

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB21-1197 be amended as follows:

1 Amend printed bill, page 3, after line 9 insert:

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

4 **39-22-104. Income tax imposed on individuals, estates, and**
5 **trusts - single rate - legislative declaration - definitions - repeal.**
6 (3) There shall be added to the federal taxable income:

7 (o) For income tax years commencing on or after January 1, 2021,
8 but before ~~January 1, 2023~~ JANUARY 1, 2026, an amount equal to the
9 deduction allowed under section 199A of the internal revenue code for a
10 taxpayer who files a single return and whose adjusted gross income is
11 greater than ~~five hundred thousand dollars~~ TWO HUNDRED FIFTY
12 THOUSAND DOLLARS, and for taxpayers who file a joint return and whose
13 adjusted gross income is greater than ~~one million dollars~~ FIVE HUNDRED
14 THOUSAND DOLLARS; except that this subsection (3)(o) does not apply to
15 a taxpayer who files a schedule F, profit or loss from farming, or
16 successor form, as an attachment to a federal income tax return.

17 **SECTION 3.** In Colorado Revised Statutes, 39-22-504, **add** (7)
18 as follows:

19 **39-22-504. Net operating losses.** (7) (a) NOTWITHSTANDING ANY
20 OTHER PROVISION OF THIS SECTION, THE MAXIMUM AMOUNT OF NET
21 OPERATING LOSS THAT AN INDIVIDUAL, ESTATE, OR TRUST MAY SUBTRACT
22 FROM FEDERAL TAXABLE INCOME PURSUANT TO SUBSECTION (1)(a) OF THIS
23 SECTION FOR A TAX YEAR COMMENCING ON OR AFTER JANUARY 1, 2021,
24 BUT PRIOR TO JANUARY 1, 2026, IS TWO HUNDRED FIFTY THOUSAND
25 DOLLARS.

26 (b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
27 THE MAXIMUM AMOUNT OF NET OPERATING LOSS THAT A CORPORATION
28 MAY SUBTRACT FROM FEDERAL TAXABLE INCOME PURSUANT TO SECTION
29 39-22-304 (3)(g) FOR A TAX YEAR COMMENCING ON OR AFTER JANUARY
30 1, 2021, BUT PRIOR TO JANUARY 1, 2026, IS TWO HUNDRED FIFTY
31 THOUSAND DOLLARS."

32 Renumber succeeding section accordingly.

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