

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 12-0475.01 Kate Meyer x4348

HOUSE BILL 12-1006

HOUSE SPONSORSHIP

Todd, Barker, Murray, Ramirez, Soper, Summers, Waller

SENATE SPONSORSHIP

Spence, Aguilar, Bacon, Brophy, Giron, Roberts

House Committees

Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE VOLUNTARY CONTRIBUTION DESIGNATION**
102 **BENEFITING THE AMERICAN RED CROSS COLORADO DISASTER**
103 **RESPONSE, READINESS, AND PREPAREDNESS FUND THAT APPEARS**
104 **ON THE STATE INDIVIDUAL INCOME TAX RETURN FORMS.**

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>.)

The bill creates the American Red Cross Colorado disaster response, readiness, and preparedness fund (fund) in the state treasury.

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.

HOUSE
3rd Reading Unam ended
February 29, 2012

HOUSE
2nd Reading Unam ended
February 28, 2012

For the 5 income tax years following the year in which the executive director of the department of revenue certifies to the revisor of statutes that there is a space on the income tax return form and that the American Red Cross Colorado disaster response, readiness, and preparedness fund voluntary contribution is next in the queue, the bill requires a voluntary contribution designation line for the fund to appear on state individual income tax return forms.

The department of revenue (department) must determine annually the total amount designated to the fund and report that amount to the state treasurer and the general assembly. The state treasurer shall credit that amount to the fund.

Finally, the general assembly must appropriate annually from the fund to the department its costs of administering contributions to the fund. All moneys remaining in the fund at the end of a fiscal year shall be transferred to the American Red Cross Colorado Chapters.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 43 to article
3 22 of title 39 as follows:

4 **PART 43**

5 **AMERICAN RED CROSS COLORADO DISASTER**

6 **RESPONSE, READINESS, AND PREPAREDNESS FUND**

7 **VOLUNTARY CONTRIBUTION**

8 **39-22-4301. Legislative declaration.** (1) THE GENERAL
9 ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

10 (a) THE AMERICAN RED CROSS IS A HUMANITARIAN
11 ORGANIZATION THAT BRINGS TOGETHER WELL-TRAINED AND DEDICATED
12 VOLUNTEERS AND PAID STAFF TO HELP PREVENT, PREPARE FOR, AND
13 RESPOND TO EMERGENCIES;

14 (b) THE AMERICAN RED CROSS:

15 (I) HELPS MILITARY FAMILIES DELIVER MESSAGES TO THEIR LOVED
16 ONES SERVING OUR NATION IN FOREIGN COUNTRIES; AND

17 (II) HAS BEEN INSTRUMENTAL IN ASSISTING VICTIMS OF DISASTERS

1 AROUND THE WORLD, INCLUDING FIRES, FLOODS, EARTHQUAKES, WARS,
2 AND HURRICANES;

3 (c) UNDER THE LEADERSHIP OF THE AMERICAN RED CROSS,
4 THOUSANDS OF VOLUNTEERS STAND READY TO ASSIST THOSE DISPLACED
5 BY DISASTER, WHEREVER AND WHENEVER IT MAY STRIKE;

6 (d) IN COLORADO, THE AMERICAN RED CROSS HAS TRAINED TENS
7 OF THOUSANDS OF CITIZENS IN FIRST AID, CARDIOPULMONARY
8 RESUSCITATION, WATER SAFETY, AND OTHER LIFE-SAVING TECHNIQUES;
9 AND

10 (e) IN THE 2011 FISCAL YEAR ALONE, THE AMERICAN RED CROSS
11 COLORADO CHAPTERS:

12 (I) RESPONDED TO MORE THAN FOUR HUNDRED DISASTERS;

13 (II) ASSISTED NEARLY EIGHT HUNDRED FAMILIES AFFECTED BY
14 DISASTER;

15 (III) ASSISTED MORE THAN FIVE THOUSAND MEMBERS OF THE
16 UNITED STATES ARMED FORCES VIA EMERGENCY COMMUNICATIONS AND
17 OTHER SERVICES;

18 (IV) TRAINED MORE THAN NINETY-EIGHT THOUSAND INDIVIDUALS
19 IN CARDIOPULMONARY RESUSCITATION, FIRST AID, AND OTHER HEALTH
20 AND SAFETY TECHNIQUES;

21 (V) GAVE PREPAREDNESS PRESENTATIONS AT EVENTS ATTENDED
22 BY MORE THAN THIRTY THOUSAND INDIVIDUALS; AND

23 (VI) RELIED ON MORE THAN THREE THOUSAND VOLUNTEERS TO
24 FULFILL THE AMERICAN RED CROSS MISSION.

25 (2) IN ORDER TO ASSIST THE AMERICAN RED CROSS COLORADO
26 CHAPTERS IN FULFILLING THE MISSION OF THE AMERICAN RED CROSS, THE
27 GENERAL ASSEMBLY RECOGNIZES THAT MANY CITIZENS OF COLORADO

1 MAY BE WILLING TO PROVIDE MONEYS TO ASSIST IN ITS EFFORTS. IT IS
2 THEREFORE THE INTENT OF THE GENERAL ASSEMBLY TO PROVIDE
3 COLORADANS THE OPPORTUNITY TO SUPPORT THE EFFORTS OF THE
4 AMERICAN RED CROSS COLORADO CHAPTERS BY ALLOWING CITIZENS TO
5 MAKE A VOLUNTARY CONTRIBUTION ON THEIR STATE INCOME TAX RETURN
6 FORM TO THE AMERICAN RED CROSS COLORADO DISASTER RESPONSE,
7 READINESS, AND PREPAREDNESS FUND FOR SUCH A PURPOSE.

8 **39-22-4302. Voluntary contribution designation - procedure**
9 **- effective date.** FOR THE FIVE CONSECUTIVE INCOME TAX YEARS
10 IMMEDIATELY FOLLOWING THE YEAR IN WHICH THE EXECUTIVE DIRECTOR
11 FILES WRITTEN CERTIFICATION WITH THE REVISOR OF STATUTES AS
12 SPECIFIED IN SECTION 39-22-1001 (8) THAT A LINE HAS BECOME
13 AVAILABLE AND THE AMERICAN RED CROSS COLORADO DISASTER
14 RESPONSE, READINESS, AND PREPAREDNESS FUND VOLUNTARY
15 CONTRIBUTION IS NEXT IN THE QUEUE, THE COLORADO STATE INDIVIDUAL
16 INCOME TAX RETURN FORM SHALL CONTAIN A LINE WHEREBY EACH
17 INDIVIDUAL TAXPAYER MAY DESIGNATE THE AMOUNT OF THE
18 CONTRIBUTION, IF ANY, THE INDIVIDUAL WISHES TO MAKE TO THE
19 AMERICAN RED CROSS COLORADO DISASTER RESPONSE, READINESS, AND
20 PREPAREDNESS FUND CREATED IN SECTION 39-22-4303 (1).

21 **39-22-4303. Contributions credited to the American Red**
22 **Cross Colorado disaster response, readiness, and preparedness fund**
23 **- creation - appropriation.** (1) THE DEPARTMENT OF REVENUE SHALL
24 DETERMINE ANNUALLY THE TOTAL AMOUNT DESIGNATED PURSUANT TO
25 SECTION 39-22-4302 AND SHALL REPORT THAT AMOUNT TO THE STATE
26 TREASURER AND TO THE GENERAL ASSEMBLY. THE STATE TREASURER
27 SHALL CREDIT THAT AMOUNT TO THE AMERICAN RED CROSS COLORADO

1 DISASTER RESPONSE, READINESS, AND PREPAREDNESS FUND, WHICH FUND
2 IS HEREBY CREATED IN THE STATE TREASURY. ALL INTEREST DERIVED
3 FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE
4 CREDITED TO THE FUND.

5 (2) THE GENERAL ASSEMBLY SHALL APPROPRIATE ANNUALLY
6 FROM THE AMERICAN RED CROSS COLORADO DISASTER RESPONSE,
7 READINESS, AND PREPAREDNESS FUND TO THE DEPARTMENT OF REVENUE
8 ITS COSTS OF ADMINISTERING MONEYS DESIGNATED AS CONTRIBUTIONS TO
9 THE FUND. ALL MONEYS REMAINING IN THE FUND AT THE END OF THE
10 FISCAL YEAR, AFTER SUBTRACTING THE APPROPRIATION TO THE
11 DEPARTMENT, SHALL BE TRANSFERRED TO THE AMERICAN RED CROSS
12 COLORADO CHAPTERS.

13 **39-22-4304. Repeal of part.** THIS PART 43 IS REPEALED,
14 EFFECTIVE JANUARY 1 OF THE SIXTH INCOME TAX YEAR FOLLOWING THE
15 YEAR IN WHICH THE EXECUTIVE DIRECTOR FILES WRITTEN CERTIFICATION
16 WITH THE REVISOR OF STATUTES AS SPECIFIED IN SECTION 39-22-1001 (8)
17 THAT A LINE HAS BECOME AVAILABLE AND THE AMERICAN RED CROSS
18 COLORADO DISASTER RESPONSE, READINESS, AND PREPAREDNESS FUND
19 VOLUNTARY CONTRIBUTION IS NEXT IN THE QUEUE, UNLESS THE
20 VOLUNTARY CONTRIBUTION TO THE AMERICAN RED CROSS COLORADO
21 DISASTER RESPONSE, READINESS, AND PREPAREDNESS FUND ESTABLISHED
22 BY THIS PART 43 IS CONTINUED OR REESTABLISHED BY THE GENERAL
23 ASSEMBLY ACTING BY BILL PRIOR TO SAID DATE.

24 **SECTION 2. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2012 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.