

## CHAPTER 45

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**GOVERNMENT - STATE**

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HOUSE BILL 17-1137

BY REPRESENTATIVE(S) Thurlow and Hooton, Arndt, Nordberg, Becker K., Lontine, Melton, Rankin, Valdez;  
also SENATOR(S) Tate and Moreno, Kerr, Martinez Humenik.

**AN ACT**

**CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE DEPARTMENT OF REVENUE TO THE  
GENERAL ASSEMBLY.**

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

**SECTION 1.** In Colorado Revised Statutes, 12-43.4-104, **repeal** (6) as follows:

**12-43.4-104. Applicability - retail marijuana.** (6) ~~On or before April 1, 2014, and on or before April 1 each year thereafter, the state licensing authority shall submit a report to the joint budget committee and the finance committees of the senate and house of representatives, or any successor committees, on:~~

~~(a) The progress that the state licensing authority is making in processing licenses;~~

~~(b) An overview of the retail marijuana and retail marijuana products markets, including but not limited to actual and anticipated market demand and market supply;~~

~~(c) Detailing the amount of revenue generated by medical and retail marijuana, including applicable excise taxes, sales taxes, application and license fees, and any other fees, and detailing the expenses incurred by the state licensing authority, broken down into categories as determined by the authority;~~

~~(d) The number of applications for conversion from medical marijuana licensees to retail marijuana establishments;~~

~~(e) The number of persons who have filed a notice of intent to apply for licensure pursuant to subparagraph (f) of paragraph (b) of subsection (1) of this section; and~~

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

~~(f) The enforcement measures taken against persons licensed pursuant to this article for violation of regulations promulgated pursuant to this article.~~

**SECTION 2.** In Colorado Revised Statutes, 12-47-601, **repeal** (8) as follows:

~~**12-47-601. Suspension - revocation - fines.** (8) Each local licensing authority shall report all actions taken to impose fines, suspensions, and revocations to the state licensing authority in a manner as required by the state licensing authority. No later than January 15 of each year, a report of the preceding year's actions in which fines, suspensions, or revocations were imposed by local licensing authorities and by the state licensing authority shall be compiled by the state licensing authority. One copy of said report shall be filed with the chief clerk of the house of representatives, one copy shall be filed with the secretary of the senate, and six copies shall be filed in the joint legislative library.~~

**SECTION 3.** In Colorado Revised Statutes, **repeal** 24-35-204 (3)(k).

**SECTION 4.** In Colorado Revised Statutes, **repeal** 24-35-211 (2).

**SECTION 5.** In Colorado Revised Statutes, 26-2-104, **amend** (2)(f) as follows:

~~**26-2-104. Public assistance programs - electronic benefits transfer service - joint reports with department of revenue - signs - rules.** (2) (f) (I) On or before January 1, 2016, and July 1, 2016, and on or before each January 1 thereafter, the department of revenue and the state department shall each submit and present the reports at the same meeting on electronic benefits transfers to the state, veterans, and military affairs committees of the senate and house of representatives, the health and human services committee of the senate, and the public health care and human services committee of the house of representatives, or any successor committees. The reports must list the number of instances that a client accessed cash benefits through the electronic benefits transfer service through automated teller machines located in each type of establishment described in paragraph (a) of this subsection (2) or any other establishment in which a client is prohibited from accessing benefits by federal law.~~

~~(II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION (2)(f) IS REPEALED, EFFECTIVE JANUARY 2, 2019.~~

**SECTION 6.** In Colorado Revised Statutes, 39-22-522.5, **repeal** (12) and (13) as follows:

~~**39-22-522.5. Conservation easement tax credits - dispute resolution - legislative declaration.** (12) (a) On or before July 1, 2011, and on a quarterly basis thereafter, the executive director shall provide a report to the joint budget committee and the finance committees of the general assembly describing:~~

~~(f) The number of tax credits claimed pursuant to section 39-22-522 for which the executive director mailed a notice of deficiency, notice of rejection of refund claim, or notice of disallowance pursuant to section 39-21-103;~~

~~(II) The number of such cases sent to the conservation easement oversight commission for review pursuant to section 12-61-725, C.R.S.;~~

~~(III) The number of such cases returned to the executive director with the advice of the conservation easement oversight commission created in section 12-61-725 (1), C.R.S., and the action, if any, taken by the department of revenue on the cases returned by the commission;~~

~~(IV) The number and progress of any cases that are in a mediation process and the status of such mediation;~~

~~(V) The number of cases referred to the attorney general's office for resolution;~~

~~(VI) The number of cases finally resolved by the department of revenue;~~

~~(VII) The amount of deficient taxes, interest, and penalties determined to be owed or waived by the department of revenue in administering the resolution of cases;~~

~~(VIII) The number and total amount of credits that were originally contested but subsequently allowed to be claimed in full; and~~

~~(IX) The amount of moneys expended by the department of revenue in administering the resolution of cases.~~

~~(b) The reporting requirements of subparagraphs (II) and (III) of paragraph (a) of this subsection (12) shall not apply for conservation easements donated on or after January 1, 2014.~~

~~(13) On or before March 15, 2012, and on a quarterly basis thereafter, the state court administrator shall provide a report to the joint budget committee and the finance committees of the general assembly describing:~~

~~(a) The number of taxpayers electing to appeal pursuant to subsection (2) of this section;~~

~~(b) The number of cases pending before the district courts or on appeal before other courts;~~

~~(c) The number of cases finally resolved;~~

~~(d) The amount of moneys estimated to have been expended by the courts in administering the appeals; and~~

~~(e) The amount of deficient taxes, interest, and penalties determined to be owed or waived in connection with the appeals.~~

**SECTION 7.** In Colorado Revised Statutes, 42-1-229, **add** (2) as follows:

**42-1-229. Report.** (2) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SECTION IS REPEALED, EFFECTIVE JULY 2, 2018.

**SECTION 8.** In Colorado Revised Statutes, 42-3-302, **repeal** (2) as follows:

**42-3-302. Special plate fees.** (2) ~~The executive director of the department shall make an annual report by March 1 of each year to the general assembly. Such report shall be open for public inspection and shall include:~~

~~(a) A summary of the department's activities for the previous year;~~

~~(b) A statement of plate revenues;~~

~~(c) Information regarding special plate purchases;~~

~~(d) Expenses of the department;~~

~~(e) Allocation of remaining revenues; and~~

~~(f) Any recommendations for changes in statutes that the executive director deems necessary or desirable.~~

**SECTION 9.** In Colorado Revised Statutes, 42-4-305, **repeal** (11) as follows:

**42-4-305. Powers and duties of executive director - automobile inspection and readjustment program - basic emissions program - enhanced emissions program - clean screen program - rules.** (11) ~~The executive director shall report to the transportation legislation review committee annually on the effectiveness of the quality assurance and enforcement measures contained in this section, the overall motorist compliance rates with inspections for registration denial, and the status of state implementation plan compliance pertaining to quality assurance. This annual report shall be submitted to the commission in May of each year for incorporation into appropriate annual and biennial reporting requirements. Reports shall cover the previous calendar year.~~

**SECTION 10. 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 9, 2017, if adjournment sine die is on May 10, 2017); 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 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 16, 2017