

HB1389_L.002

HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on Business, Labor, Economic, & Workforce
Development.

HB14-1389 be amended as follows:

1 Amend proposed committee amendment (HB 1389_L.001), page 2, strike
2 line 12 and substitute "EQUIPMENT NECESSARY FOR THE MAINTENANCE
3 AND OPERATION OF A QUALIFIED DATA CENTER OR QUALIFIED
4 REFURBISHED DATA CENTER, INCLUDING:".

5 Page 5, after line 35 insert:

6 "(6) (a) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT
7 SHALL DEVELOP A PROCEDURE BY WHICH A TAXPAYER THAT USES AND
8 MAINTAINS INFORMATION TECHNOLOGY EQUIPMENT AT A QUALIFIED DATA
9 CENTER OR A QUALIFIED REFURBISHED DATA CENTER BUT IS NOT THE
10 OWNER OF THE FACILITY MAY OBTAIN CERTIFICATION THAT THE TAXPAYER
11 IS A QUALIFIED TENANT OF THE FACILITY AND IS ELIGIBLE TO CLAIM THE
12 EXEMPTION ALLOWED IN SUBSECTION (3) OF THIS SECTION.

13 (b) A TAXPAYER THAT SEEKS TO OBTAIN CERTIFICATION AS A
14 QUALIFIED TENANT OF A FACILITY SHALL APPLY TO THE COLORADO OFFICE
15 OF ECONOMIC DEVELOPMENT USING THE PROCEDURE ESTABLISHED BY THE
16 OFFICE. THE OFFICE SHALL VERIFY THAT THE TAXPAYER IS USING AND
17 MAINTAINING INFORMATION TECHNOLOGY EQUIPMENT IN A QUALIFIED
18 DATA CENTER OR A QUALIFIED REFURBISHED DATA CENTER AND IS A
19 QUALIFIED TENANT OF THE FACILITY.

20 (c) AFTER MAKING A DETERMINATION THAT A TAXPAYER IS A
21 QUALIFIED TENANT OF A FACILITY, THE OFFICE SHALL NOTIFY THE
22 DEPARTMENT OF REVENUE AND ISSUE A CERTIFICATION TO THE TAXPAYER
23 AND THE APPLICABLE QUALIFIED DATA CENTER OR QUALIFIED
24 REFURBISHED DATA CENTER STATING THAT INFORMATION TECHNOLOGY
25 EQUIPMENT THAT IS STORED IN THE QUALIFIED DATA CENTER OR
26 QUALIFIED REFURBISHED DATA CENTER BY THE QUALIFIED TENANT IS
27 ELIGIBLE FOR THE EXEMPTION ALLOWED PURSUANT TO SUBSECTION (3) OF
28 THIS SECTION FOR THE REMAINDER OF THE PERIOD THAT THE FACILITY
29 RETAINS ITS QUALIFIED STATUS AS DETERMINED PURSUANT TO PARAGRAPH
30 (b) OF SUBSECTION (5) OF THIS SECTION."

31 Renumber succeeding subsections accordingly.

32 Page 6, line 14, strike "(7)." and substitute "(8)."

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