

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Moreno

1 Amend printed bill, page 23, after line 22 insert:

2 "SECTION 14. In Colorado Revised Statutes, 39-21-112, add
3 (10) as follows:

4 **39-21-112. Duties and powers of executive director.**

5 (10) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AND
6 PURSUANT TO 26 U.S.C. 6402 AND 31 U.S.C. 3716 (b) AND (h)(1), OR ANY
7 SUCCESSOR SECTIONS, THE EXECUTIVE DIRECTOR MAY ENTER INTO A
8 RECIPROCAL AGREEMENT WITH THE UNITED STATES GOVERNMENT TO
9 OFFSET:

10 (I) THE CLAIM OF ANY PERSON AGAINST THE STATE, INCLUDING
11 ANY STATE TAX OVERPAYMENT TO WHICH THE PERSON MAY BE ENTITLED,
12 TO ANY DEBT OF THE PERSON OWED TO THE UNITED STATES GOVERNMENT
13 THAT THE UNITED STATES GOVERNMENT HAS CERTIFIED AS FINAL, DUE,
14 AND OWING, WITH ALL APPEALS AND LEGAL ACTIONS HAVING BEEN
15 WAIVED OR EXHAUSTED; AND

16 (II) ANY CLAIM OF ANY PERSON AGAINST THE UNITED STATES
17 GOVERNMENT TO ANY LIQUIDATED DEBT OF THE PERSON OWED TO THE
18 STATE. ANY FEES ASSOCIATED WITH ANY OFFSET OF FEDERAL MONEY WILL
19 BE DEDUCTED BY THE UNITED STATES GOVERNMENT FROM THE AMOUNT
20 OF MONEY OFFSET, WHICH MAY THEN BE ADDED TO THE BALANCE OF THE
21 DEBT OWED, BUT ANY FEES ASSOCIATED WITH ANY OFFSET OF STATE
22 MONEY WILL NOT BE CHARGED TO THE UNITED STATES GOVERNMENT.

23 (b) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
24 EXECUTIVE DIRECTOR MAY ENTER INTO A RECIPROCAL AGREEMENT WITH
25 ANY STATE TO OFFSET:

26 (I) THE CLAIM OF ANY PERSON AGAINST THE STATE TO ANY DEBT
27 OF THE PERSON OWED TO ANY STATE THAT HAS CERTIFIED THE DEBT AS
28 FINAL, DUE, AND OWING, WITH ALL APPEALS AND LEGAL ACTIONS HAVING
29 BEEN WAIVED OR EXHAUSTED; AND

30 (II) ANY CLAIM OF ANY PERSON AGAINST ANY STATE TO ANY
31 LIQUIDATED DEBT OF THE PERSON OWED TO THE STATE."

32 Renumber succeeding sections accordingly.

** ** ** ** **