

SB282_L.003

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.SB15-282 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, add article 30.5 to
4 title 39 as follows:

ARTICLE 30.5

Rural Jump-Start Zone Act

7 39-30.5-101. Short title. THIS ARTICLE SHALL BE KNOWN AND
8 MAY BE CITED AS THE "RURAL JUMP-START ZONE ACT".

9 39-30.5-102. Legislative declaration. (1) THE GENERAL
10 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

11 (a) WHILE OVERALL THERE ARE IMPROVEMENTS TO THE
12 COLORADO ECONOMY, THERE STILL EXISTS A SIGNIFICANT CONTRACTION
13 OF LOCAL ECONOMIES IN CERTAIN AREAS OF THE STATE;

14 (b) IMPORTANTLY, THOSE AREAS ARE EXPERIENCING INCREASED
15 ECONOMIC DOWNTURN AS MEASURED BY CHANGES IN SUCH FACTORS AS
16 POPULATION, EMPLOYMENT, WEEKLY WAGE, ASSESSED VALUE OF ALL
17 PROPERTY, AND CONCENTRATION OF PUPILS ELIGIBLE FOR FREE LUNCH;
18 AND

19 (c) COLORADO'S MANY DIVERSE ASPECTS ARE WHAT MAKE IT SUCH
20 A UNIQUE AND WONDERFUL STATE, WITH VARYING ECONOMIC SECTORS
21 AND REGIONS MAKING ITS STRENGTH GREATER THAN THE SUM OF ITS
22 PARTS. IT IS IMPERATIVE THAT ALL SECTORS OF THE STATE BE KEPT
23 INDEPENDENTLY STRONG AND BE GIVEN THE CHANCE TO IMPROVE,
24 PROSPER, AND CONTRIBUTE TO THE WHOLE, FROM WHICH ALL BENEFIT.
25 THE GENERAL ASSEMBLY IS COMMITTED TO REACHING OUT TO ALL SUCH
26 AREAS TO ENSURE THIS GOAL IS MET.

27 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
28 ESTABLISHING CERTAIN RURAL JUMP-START ZONES IS BEST SUITED TO
29 BRING ABOUT THE ECONOMIC VITALITY SO CRITICALLY NEEDED IN THOSE
30 REGIONS.

31 (3) THE GENERAL ASSEMBLY FINDS THAT, BY ATTRACTING
32 BUSINESSES THAT ARE COMPLETELY NEW TO COLORADO, ECONOMIC
33 GROWTH WILL OCCUR IN DISTRESSED COUNTIES WITHOUT NEGATIVELY
34 IMPACTING OTHER AREAS OF THE STATE AND, WHILE CERTAIN TAXES, SUCH
35 AS PROPERTY TAXES, WILL NOT BE COLLECTED WITHIN THE RURAL
36 JUMP-START ZONE, THE NET IMPACT OF THOSE UNCOLLECTED TAXES WILL
37 RESULT IN A NET POSITIVE IMPACT TO THE STATE, THE DISTRESSED

1 COUNTY, AND THE INTERESTED MUNICIPALITY.

2 **39-30.5-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
3 CONTEXT OTHERWISE REQUIRES:

4 (1) "COLORADO ECONOMIC DEVELOPMENT COMMISSION" OR
5 "COMMISSION" MEANS THE COLORADO ECONOMIC DEVELOPMENT
6 COMMISSION CREATED IN SECTION 24-46-102, C.R.S.

7 (2) "CREDIT CERTIFICATE" MEANS A STATEMENT ISSUED BY THE
8 COMMISSION CERTIFYING THAT THE NEW BUSINESS OR THE NEW EMPLOYEE
9 QUALIFIES FOR AN INCOME TAX CREDIT ALLOWED IN SECTION 39-30.5-105.
10 THE CREDIT CERTIFICATE SHALL NOT SPECIFY THE AMOUNT OF THE
11 CREDIT, BUT MUST SPECIFY THAT THE NEW BUSINESS, NEW EMPLOYEE, OR
12 NEW HIRE IS ELIGIBLE FOR THE CREDIT.

13 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

14 (4) "DISTRESSED COUNTY" MEANS A COUNTY WITH A POPULATION
15 OF LESS THAN TWO HUNDRED FIFTY THOUSAND AND THAT REFLECTS
16 INDICATORS OF ECONOMIC DISTRESS SUCH AS:

17 (a) PER CAPITA INCOME THAT IS SUBSTANTIALLY BELOW THE
18 STATEWIDE AVERAGE;

19 (b) LOCAL GROSS DOMESTIC PRODUCT OR SIMILAR PERFORMANCE
20 MEASURES THAT ARE SUBSTANTIALLY BELOW THE STATEWIDE AVERAGE
21 OVER THE PRECEDING FIVE-YEAR PERIOD;

22 (c) UNEMPLOYMENT LEVELS THAT ARE SUBSTANTIALLY ABOVE
23 THE STATEWIDE AVERAGE OVER THE PRECEDING FIVE-YEAR PERIOD;

24 (d) A NET LOSS OF PEOPLE OF WORKFORCE AGE MEASURED OVER
25 THE PRECEDING FIVE-YEAR PERIOD, OR A FAILURE TO RECOVER FROM A
26 LOSS OVER THE PRECEDING TEN-YEAR PERIOD; OR

27 (e) A COUNTYWIDE CONCENTRATION OF PUPILS ELIGIBLE FOR FREE
28 LUNCH PURSUANT TO THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42
29 U.S.C. SEC. 1751 ET SEQ., GREATER THAN THE STATEWIDE AVERAGE
30 CONCENTRATION OF PUPILS ELIGIBLE FOR FREE LUNCH.

