

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 13-262

BY SENATOR(S) Tochtrop, Baumgardner;
also REPRESENTATIVE(S) Primavera, DelGrosso, Ryden, Fields,
Labuda, Schafer.

CONCERNING THE EXEMPTION OF REPRESENTATIVE SERVICES OF ENROLLED
AGENTS FROM THE DEFINITION OF DEBT MANAGEMENT SERVICES.

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

SECTION 1. In Colorado Revised Statutes, 12-14.5-202, **amend**
(10) (A) and (10) (B) as follows:

12-14.5-202. Definitions. As used in this part 2, unless the context
otherwise requires:

(10) (A) "Debt-management services" means services as an
intermediary between an individual and one or more creditors of the
individual for the purpose of obtaining concessions, but does not include:

(i) Legal services provided in an attorney-client relationship by an
attorney licensed to practice law in this state; ~~or~~

(ii) Accounting services provided in an accountant-client

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

relationship by a certified public accountant certified or authorized by the state board of accountancy to provide accounting services in this state; OR

(iii) REPRESENTATIVE SERVICES PROVIDED BEFORE THE INTERNAL REVENUE SERVICE, THE DEPARTMENT OF REVENUE, OR THE DEPARTMENT OF LABOR AND EMPLOYMENT IN AN ENROLLED AGENT-CLIENT RELATIONSHIP FOR TAX PURPOSES BY AN ENROLLED AGENT WHO IS AUTHORIZED BY AND IN GOOD STANDING WITH THE UNITED STATES DEPARTMENT OF TREASURY, IF THE ENROLLED AGENT IS NOT ENGAGING IN OTHER DEBT MANAGEMENT SERVICES.

(B) The exemptions in subparagraph (A) of this paragraph (10) do not apply to any person who directly or indirectly provides any debt management services on behalf of a licensed attorney, ~~or~~ certified public accountant, OR ENROLLED AGENT if that person is not an employee of the licensed attorney, ~~or~~ certified public accountant, OR ENROLLED AGENT.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

John P. Morse
PRESIDENT OF
THE SENATE

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO