

## SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Hansen

1 Amend printed bill, page 10, line 21, after "**legislative declaration -**",  
2 insert "**tax preference performance statement -**".

3 Page 12, strike lines 3 through 6 and substitute:

4 "(c) "RETAILER" HAS THE MEANING SET FORTH IN SECTION  
5 39-26-102 (8).

6 (d) "RETAIL SALE" HAS THE MEANING SET FORTH IN SECTION  
7 39-26-102 (9)."

8 Page 12, line 8, strike "TAXPAYER" and substitute "RETAILER QUALIFIED  
9 PURSUANT TO SUBSECTION (3)(d)(III) OF THIS SECTION".

10 Page 12, strike lines 24 through 27.

11 Page 13, strike lines 1 through 7 and substitute:

12 "(d) (I) THE QUALIFIED RETAILER SHALL ELECTRONICALLY SUBMIT  
13 A REPORT TO THE DEPARTMENT OF REVENUE, ON A QUARTERLY BASIS AND  
14 IN THE FORM AND MANNER REQUIRED BY THE DEPARTMENT, THAT DETAILS  
15 THE NUMBER OF PIECES OF NEW, ELECTRIC-POWERED LAWN EQUIPMENT  
16 SOLD BY THE QUALIFIED RETAILER IN THE REPORTING PERIOD FOR WHICH  
17 THE QUALIFIED RETAILER PROVIDED A DISCOUNT AS DESCRIBED IN  
18 SUBSECTION (3)(b) OF THIS SECTION. THE DEPARTMENT MAY REQUIRE THE  
19 QUALIFIED RETAILER TO INCLUDE ADDITIONAL INFORMATION IN THE  
20 REPORT.

21 (II) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY  
22 1, 2025, THE QUALIFIED RETAILER MAY ELECT ADVANCE PAYMENTS OF THE  
23 CREDIT ALLOWED PURSUANT TO THIS SECTION AS SPECIFIED IN SECTION  
24 39-22-629.

25 (III) BEFORE SELLING A PIECE OF NEW, ELECTRIC-POWERED LAWN  
26 EQUIPMENT FOR WHICH A RETAILER INTENDS TO CLAIM A CREDIT  
27 PURSUANT TO THIS SECTION, THE RETAILER SHALL REGISTER AS A  
28 QUALIFIED RETAILER BY FILING WITH THE DEPARTMENT OF REVENUE A  
29 REGISTRATION STATEMENT IN THE FORM AND MANNER THAT THE  
30 DEPARTMENT PRESCRIBES.

31 (4) IF A CREDIT AUTHORIZED BY THIS SECTION EXCEEDS THE  
32 INCOME TAX DUE ON THE INCOME OF THE QUALIFIED RETAILER FOR THE  
33 TAXABLE YEAR, THE EXCESS CREDIT MAY NOT BE CARRIED FORWARD AND  
34 MUST BE REFUNDED TO THE QUALIFIED RETAILER."

1 Page 13, line 16, strike "TAXPAYERS" and substitute "A QUALIFIED  
2 RETAILER".

3 Page 13, after line 23 insert:

4 **"SECTION 9.** In Colorado Revised Statutes, 39-22-629, **amend**  
5 **as added by House Bill 23-1272** (1)(a) as follows:

6 **39-22-629. Advance payments of income tax credits -**  
7 **definitions - repeal.** (1) As used in this section, unless the context  
8 otherwise requires:

9 (a) "Applicable credit" means the credits allowed in sections  
10 39-22-516.7, 39-22-516.8, **39-22-549**, and 39-22-553."

11 Renumber succeeding sections accordingly.

12 Page 18, line 25, strike "This" and substitute "(1) Except as provided in  
13 subsection (2) of this section, this".

14 Page 19, after line 6 insert:

15 "(2) Section 39-22-549 (3)(d)(II), Colorado Revised Statutes, as  
16 enacted in section 8 of this act, and section 9 of this act take effect only  
17 if House Bill 23-1272 becomes law, in which case section 39-22-549  
18 (3)(d)(II), Colorado Revised Statutes, as enacted in section 8 of this act,  
19 and section 9 of this act take effect on the effective date of this act or  
20 House Bill 23-1272, whichever is later."

21 Strike "TAXPAYER" and substitute "QUALIFIED RETAILER" on: **Page 12,**  
22 lines 12, 15, and 21.

\*\* \*\*