

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB19-1245 be amended as follows:

1 Page 10, after line 1 insert:

2 "SECTION 7. In Colorado Revised Statutes, 39-26-703, **amend**
3 (2)(c) and (2)(c.5) as follows:

4 **39-26-703. Disputes and refunds.** (2) (c) A refund shall be made
5 or a credit allowed by the executive director of the department of revenue
6 to any person entitled to an exemption where the person establishes: That
7 a tax was paid by another on a purchase made on behalf of such person
8 or that a tax was paid by an independent contractor on or before July 1,
9 1979, on tangible personal property incorporated into realty for the sole
10 use, benefit, and ownership of any person entitled to an exemption; that
11 a refund has not been granted to the person making the purchase; and that
12 the person entitled to exemption paid or reimbursed the purchaser for
13 such tax. No such refund shall be made or credit allowed in an amount
14 greater than the tax paid. ~~less the expense allowance on the purchase~~
15 ~~retained by the vendor pursuant to section 39-26-105 (1).~~

16 (c.5) The executive director of the department of revenue shall
17 make a refund or allow a credit to any person who establishes that he or
18 she has overpaid the tax due pursuant to this ~~article~~ ARTICLE 26. No such
19 refund shall be made or credit allowed in an amount greater than the tax
20 paid. ~~less the expense allowance on the purchase retained by the vendor~~
21 ~~pursuant to section 39-26-105 (1).".~~

22 Renumber succeeding sections accordingly.

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