

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 13-0278.01 Ed DeCecco x4216

**HOUSE BILL 13-1151**

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**HOUSE SPONSORSHIP**

**Moreno**, Fischer

**SENATE SPONSORSHIP**

**Kefalas**,

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**House Committees**

Finance

Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING A SALES AND USE TAX HOLIDAY FOR TEXTBOOKS FOR USE**  
102     **AT AN INSTITUTION OF HIGHER EDUCATION.**

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**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>.)*

**Section 1** of the bill creates a one-day state sales and use tax exemption (holiday) for any textbook that is required or recommended for use at an institution of higher education and that is sold by a campus book store. This sales and use tax holiday occurs on the last Monday of August of the next 5 years. The exemption applies to new, used, and electronic

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.*

textbooks.

**Section 2** of the bill permits a statutory town, city, or county to create an identical local sales tax holiday.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 39-26-727 as  
3 follows:

4 **39-26-727. Textbook - institution of higher education -**  
5 **legislative declaration - definitions.** (1) THE GENERAL ASSEMBLY  
6 HEREBY FINDS, DETERMINES, AND DECLARES THAT:

7 (a) TUITION AND FEES AT INSTITUTIONS OF HIGHER EDUCATION  
8 HAVE INCREASED AT A STAGGERING PACE;

9 (b) ONE OF THE HIGH COSTS THAT STUDENTS FACE IS THE COST OF  
10 TEXTBOOKS THAT ARE REQUIRED FOR COURSE WORK;

11 (c) THE STATE CAN SHOW ITS SUPPORT FOR STUDENTS BY OFFERING  
12 A SALES TAX HOLIDAY FOR THESE TEXTBOOKS; AND

13 (d) THE PRIMARY PURPOSE OF THE TAX EXEMPTION IN THIS  
14 SECTION IS TO REDUCE THE COSTS FOR STUDENTS TO ATTEND INSTITUTIONS  
15 OF HIGHER EDUCATION IN COLORADO THROUGH A TEMPORARY SALES AND  
16 USE TAX HOLIDAY ON TEXTBOOKS.

17 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
18 REQUIRES:

19 (a) "CAMPUS BOOK STORE" MEANS A BOOK STORE THAT:

20 (I) IS LOCATED ON THE CAMPUS OF AN INSTITUTION OF HIGHER  
21 EDUCATION;

22 (II) IS OWNED AND OPERATED BY THE INSTITUTION OF HIGHER  
23 EDUCATION; OR

24 (III) HAS A CONTRACT WITH AN INSTITUTION OF HIGHER

1 EDUCATION TO OPERATE ON BEHALF OF THE INSTITUTION.

2 (b) "INSTITUTION OF HIGHER EDUCATION" HAS THE SAME MEANING  
3 AS SET FORTH IN SECTION 22-35-103 (12), C.R.S.

4 (c) "TEXTBOOK" MEANS A BOOK OR RELATED WORKBOOK  
5 REQUIRED OR RECOMMENDED FOR A COURSE AT AN INSTITUTION OF  
6 HIGHER EDUCATION. "TEXTBOOK" INCLUDES NEW, USED, AND ELECTRONIC  
7 BOOKS.

8 (3) ON AUGUST 26, 2013, AND THE LAST MONDAY IN AUGUST OF  
9 THE FOLLOWING FOUR YEARS, THE SALE OF A TEXTBOOK BY A CAMPUS  
10 BOOK STORE IS EXEMPT FROM THE TAX LEVIED PURSUANT TO PART 1 OF  
11 THIS ARTICLE.

12 (4) THE STORAGE, USE, OR CONSUMPTION OF A TEXTBOOK THAT IS  
13 EXEMPT AT THE TIME OF PURCHASE FROM THE SALES TAX PURSUANT TO  
14 SUBSECTION (3) OF THIS SECTION IS EXEMPT FROM THE USE TAX LEVIED  
15 PURSUANT TO PART 2 OF THIS ARTICLE.

16 **SECTION 2.** In Colorado Revised Statutes, 29-2-105, **amend** (1)  
17 (d) (I) (K) and (1) (d) (I) (L); and **add** (1) (d) (I) (M) as follows:

18 **29-2-105. Contents of sales tax ordinances and proposals -**  
19 **repeal.** (1) The sales tax ordinance or proposal of any incorporated town,  
20 city, or county adopted pursuant to this article shall be imposed on the  
21 sale of tangible personal property at retail or the furnishing of services,  
22 as provided in paragraph (d) of this subsection (1). Any countywide or  
23 incorporated town or city sales tax ordinance or proposal shall include the  
24 following provisions:

25 (d) (I) A provision that the sale of tangible personal property and  
26 services taxable pursuant to this article shall be the same as the sale of  
27 tangible personal property and services taxable pursuant to section

1 39-26-104, C.R.S., except as otherwise provided in this paragraph (d).  
2 The sale of tangible personal property and services taxable pursuant to  
3 this article shall be subject to the same sales tax exemptions as those  
4 specified in part 7 of article 26 of title 39, C.R.S.; except that the sale of  
5 the following may be exempted from a town, city, or county sales tax only  
6 by the express inclusion of the exemption either at the time of adoption  
7 of the initial sales tax ordinance or resolution or by amendment thereto:

8 (K) The exemption for sales that benefit a Colorado school  
9 specified in section 39-26-725, C.R.S.; and

10 (L) The exemption for sales by an association or organization of  
11 parents and teachers of public school students that is a charitable  
12 organization as specified in section 39-26-718 (1) (c), C.R.S.; AND

13 (M) THE EXEMPTION FOR SALES OF TEXTBOOKS SPECIFIED IN  
14 SECTION 39-26-727, C.R.S., FOR THE DAYS THAT THE STATE EXEMPTION  
15 IS AVAILABLE. THIS SUB-SUBPARAGRAPH (M) IS REPEALED, EFFECTIVE  
16 JANUARY 1, 2018.

17 **SECTION 3. Safety clause.** The general assembly hereby finds,  
18 determines, and declares that this act is necessary for the immediate  
19 preservation of the public peace, health, and safety.