

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 29, 2011
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB11-1300 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, after line 1 insert:

2 "SECTION 1. 39-22-522 (2.5), Colorado Revised Statutes, is
3 amended to read:

4 **39-22-522. Credit against tax - conservation easements.**
5 (2.5) Notwithstanding any other provision of this section, for income tax
6 years commencing during the 2011, 2012, and 2013 calendar years, a
7 taxpayer conveying a conservation easement in 2011, 2012, or 2013 and
8 claiming a credit pursuant to this section shall, in addition to any other
9 requirements of this section, submit a claim for the credit to the division
10 of real estate in the department of regulatory agencies. The division shall
11 issue a certificate for the claims received in the order submitted. After
12 certificates have been issued for credits that exceed an aggregate of
13 ~~twenty-six~~ TWENTY-TWO million dollars for all taxpayers for income tax
14 years commencing in each of the 2011 AND 2012 ~~and 2013~~ calendar years
15 AND THIRTY-FOUR MILLION DOLLARS FOR EACH INCOME TAX YEAR
16 COMMENCING IN THE 2013 CALENDAR YEAR, any claims that exceed the
17 amount allowed for a specified calendar year shall be placed on a wait list
18 in the order submitted and a certificate shall be issued for use of the credit
19 in 2012 or 2013. The division shall not issue credit certificates that
20 exceed ~~twenty-six~~ TWENTY-TWO million dollars for each income tax year
21 commencing in the 2011 AND 2012 ~~and 2013~~ calendar years AND
22 THIRTY-FOUR MILLION DOLLARS FOR EACH INCOME TAX YEAR
23 COMMENCING IN THE 2013 CALENDAR YEAR. No claim for a credit shall

1 be allowed for any income tax year commencing during the 2011, 2012,
2 or 2013 calendar years unless a certificate has been issued by the division.
3 The right to claim the credit shall be vested in the taxpayer at the time a
4 credit certificate is issued. The division may promulgate rules in
5 accordance with article 4 of title 24, C.R.S., for the issuance of
6 certificates in accordance with this subsection (2.5)."

7 Renumber succeeding sections accordingly.

8 Page 21, before line 12 insert:

9 **"SECTION 4. Appropriation.** In addition to any other
10 appropriation, there is hereby appropriated, out of any moneys in the
11 general fund not otherwise appropriated, to the department of revenue, for
12 allocation to the central department operations division, for the fiscal year
13 beginning July 1, 2010, the sum of three thousand three hundred fifty-four
14 dollars (\$3,354), or so much thereof as may be necessary, for the
15 implementation of this act.

16 **SECTION 5. Appropriation.** (1) In addition to any other
17 appropriation, there is hereby appropriated, out of any moneys in the
18 general fund not otherwise appropriated, to the judicial department, courts
19 administration, centrally administered programs, for courthouse capital/
20 infrastructure maintenance, for the fiscal year beginning July 1, 2011, the
21 sum of sixty-two thousand five hundred twenty-nine dollars (\$62,529), or
22 so much thereof as may be necessary, for the implementation of this act.

23 (2) In addition to any other appropriation, there is hereby
24 appropriated, out of any moneys in the general fund not otherwise
25 appropriated, to the judicial department, trial courts, trial court programs,
26 for personal services and operating expenditures, for the fiscal year
27 beginning July 1, 2011, the sum of five hundred ninety thousand four
28 hundred seventy-one dollars (\$590,471) and 6.0 FTE, or so much thereof
29 as may be necessary, for the implementation of this act.

30 (3) In addition to any other appropriation, there is hereby
31 appropriated, out of any moneys in the conservation easement holder
32 certification fund created in section 12-61-720 (3), Colorado Revised
33 Statutes, not otherwise appropriated, to the department of regulatory
34 agencies, for the fiscal year beginning July 1, 2011, the sum of twelve
35 thousand one hundred twelve dollars (\$12,112) cash funds, or so much
36 thereof as may be necessary, for the implementation of this act. Of this
37 sum, two thousand three hundred fifty-two dollars (\$2,352) shall be
38 allocated to the executive director's office and administrative services

1 division for legal services and nine thousand seven hundred sixty dollars
2 (\$9,760) shall be allocated to the division of real estate.

3 (4) In addition to any other appropriation, there is hereby
4 appropriated to the department of law, for the fiscal year beginning July
5 1, 2011, sum of two thousand three hundred fifty-two dollars (\$2,352), or
6 so much thereof as may be necessary, for the provision of legal services
7 to the department of regulatory agencies related to the implementation of
8 this act. Said sum shall be from reappropriated funds received from the
9 department of regulatory agencies out of the appropriation made in
10 subsection (3) of this section.

11 (5) In addition to any other appropriation, there is hereby
12 appropriated, out of any moneys in the general fund not otherwise
13 appropriated, to the department of revenue, for the fiscal year beginning
14 July 1, 2011, the sum of two million seven hundred forty-three thousand
15 two hundred twelve dollars (\$2,743,212) and 3.6 FTE or so much thereof
16 as may be necessary, for the implementation of this act.

17 (6) In addition to any other appropriation, there is hereby
18 appropriated to the department of law, for the fiscal year beginning July
19 1, 2011, sum of one million three hundred forty-nine thousand five
20 hundred eighty-one dollars (\$1,349,581) and 9.1 FTE, or so much thereof
21 as may be necessary, for the provision of legal services to the department
22 of revenue related to the implementation of this act. Said sum shall be
23 from reappropriated funds received from the department of revenue out
24 of the appropriation made in subsection (5) of this section."

25 Renumber succeeding section accordingly.

26 Page 1, line 106, strike "COURT." and substitute "COURT, AND MAKING
27 AND APPROPRIATION THEREFOR."

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