

HB1004_L.006

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Rural Affairs & Agriculture.

HB20-1004 be amended as follows:

1 Amend printed bill, page 4, line 5, strike "(4)(n.5)(I)(A.5)" and substitute
2 "(4)(n.5)(I)(A)".

3 Page 4, strike lines 9 through 18 and substitute:

4 "(n.5) (I) (A) For income tax years commencing on or after
5 January 1, 2014, but prior to January 1, 2017, and for income tax years
6 commencing on or after January 1, 2020, but prior to ~~January 1, 2025~~;
7 JANUARY 1, 2021, an amount equal to fifty percent of a landowner's costs
8 incurred in performing wildfire mitigation measures in that income tax
9 year on his or her property located within the state; except that the amount
10 of the deduction claimed in an income tax year shall not exceed two
11 thousand five hundred dollars or the total amount of the landowner's
12 federal taxable income for the income tax year for which the deduction
13 is claimed, whichever is less."

14 Page 4, line 20, strike "DECEMBER 31, 2027." and substitute "JANUARY 1,
15 2025."

16 Page 4, after line 20 insert:

17 "SECTION 3. In Colorado Revised Statutes, **add** 39-22-543 as
18 follows:

19 **39-22-543. Credit for wildfire hazard mitigation expenses -**
20 **legislative declaration - definitions - repeal.** (1) THE GENERAL
21 ASSEMBLY DECLARES THAT THE PURPOSE OF THE TAX EXPENDITURE IN
22 THIS SECTION IS TO REIMBURSE A LANDOWNER FOR THE COSTS INCURRED
23 IN PERFORMING WILDFIRE MITIGATION MEASURES ON HIS OR HER
24 PROPERTY LOCATED WITHIN THE STATE.

25 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
26 REQUIRES:

27 (a) "COSTS" MEANS ANY ACTUAL OUT-OF-POCKET EXPENSE
28 INCURRED AND PAID BY THE LANDOWNER, DOCUMENTED BY RECEIPT, FOR
29 PERFORMING WILDFIRE MITIGATION MEASURES. "COSTS" DO NOT INCLUDE
30 ANY INSPECTION OR CERTIFICATION FEES, IN-KIND CONTRIBUTIONS,
31 DONATIONS, INCENTIVES, OR COST SHARING ASSOCIATED WITH
32 PERFORMING WILDFIRE MITIGATION MEASURES. "COSTS" DO NOT INCLUDE
33 EXPENSES PAID BY THE LANDOWNER FROM ANY GRANTS AWARDED TO THE
34 LANDOWNER FOR PERFORMING WILDFIRE MITIGATION MEASURES.

35 (b) "LANDOWNER" MEANS ANY OWNER OF RECORD OF PRIVATE
36 LAND LOCATED WITHIN THE STATE, INCLUDING ANY EASEMENT,

1 RIGHT-OF-WAY, OR ESTATE IN THE LAND, AND INCLUDES THE HEIRS,
2 SUCCESSORS, AND ASSIGNS OF SUCH LAND. "LANDOWNER" SHALL NOT
3 INCLUDE ANY PARTNERSHIP, S CORPORATION, OR OTHER SIMILAR ENTITY
4 THAT OWNS PRIVATE LAND AS AN ENTITY, UNLESS THERE IS A DWELLING
5 ON THAT LAND THAT IS DESIGNED FOR RESIDENTIAL OCCUPANCY.

6 (c) "WILDFIRE MITIGATION MEASURES" MEANS THE CREATION OF
7 A DEFENSIBLE SPACE AROUND STRUCTURES; THE ESTABLISHMENT OF FUEL
8 BREAKS; THE THINNING OF WOODY VEGETATION FOR THE PRIMARY
9 PURPOSE OF REDUCING RISK TO STRUCTURES FROM WILDLAND FIRE; OR
10 THE SECONDARY TREATMENT OF WOODY FUELS BY LOPPING AND
11 SCATTERING, PILING, CHIPPING, REMOVING FROM THE SITE, OR PRESCRIBED
12 BURNING; SO LONG AS SUCH ACTIVITIES MEET OR EXCEED ANY COLORADO
13 STATE FOREST SERVICE STANDARDS OR ANY OTHER APPLICABLE STATE
14 RULES.

15 (3) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY
16 1, 2020, BUT PRIOR TO JANUARY 1, 2025, A LANDOWNER IS ALLOWED A
17 CREDIT AGAINST THE INCOME TAXES IMPOSED BY THIS ARTICLE 22 IN AN
18 AMOUNT EQUAL TO TWENTY-FIVE PERCENT OF UP TO TWO THOUSAND FIVE
19 HUNDRED DOLLARS IN COSTS FOR WILDFIRE MITIGATION MEASURES. THE
20 MAXIMUM TOTAL CREDIT IN A TAXABLE YEAR IS SIX HUNDRED TWENTY
21 FIVE DOLLARS.

22 (4) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2028."

23 Renumber succeeding section accordingly.

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