

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 23-208

BY SENATOR(S) Ginal and Pelton B., Bridges, Pelton R., Priola;
also REPRESENTATIVE(S) Epps, Gonzales-Gutierrez, Mabrey, Ortiz,
Ricks, Snyder.

CONCERNING MODIFICATIONS TO CERTAIN TAX STATUTES TO CORRECT
DEFECTIVE CROSS REFERENCES.

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

SECTION 1. In Colorado Revised Statutes, 39-21-119, **amend** (4)
as follows:

**39-21-119. Filing with executive director - when deemed to have
been made.** (4) The date of receipt of returns or other documents made,
filed, signed, subscribed, verified, transmitted, received, or stored under the
alternative methods provided in ~~section~~ **SECTIONS 39-21-119.5** AND
39-21-120 ~~shall be~~ **ARE** determined pursuant to rules and regulations
adopted by the executive director pursuant to section 39-21-112 (1).

SECTION 2. In Colorado Revised Statutes, 39-22-104, **amend**
(3)(r) as follows:

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes
through words or numbers indicate deletions from existing law and such material is not part of
the act.*

39-22-104. Income tax imposed on individuals, estates, and trusts - single rate - report - legislative declaration - definitions - repeal.

(3) There shall be added to the federal taxable income:

(r) Notwithstanding subsection (3)(o) of this section, for income tax years commencing on or after January 1, 2018, an amount equal to the deduction taken under section 199A of the internal revenue code, except to the extent the deduction is otherwise disallowed under section 265 of the internal revenue code, for an electing pass-through entity owner of an electing pass-through entity, as such terms are defined in ~~section 39-21-342~~ SECTION 39-22-342, that makes the election allowed in subpart 3 of part 3 of this article 22.

SECTION 3. In Colorado Revised Statutes, 39-26-102, **amend** (19)(g) as follows:

39-26-102. Definitions. As used in this article 26, unless the context otherwise requires:

(19) (g) For purposes of this subsection (19), "agricultural commodities" does not include products regulated under ~~articles 11 and 12~~ ARTICLE 10 of title 44.

SECTION 4. 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; 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 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO