (B) The state, county, city, or city and county issuing
12 a citation that results in the assessment of the penalties in
13 ~~sub-subparagraph (A) of this subparagraph (H)~~ SUBSECTION (4)(a)(II)(A)
14 OF THIS SECTION may retain and distribute the following amount of the
15 penalty according to the law of the jurisdiction that assesses the penalty,
16 but BEFORE JULY 1, 2027, the remainder of the penalty shall be transmitted
17 to the state treasurer, who shall credit the ~~moneys~~ MONEY to the
18 commercial vehicle enterprise tax fund created in section 42-1-225, AND
19 ON OR AFTER JULY 1, 2027, TO THE GENERAL FUND:".

20 Renumber succeeding section accordingly.

** ** ** ** **