

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 15, 2018
Date

Committee on Finance.

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

SB18-141 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend printed bill, page 4, strike lines 24 through 27 and substitute:

2 **"- effective date.** (1) (a) THE EXECUTIVE DIRECTOR SHALL ENSURE THAT
3 THE COLORADO STATE INDIVIDUAL INCOME TAX RETURN FORM CONTAINS
4 A LINE FOR THE DONATE TO A COLORADO NONPROFIT FUND IN THE FIRST
5 INCOME TAX YEAR:

6 (I) IN WHICH THE DEPARTMENT HAS RECEIVED, ON OR BEFORE
7 AUGUST 15, SUFFICIENT FUNDS TO IMPLEMENT THIS PART 50 FROM GIFTS,
8 GRANTS, AND DONATIONS, PURSUANT TO SECTION 39-22-5005;

9 (II) THAT BEGINS ON OR AFTER JANUARY 1, 2019; AND

10 (III) THAT BEGINS AFTER THE YEAR IN WHICH THE EXECUTIVE
11 DIRECTOR FILES WRITTEN CERTIFICATION WITH THE REVISOR OF STATUTES
12 AS SPECIFIED IN SECTION 39-22-1001 (8) THAT A LINE ON THE INCOME TAX
13 RETURN FORM HAS BECOME AVAILABLE AND THE DONATE TO A COLORADO
14 NONPROFIT FUND, CREATED IN SECTION 39-22-5004, IS NEXT IN THE QUEUE
15 ESTABLISHED PURSUANT TO SECTION 39-22-1001 (8).".

16

17 Page 5, strike lines 1 through 13 and substitute:

18 "(b) THE EXECUTIVE DIRECTOR SHALL ENSURE THAT THE LINE FOR
19 THE DONATE TO A COLORADO NONPROFIT FUND APPEARS ON THE FORM IN
20 EACH TAX YEAR AFTER THE YEAR IT IS ADDED PURSUANT TO SUBSECTION
21 (1)(a) OF THIS SECTION. THE LINE MUST ALLOW EACH INDIVIDUAL

1 TAXPAYER TO DESIGNATE THE AMOUNT OF THE CONTRIBUTION, IF ANY,
2 AND THE NAME AND SUCH IDENTIFYING INFORMATION AS THE
3 DEPARTMENT OF REVENUE MAY REQUIRE OF A SINGLE CHARITABLE
4 ORGANIZATION FROM THE LIST OF ELIGIBLE CHARITABLE ORGANIZATIONS
5 PROVIDED UNDER SECTION 39-22-5003 TO RECEIVE THE CONTRIBUTION."

6 Page 5, lines 14 and 15, strike "THE EXECUTIVE DIRECTOR SHALL NOT
7 INCLUDE A LINE FOR THE DONATE TO A COLORADO NONPROFIT FUND
8 BEFORE JANUARY 1, 2020."

9 Page 5, line 17, strike "JANUARY 1, 2020," and substitute "THE
10 REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION ARE MET,".

11 Page 5, line 22, strike "JANUARY 1, 2020." and substitute "THE
12 REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION ARE MET."

13 Page 5, strike lines 25 through 27.

14 Page 6, strike line 1.

15 Page 6, line 7, strike the first "OCTOBER" and substitute "SEPTEMBER" and
16 strike the second "OCTOBER" and substitute "SEPTEMBER".

17 Page 8, strike lines 18 through 27 and substitute:

18 "(4) THE DEPARTMENT IS NOT LIABLE TO A TAXPAYER OR TO AN
19 ELIGIBLE CHARITABLE ORGANIZATION FOR ANY ERROR IN DISTRIBUTING A
20 CONTRIBUTION UNDER THIS PART 50."

21 Page 9, strike lines 1 through 3.

22 Page 9, line 9, after the period add "THE DEPARTMENT SHALL TRANSMIT
23 ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE
24 STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE DONATE TO A
25 COLORADO NONPROFIT FUND CREATED IN SECTION 39-22-5004 (1)."

26 Page 9, strike lines 10 through 17 and substitute:

27 "(2) THIS PART 50 IS REPEALED IF THE DEPARTMENT OF REVENUE
28 DOES NOT RECEIVE SUFFICIENT FUNDING TO IMPLEMENT THE DONATE TO
29 A COLORADO NONPROFIT FUND FROM GIFTS, GRANTS, AND DONATIONS AS

1 DESCRIBED IN SUBSECTION (1) OF THIS SECTION ON OR BEFORE SEPTEMBER
2 30, 2020. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL NOTIFY
3 THE REVISOR OF STATUTES IN WRITING IF THE DEPARTMENT HAS NOT
4 RECEIVED THE AMOUNTS REQUIRED BY THIS SUBSECTION (2) ON OR BEFORE
5 SEPTEMBER 30, 2020, BY E-MAILING THE NOTICE TO
6 REVISOROFSTATUTES.GA@STATE.CO.US. THIS PART 50 IS REPEALED,
7 EFFECTIVE UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.".

8 Page 11, strike lines 2 through 12.

9 Renumber succeeding section accordingly.

** *** ** *** **