

Amendment No. 1 to SB2103

Hensley
Signature of Sponsor

AMEND Senate Bill No. 2103

House Bill No. 1893*

by deleting subdivision (a)(1) in Section 3 and substituting instead the following:

(1) The tax subject to refund must have been reported to the department on a return filed on or after January 1, 2021, covering a tax period that ended on or after March 31, 2020, and the refund claim must be filed pursuant to this section between May 1, 2024, and February 3, 2025;

AND FURTHER AMEND by deleting subsection (b) in Section 3 and substituting instead the following:

(b) All refunds paid pursuant to this section must be paid from an appropriately designated fund established by the commissioner of finance and administration. Except as otherwise provided in this subsection (b), any unexpended balance at the end of a fiscal year shall not revert to the general fund but must be carried forward to be expended in the subsequent fiscal year. On or before June 30, 2025, the commissioner of finance and administration and the commissioner of revenue must jointly certify to the chairs of the finance, ways and means committees of the senate and the house of representatives the amount claimed pursuant to subsection (a). On July 1, 2025, any funds in excess of the certified amount shall revert to the general fund. The fund specified in this subsection (b) expires upon final payment of all refunds due pursuant to this section, and any remaining balance shall revert to the general fund. It is the legislative intent that the beginning balance in the fund must be from funds appropriated by the general assembly in the general appropriations

act for the purposes of this section.

AND FURTHER AMEND by deleting the language "and annually until December 31, 2027," and the language "each fiscal year" in subsection (c) in Section 3.

AND FURTHER AMEND by deleting Section 17 and substituting instead the following:

SECTION 17. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 18. Sections 1, 2, and 7-16 of this act take effect upon becoming a law, the public welfare requiring it, and apply to tax years ending on or after January 1, 2024. All other sections of this act take effect upon becoming a law, the public welfare requiring it.