

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1015

BY REPRESENTATIVE(S) McCormick and Taggart, Bacon, Boesenecker, Brown, Camacho, Clifford, Duran, Froelich, Garcia, Goldstein, Gonzalez R., Jackson, Lindsay, Nguyen, Paschal, Ricks, Rutinel, Rydin, Sirota, Smith, Stewart K., Story, Valdez, Zokaie, McCluskie; also SENATOR(S) Simpson and Amabile, Benavidez, Exum, Gonzales J., Jodeh, Kipp, Liston, Marchman, Wallace, Coleman.

CONCERNING THE EXTENSION OF THE COLORADO HOMELESS CONTRIBUTION TAX CREDIT THROUGH INCOME TAX YEAR 2030.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 39-22-548, **amend** (1)(a), (3)(a), and (9); and **add** (1)(c) as follows:

39-22-548. Colorado homeless contribution tax credit - legislative declaration - definitions - repeal.

(1) (a) In accordance with section 39-21-304 (1), which requires each bill that creates a new tax expenditure OR EXTENDS AN EXPIRING TAX EXPENDITURE to include a tax preference performance statement as part of a statutory legislative declaration, the general assembly finds and declares

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

that the general legislative purpose of this tax expenditure is to induce certain designated behavior by taxpayers. Specifically, this tax expenditure is intended to encourage taxpayers to make contributions to approved nonprofit organizations providing certain qualifying activities to leverage financial contributions from Colorado residents and businesses to support providing appropriate housing and services to assist individuals and families experiencing homelessness. The tax expenditure will catalyze and strengthen statewide efforts to address the effects of homelessness through private investment and civic engagement in Colorado-based service providers for individuals and families experiencing homelessness.

(c) IN THE FIRST YEAR THAT THE TAX EXPENDITURE WAS AVAILABLE, EIGHT THOUSAND THREE HUNDRED TWENTY DONATIONS WITH A VALUE OF TWENTY MILLION FOUR HUNDRED FIFTY-ONE THOUSAND TWO HUNDRED FORTY-THREE DOLLARS WERE LEVERAGED. THE TOTAL NUMBER AND VALUE OF DONATIONS INCREASED IN THE NEXT INCOME TAX YEAR. THEREFORE, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THIS TAX EXPENDITURE HAS SUCCESSFULLY CATALYZED AND STRENGTHENED STATEWIDE EFFORTS TO ADDRESS THE EFFECTS OF HOMELESSNESS THROUGH PRIVATE INVESTMENT AND CIVIC ENGAGEMENT IN COLORADO-BASED SERVICE PROVIDERS FOR INDIVIDUALS AND FAMILIES EXPERIENCING HOMELESSNESS AND THAT THE TAX EXPENDITURE SHOULD BE EXTENDED INTO FUTURE INCOME TAX YEARS.

(3) (a) For income tax years commencing on or after January 1, 2023, but before ~~January 1, 2027~~ JANUARY 1, 2031, except as provided in subsection (3)(b) of this section, any taxpayer who makes a monetary or in-kind contribution to an approved nonprofit organization, or to an approved project administered by an approved nonprofit organization, is allowed a credit equal to twenty-five percent of the total value of the contribution, subject to the limitations specified in subsection (3)(d) of this section.

(9) This section is repealed, effective ~~December 31, 2040~~ DECEMBER 31, 2044.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state

constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO