

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 14, 2017
Date

Committee on Finance.

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

SB17-208 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, after line 15 insert:

2 "SECTION 2. In Colorado Revised Statutes, 29-2-105, **amend**
3 (1)(d)(I)(A); and **add** (1)(d)(I)(A.7) as follows:

4 **29-2-105. Contents of sales tax ordinances and proposals -**
5 **repeal.** (1) The sales tax ordinance or proposal of any incorporated town,
6 city, or county adopted pursuant to this article shall be imposed on the
7 sale of tangible personal property at retail or the furnishing of services,
8 as provided in paragraph (d) of this subsection (1). Any countywide or
9 incorporated town or city sales tax ordinance or proposal shall include the
10 following provisions:

11 (d) (I) A provision that the sale of tangible personal property and
12 services taxable pursuant to this article shall be the same as the sale of
13 tangible personal property and services taxable pursuant to section
14 39-26-104, C.R.S., except as otherwise provided in this paragraph (d).
15 The sale of tangible personal property and services taxable pursuant to
16 this article shall be subject to the same sales tax exemptions as those
17 specified in part 7 of article 26 of title 39, C.R.S.; except that the sale of
18 the following may be exempted from a town, city, or county sales tax only
19 by the express inclusion of the exemption either at the time of adoption
20 of the initial sales tax ordinance or resolution or by amendment thereto:

21 (A) The exemption for sales of machinery or machine tools
22 specified in section 39-26-709 (1), ~~C.R.S.~~, other than machinery or
23 machine tools used in the processing of recovered materials by a business

1 listed in the inventory prepared by the department of public health and
2 environment pursuant to section 30-20-122 (1) (a) (V), ~~C.R.S.~~, AND
3 OTHER THAN MACHINERY OR MACHINE TOOLS USED IN THE PROCESSING OF
4 MATERIALS FROM A CONSTRUCTION MATERIALS MINING OPERATION AS
5 DEFINED IN SECTION 34-32.5-103, THAT ARE LOCATED OUTSIDE OF AN
6 ENTERPRISE ZONE AS DEFINED IN SECTION 39-30-103, INCLUDING ANY
7 CONCENTRATING, MILLING, EVAPORATION, CLEANING, PREPARATION,
8 TRANSPORTATION, AND OTHER OFF-SITE OPERATIONS NOT CONDUCTED ON
9 AFFECTED LAND;

10 (A.7) THE EXEMPTION FOR SALES OF MACHINERY OR MACHINE
11 TOOLS SPECIFIED IN SECTION 39-26-709 (1), USED IN THE PROCESSING OF
12 MATERIALS FROM A CONSTRUCTION MATERIALS MINING OPERATION AS
13 DEFINED IN SECTION 34-32.5-103, THAT ARE LOCATED OUTSIDE OF AN
14 ENTERPRISE ZONE AS DEFINED IN SECTION 39-30-103, INCLUDING ANY
15 CONCENTRATING, MILLING, EVAPORATION, CLEANING, PREPARATION,
16 TRANSPORTATION, AND OTHER OFF-SITE OPERATIONS NOT CONDUCTED ON
17 AFFECTED LAND;

18 **SECTION 3. Appropriation - adjustments to 2017 long bill.** To
19 implement this act, the general fund appropriation made in the annual
20 general appropriation act for the 2017-18 state fiscal year to the
21 department of revenue for use by the taxpayer service division for
22 operating expenses is decreased by \$42,500."

23 Renumber succeeding sections accordingly.

24 Page 1, line 102, strike "OPERATIONS." and substitute "OPERATIONS,
25 AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION."

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