

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0543.01 Jason Gelender x4330

SENATE BILL 24-016

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SENATE SPONSORSHIP

Zenzinger and Smallwood,

HOUSE SPONSORSHIP

Snyder,

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Senate Committees  
Finance

House Committees

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A BILL FOR AN ACT

101 CONCERNING QUALIFICATION FOR STATE INCOME TAX CREDITS FOR  
102 CHARITABLE CONTRIBUTIONS TO NONPROFIT ORGANIZATIONS,  
103 AND, IN CONNECTION THEREWITH, AUTHORIZING A TAXPAYER  
104 TO MAKE A CHARITABLE CONTRIBUTION FOR WHICH THE  
105 TAXPAYER MAY CLAIM A STATE INCOME TAX CREDIT TO A  
106 CHARITABLE RECIPIENT ORGANIZATION THROUGH A QUALIFIED  
107 INTERMEDIARY THAT FORWARDS THE CONTRIBUTION TO THE  
108 CHARITABLE RECIPIENT ORGANIZATION AND ALLOWING A TAX  
109 CREDIT CERTIFICATE FOR THE COLORADO HOMELESS  
110 CONTRIBUTION TAX CREDIT TO INCLUDE ONLY THE LAST FOUR  
111 DIGITS, RATHER THAN ALL DIGITS, OF A TAXPAYER'S SOCIAL  
112 SECURITY NUMBER.

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Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

## Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

A qualified intermediary is a charitable organization that collects charitable contributions from donors and forwards the contributions to charitable recipient organizations. The bill authorizes a taxpayer to make a charitable contribution for which the taxpayer may claim a state income tax credit to a charitable recipient organization through a qualified intermediary that forwards the contribution to the charitable recipient organization, rather than making the contribution directly to the charitable recipient organization, without losing the right to claim the credit.

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

2           **SECTION 1.** In Colorado Revised Statutes, 39-22-548, **amend**  
3 (3)(c) as follows:

4           **39-22-548. Colorado homeless contribution tax credit -**  
5 **legislative declaration - definitions - repeal.** (3) (c) The approved  
6 nonprofit organization that receives the allowable contribution shall issue  
7 a tax credit certificate to each taxpayer that makes an allowable  
8 contribution pursuant to subsections (3)(a) or (3)(b) of this section; except  
9 that the approved nonprofit organization shall not issue tax credit  
10 certificates that total more than seven hundred fifty thousand dollars per  
11 income tax year, and if the approved nonprofit organization administers  
12 one or more approved projects, in addition to providing a qualifying  
13 service, then the approved nonprofit organization shall not issue tax credit  
14 certificates for allowable contributions to one or more approved projects  
15 that total more than an additional seven hundred fifty thousand dollars per  
16 income tax year. The tax credit certificate must state the amount of the

1 allowable contribution, the taxpayer's name, the LAST FOUR DIGITS OF THE  
2 taxpayer's social security number or THE TAXPAYER'S FULL federal  
3 employer identification number, the type of the contribution, the date the  
4 taxpayer made the contribution, the amount of the tax credit that is  
5 authorized for that taxpayer, and any other information that the executive  
6 director of the department of revenue may require. Tax credit certificates  
7 shall be issued in the order of received allowable contributions.

8           **SECTION 2.** In Colorado Revised Statutes, **add** 39-22-630 as  
9 follows:

10           **39-22-630. Charitable contributions made through qualified**  
11 **intermediaries - eligibility for income tax credits maintained -**  
12 **definitions.** (1) FOR INCOME TAX YEARS COMMENCING ON OR AFTER  
13 JANUARY 1, 2024, A TAXPAYER MAY CLAIM A CREDIT FOR MAKING A  
14 CONTRIBUTION TO A QUALIFIED INTERMEDIARY TO THE SAME EXTENT  
15 THAT THE TAXPAYER COULD CLAIM A CREDIT FOR MAKING THE  
16 CONTRIBUTION DIRECTLY TO A RECIPIENT ORGANIZATION SO LONG AS THE  
17 RECIPIENT ORGANIZATION IS APPROVED OR CERTIFIED, TO THE EXTENT  
18 REQUIRED AND IN ACCORDANCE WITH THE PROCESS REQUIRED BY THE LAW  
19 AUTHORIZING THE CREDIT, AS MEETING THE CRITERIA REQUIRED TO  
20 RECEIVE SUCH A DIRECT CONTRIBUTION.

21           (2) AS USED IN THIS SECTION:

22           (a) "CREDIT" MEANS ANY CREDIT AGAINST THE TAXES IMPOSED  
23 PURSUANT TO THIS ARTICLE 22 OR ARTICLE 30 OF THIS TITLE THAT IS  
24 AUTHORIZED BY LAW.

25           (b) "QUALIFIED INTERMEDIARY" MEANS AN ORGANIZATION THAT  
26 HAS ATTAINED TAX EXEMPT STATUS UNDER SECTION 501 (c)(3) OF THE  
27 FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, IF THE

1 ORGANIZATION IS OBLIGATED, EXCEPT WHEN EXERCISING VARIANCE  
2 POWER AS REQUIRED OR AUTHORIZED BY LAW OR FEDERAL REGULATIONS,  
3 TO DISBURSE CONTRIBUTIONS RECEIVED FROM A TAXPAYER TO A  
4 RECIPIENT ORGANIZATION AS DIRECTED BY THE TAXPAYER.

5 (c) "RECIPIENT ORGANIZATION" MEANS AN ORGANIZATION THAT  
6 HAS ATTAINED TAX EXEMPT STATUS UNDER SECTION 501 (c)(3) OF THE  
7 FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND  
8 INCLUDES ANY PROGRAM OR PROJECT OF THE ORGANIZATION TO WHICH A  
9 TAXPAYER MAY MAKE A CONTRIBUTION FOR WHICH THE TAXPAYER MAY  
10 CLAIM A CREDIT.

11 **SECTION 3. Act subject to petition - effective date.** This act  
12 takes effect at 12:01 a.m. on the day following the expiration of the  
13 ninety-day period after final adjournment of the general assembly; except  
14 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
15 of the state constitution against this act or an item, section, or part of this  
16 act within such period, then the act, item, section, or part will not take  
17 effect unless approved by the people at the general election to be held in  
18 November 2024 and, in such case, will take effect on the date of the  
19 official declaration of the vote thereon by the governor.