

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

\_\_\_\_\_  
May 2, 2024  
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB24-214 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend the Transportation and Energy Committee Report, dated April 24,  
2 2024, page 1, after line 11 insert:

3 "Page 10 of the bill, after line 1 insert:

4 "SECTION 3. In Colorado Revised Statutes, 24-38.5-116, amend  
5 (6)(b)(II) as follows:

6 **24-38.5-116. Industrial and manufacturing operations clean**  
7 **air grant program - creation - eligibility - fund created - gifts, grants,**  
8 **or donations - transfer - legislative declaration - definitions -**  
9 **reporting - repeal.** (6) (b) (II) For state fiscal years 2023-24 and  
10 2024-25, the office and, subject to annual appropriation, the department  
11 of revenue may expend money from the fund for the administration and  
12 implementation of the industrial clean energy tax credit created in section  
13 39-22-551 and the tax credit for sustainable aviation fuel production  
14 facility created in section 39-22-556. The office shall keep an accounting  
15 of all money expended from the fund pursuant to this subsection (6)(b)(II)  
16 for purposes of calculating the repayment of the administrative costs  
17 required by ~~section 39-29-108 (2)(c)(H)~~ SECTION 24-38.5-120 (3).".

18 Renumber succeeding sections accordingly.

19 Page 10 of the bill, line 3, after "(4)(b)(I)," insert "(7)(d),".

20 Page 11 of the bill, after line 14 insert:

21 "(7) **Fund.** (d) For state fiscal years 2023-24 and 2024-25, the  
22 office and, subject to annual appropriation, the department of revenue

1 may expend money in the fund for the administration and implementation  
2 of the tax credit for expenditures made in connection with a geothermal  
3 energy project created in section 39-22-552, the geothermal electricity  
4 generation production tax credit created in section 39-22-553, and the  
5 heat pump technology and thermal energy network tax credit created in  
6 section 39-22-554. The office shall keep an accounting of all money  
7 expended from the fund pursuant to this subsection (7)(d) for purposes of  
8 calculating the repayment of the administrative costs required by ~~section~~  
9 ~~39-29-108 (2)(c)(H)~~ SECTION 24-38.5-120 (3)".".

10 Page 1 of the report, line 14, before "(4)" insert "(3) and".

11 Page 1 of the report, strike line 16 and substitute "**fund - definitions -**  
12 **repeal.** (3) (a) Subject to annual appropriation by the general assembly,  
13 for state fiscal years 2023-24 through 2034-35, the office and the  
14 department may expend money from the fund for direct and indirect costs  
15 associated with the implementation and administration of the  
16 decarbonization tax credits.

17 (b) (I) MONEY IN THE FUND MAY ALSO BE USED TO REPAY  
18 ADMINISTRATIVE COSTS TO THE RESPECTIVE CASH FUNDS. THE STATE  
19 TREASURER SHALL TRANSFER MONEY FROM THE FUND IN THE AMOUNT  
20 ATTRIBUTABLE TO ADMINISTRATIVE COSTS TO THE RESPECTIVE CASH  
21 FUNDS SO THAT ALL ADMINISTRATIVE COSTS ARE REPAID TO THE  
22 RESPECTIVE CASH FUNDS ON OR BEFORE JUNE 29, 2024.

23 (II) AS USED IN THIS SUBSECTION (3)(b), UNLESS THE CONTEXT  
24 OTHERWISE REQUIRES:

25 (A) "ADMINISTRATIVE COSTS" MEANS THE AMOUNT OF MONEY  
26 EXPENDED FROM THE RESPECTIVE CASH FUNDS BY THE OFFICE AND THE  
27 DEPARTMENT FOR THE ADMINISTRATION AND IMPLEMENTATION OF  
28 CERTAIN INCOME TAX CREDITS, AS PROVIDED FOR IN SECTIONS  
29 24-38.5-116 (6)(b)(II), 24-38.5-118 (7)(d), 24-38.5-506 (2)(b), AND OF  
30 THE TEMPORARY SPECIFIC OWNERSHIP TAX RATE REDUCTION FOR  
31 ELECTRIC MEDIUM-DUTY AND HEAVY-DUTY TRUCKS THAT ARE PART OF A  
32 FLEET AS PROVIDED FOR IN SECTION 25-7-1405(2)(b).

33 (B) "RESPECTIVE CASH FUNDS" MEANS THE INDUSTRIAL AND  
34 MANUFACTURING OPERATIONS CLEAN AIR GRANT PROGRAM CASH FUND  
35 CREATED IN SECTION 24-38.5-116 (6), THE GEOTHERMAL ENERGY GRANT  
36 FUND CREATED IN SECTION 24-38.5-118 (7), THE COMMUNITY ACCESS TO  
37 ELECTRIC BICYCLES CASH FUND CREATED IN SECTION 24-38.5-506, AND  
38 THE ELECTRIFYING SCHOOL BUSES GRANT PROGRAM CASH FUND CREATED  
39 IN SECTION 25-7-1405.

40 (4) The state treasurer shall transfer all".

1 Page 1 of the report, line 20, strike "ONE HUNDRED" and substitute "THREE  
2 HUNDRED THOUSAND."

3 Page 1 of the report, line 21, strike "SEVENTY-FIVE THOUSAND".

4 Page 1 of the report, after line 22 insert:

5 "Page 14 of the bill, after line 26 insert:

6 "SECTION 6. In Colorado Revised Statutes, 24-38.5-506, **amend**  
7 (2)(b) as follows:

8 **24-38.5-506. Community access to electric bicycles cash fund**  
9 **- creation - gifts, grants, or donations - transfer.** (2) (b) For state fiscal  
10 years 2023-24 and 2024-25, the office and, subject to annual  
11 appropriation, the department of revenue may expend money in the fund  
12 for the administration and implementation of the electric bicycle tax  
13 credit created in section 39-22-555. The office shall keep an accounting  
14 of all money expended from the fund pursuant to this subsection (2)(b)  
15 for purposes of calculating the repayment of the administrative costs  
16 required by ~~section 39-29-108(2)(c)(H)~~ SECTION 24-38.5-120 (3).

