

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0340.01 Ed DeCecco x4216

HOUSE BILL 16-1045

HOUSE SPONSORSHIP

Singer, Pettersen

SENATE SPONSORSHIP

Merrifield and Kefalas,

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE START OF THE CHILD TAX CREDIT.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Early Childhood and School Readiness Legislative Commission. In 2013, the general assembly created a child tax credit against state income taxes for a resident individual. But the credit, which is a percentage of the federal child tax credit based on the taxpayer's income, is only allowed after the United States congress enacts a version of the "Marketplace Fairness Act".

The bill repeals the contingent start of the tax credit and instead allows the credit to be claimed for any income tax year beginning with the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

2016 income tax year.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 39-22-129, **amend**
3 (3) (a); and **repeal** (4) as follows:

4 **39-22-129. Child tax credit - legislative declaration -**
5 **definitions.** (3) (a) For ~~an~~ income tax year specified in subsection (4) of
6 ~~this section~~ YEARS COMMENCING ON OR AFTER JANUARY 1, 2016, a
7 resident individual who claims a federal child tax credit for an eligible
8 child on the individual's federal tax return is allowed a child tax credit
9 against the income taxes due under this article for the same tax year.

10 (4) ~~No credit is allowed under this section until the United States~~
11 ~~congress has enacted the "Marketplace Fairness Act of 2013", or any~~
12 ~~other act with substantially similar requirements, and the general~~
13 ~~assembly has enacted a law to implement the minimum simplification~~
14 ~~requirements in the congressional act. The credit allowed under this~~
15 ~~section may be claimed for any income tax year beginning with the~~
16 ~~income tax year during which the last prerequisite bill under this~~
17 ~~subsection (4) becomes law; except that, if the last bill becomes law after~~
18 ~~October 1 of a given year, the credit is first available in the next income~~
19 ~~tax year, and in no case may the credit be claimed prior to the 2014~~
20 ~~income tax year.~~

21 **SECTION 2. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2016 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.