

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB19-1323 be amended as follows:

1 Amend the printed bill, strike lines 2 through 17 and substitute:

2 "SECTION 1. In Colorado Revised Statutes, 39-26-718, amend  
3 (1)(b) as follows:

4 **39-26-718. Charitable organizations - association or  
5 organization of parents and teachers of public school students.**

6 (1) The following shall be exempt from taxation under the provisions of  
7 part 1 of this article 26:

8 (b) (I) ~~Effective July 1, 1995,~~ All ~~occasional~~ sales by a charitable  
9 organization OF TANGIBLE PERSONAL PROPERTY, COMMODITIES, OR  
10 SERVICES OTHERWISE SUBJECT TO TAX UNDER THIS ARTICLE 26 IF:

11 ~~(H) For purposes of this paragraph (b), "occasional sales" means~~  
12 ~~retail sales of tangible personal property, including concessions, for~~  
13 ~~fund-raising purposes if:~~

14 ~~(A) The sale of tangible personal property or concessions by the~~  
15 ~~charitable organization takes place no more than twelve days, whether~~  
16 ~~consecutive or not, during any one~~ NET PROCEEDS FROM SALES BY THE  
17 CHARITABLE ORGANIZATIONS OF TANGIBLE PERSONAL PROPERTY,  
18 COMMODITIES, OR SERVICES OTHERWISE SUBJECT TO TAX UNDER THIS  
19 ARTICLE 26 DO NOT EXCEED FORTY-FIVE THOUSAND DOLLARS DURING THE  
20 PRECEDING calendar year; AND

21 (B) The funds raised by the charitable organization through these  
22 sales are retained by the organization to be used in the course of the  
23 organization's charitable service. ~~and~~

24 ~~(C) The funds raised by the charitable organization through these~~  
25 ~~sales do not exceed twenty-five thousand dollars during any one calendar~~  
26 ~~year.~~

27 (II) THE EXEMPTION IN THIS SUBSECTION (1)(b) SHALL NOT APPLY  
28 TO SALES MADE BY A CHARITABLE ORGANIZATION ON AND AFTER THE  
29 DATE THAT THE NET PROCEEDS FROM SALES BY THE CHARITABLE  
30 ORGANIZATION OF TANGIBLE PERSONAL PROPERTY, COMMODITIES, OR  
31 SERVICES OTHERWISE SUBJECT TO TAX UNDER THIS ARTICLE 26 EXCEEDS  
32 FORTY-FIVE THOUSAND DOLLARS DURING THE CURRENT CALENDAR  
33 YEAR."

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