17 **SECTION 7.** In Colorado Revised Statutes, 25-7-1405, **amend**  
18 (2)(b) as follows:

19 **25-7-1405. Electrifying school buses grant program cash fund**  
20 **- creation - gifts, grants, and donations - transfer.** (2) (b) For state  
21 fiscal years 2023-24 and 2024-25, and subject to annual appropriation, the  
22 Colorado energy office, created in section 24-38.5-101, and the  
23 department of revenue may expend money from the fund for the  
24 administration and implementation of the innovative motor vehicles and  
25 innovative trucks tax credits created in sections 39-22-516.7 and  
26 39-22-516.8 and for the specific ownership tax rate reduction for electric  
27 medium-duty and heavy-duty trucks that are part of a fleet as set forth in  
28 section 42-3-107(1)(a)(IV). The office shall keep an accounting of all  
29 money expended from the fund pursuant to this subsection (2)(b) for  
30 purposes of calculating the repayment of the administrative costs required  
31 by ~~section 39-29-108(2)(c)(H)~~ SECTION 24-38.5-120 (3).".

32 Renumber succeeding sections accordingly."

33 Page 2 of the report, after line 14 insert:

34 "Page 25 of the bill, strike lines 10 through 17 and substitute:

35 **"SECTION 11.** In Colorado Revised Statutes, 39-29-108, **repeal**

1 (2)(e)(II), (2)(e)(III)(A), and (2)(e)(III)(C) as follows:

2 **39-29-108. Allocation of severance tax revenues - definitions**  
3 **- repeal.** (2) (e) (II) ~~The state treasurer shall credit a portion of the~~  
4 ~~discrete increased amount of severance tax for oil and gas production in~~  
5 ~~the amount attributable to administrative costs to the respective cash~~  
6 ~~funds so that all administrative costs are repaid to the respective cash~~  
7 ~~funds on or before July 1, 2025.~~

8 (III) As used in this subsection (2)(e), unless the context otherwise  
9 requires:

10 (A) ~~"Administrative costs" means the amount of money expended~~  
11 ~~from the respective cash funds by the Colorado energy office and the~~  
12 ~~department of revenue for the administration and implementation of~~  
13 ~~certain income tax credits and a temporary specific ownership tax rate~~  
14 ~~reduction for electric medium-duty and heavy-duty trucks that are part of~~  
15 ~~a fleet as provided for in sections 24-38.5-116 (6)(b)(II), 24-38.5-118~~  
16 ~~(7)(d), 24-38.5-506 (2)(a)(II), and 25-7-1405 (2)(b).~~

17 (C) ~~"Respective cash funds" means the industrial and~~  
18 ~~manufacturing operations clean air grant program cash fund created in~~  
19 ~~section 24-38.5-116 (6), the geothermal energy grant fund created in~~  
20 ~~section 24-38.5-118 (7), the community access to electric bicycles cash~~  
21 ~~fund created in section 24-38.5-506, or the electrifying school buses grant~~  
22 ~~program cash fund created in section 25-7-1405."."~~

23 Amend printed bill, page 25, before line 18 insert:

24 **"SECTION 12. Appropriation - adjustments to 2024 long bill.**

25 (1) To implement this act, cash funds appropriations from various  
26 sources of cash funds made in the annual general appropriation act for the  
27 2024-25 state fiscal year to the department of revenue are decreased as  
28 follows:

29 **Executive Director's Office, Administration and Support**  
30 Personal services \$424,001  
31 Operating expenses \$64,770  
32 **Taxation Business Group, Administration**  
33 Tax administration IT system (GenTax) support \$765,934  
34 **Taxation Business Group, Taxation Services**  
35 Personal services \$470,940  
36 Operating expenses \$36,925  
37 Document management \$7,590

38 (2) To implement this act, cash funds appropriations from the  
39 decarbonization tax credits administration cash fund created in section  
40 24-38.5-120 (2), C.R.S., made in the annual general appropriation act for  
41 the 2024-25 state fiscal year to the department of revenue are increased

1 as follows:

2	<b>Executive Director's Office, Administration and Support</b>	
3	Personal services	\$424,001
4	Operating expenses	\$64,770
5	<b>Taxation Business Group, Administration</b>	
6	Tax administration IT system (GenTax) support	\$765,934
7	<b>Taxation Business Group, Taxation Services</b>	
8	Personal services	\$470,940
9	Operating expenses	\$36,925
10	Document management	\$7,590

11 **SECTION 13. Appropriation.** For the 2024-25 state fiscal year,  
12 \$958,596 is appropriated to the office of the governor for use by the  
13 Colorado energy office. This appropriation is from the decarbonization  
14 tax credits administration cash fund created in section 24-38.5-120 (2),  
15 C.R.S., and is based on an assumption that the office will require an  
16 additional 3.1 FTE. To implement this act, the office may use this  
17 appropriation for program administration."

18 Renumber succeeding section accordingly.

19 Page 1 of the bill, line 101, strike "GOALS." and substitute "GOALS, AND,  
20 IN CONNECTION THEREWITH, MAKING AND REDUCING AN  
21 APPROPRIATION."

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