31 (5) "GUIDELINES" MEANS THE GUIDELINES DEVELOPED BY THE
32 COMMISSION AS SPECIFIED IN SECTION 39-30.5-104 (1).

33 (6) "MUNICIPALITY" MEANS A MUNICIPALITY AS DEFINED IN
34 SECTION 31-1-101 (6), C.R.S., WITH BOUNDARIES WHOLLY OR PARTLY
35 WITHIN THE DISTRESSED COUNTY'S BOUNDARIES.

36 (7) "NEW BUSINESS" MEANS A BUSINESS THAT:

37 (a) IS NOT OPERATING IN THE STATE AT THE TIME IT SUBMITS ITS
38 APPLICATION TO A STATE INSTITUTION OF HIGHER EDUCATION TO
39 PARTICIPATE IN THE RURAL JUMP-START ZONE PROGRAM;

40 (b) IS NOT MOVING EXISTING JOBS INTO THE RURAL JUMP-START
41 ZONE FROM ANOTHER AREA IN THE STATE;

1 (c) HIRES AT LEAST FIVE NEW EMPLOYEES;
2 (d) IS NOT SUBSTANTIALLY SIMILAR IN OPERATION TO AND DOES
3 NOT DIRECTLY COMPETE WITH THE CORE FUNCTION OF A BUSINESS THAT
4 IS OPERATING IN THE STATE AT THE TIME THE NEW BUSINESS SUBMITS ITS
5 APPLICATION TO A STATE INSTITUTION OF HIGHER EDUCATION TO
6 PARTICIPATE IN THE RURAL JUMP-START ZONE PROGRAM; AND
7 (e) ADDS TO THE ECONOMIC BASE AND EXPORTS GOODS AND
8 SERVICES OUTSIDE THE DISTRESSED COUNTY.
9 (8) "NEW EMPLOYEE" MEANS AN INDIVIDUAL WHO HAS NOT BEEN
10 EMPLOYED IN THE RURAL JUMP-START ZONE FOR TWELVE MONTHS PRIOR
11 TO BEING HIRED BY THE NEW BUSINESS, WHO HAS PERFORMED LABOR OR
12 SERVICES IN THE RURAL JUMP-START ZONE FOR THE NEW BUSINESS FOR
13 MORE THAN SIX MONTHS FROM THE DATE HIRED AND FOR WHICH SUCH
14 INDIVIDUAL RECEIVES A FEDERAL FORM W-2, AND WHERE THE JOB
15 PERFORMED BY THE INDIVIDUAL:
16 (a) IS NEW TO THE STATE;
17 (b) HAS NOT BEEN TRANSFERRED FROM ANOTHER BUSINESS
18 LOCATED IN THIS STATE THROUGH AN ACQUISITION, MERGER,
19 CONSOLIDATION OR OTHER BUSINESS REORGANIZATION, OR THROUGH THE
20 ACQUISITION OF ASSETS OF ANOTHER BUSINESS;
21 (c) IS EITHER A FULL-TIME, WAGE-PAYING JOB OR IS EQUIVALENT
22 TO A FULL-TIME, WAGE-PAYING JOB REQUIRING AT LEAST THIRTY-FIVE
23 HOURS PER WEEK; AND
24 (d) HAS A SALARY OR COMPENSATION EQUAL TO OR GREATER
25 THAN THE COUNTY AVERAGE ANNUAL WAGE.
26 (9) "NEW HIRE" MEANS AN INDIVIDUAL WHO HAS PERFORMED
27 LABOR OR SERVICES IN THE RURAL JUMP-START ZONE FOR THE NEW
28 BUSINESS FOR MORE THAN SIX MONTHS FROM THE DATE HIRED AND FOR
29 WHICH SUCH INDIVIDUAL RECEIVES A FEDERAL FORM W-2 AND WHERE THE
30 JOB PERFORMED BY THE INDIVIDUAL:
31 (a) IS EITHER A FULL-TIME, WAGE-PAYING JOB OR IS EQUIVALENT
32 TO A FULL-TIME, WAGE-PAYING JOB REQUIRING AT LEAST THIRTY-FIVE
33 HOURS PER WEEK; AND
34 (b) HAS A SALARY OR COMPENSATION EQUAL TO OR GREATER
35 THAN THE COUNTY AVERAGE ANNUAL WAGE.
36 (10) "RURAL JUMP-START ZONE" MEANS AN AREA WITHIN THE
37 BOUNDARIES OF A DISTRESSED COUNTY THAT IS EITHER:
38 (a) IN ONE OR MORE INCORPORATED PORTIONS OF THE DISTRESSED
39 COUNTY IF THE MUNICIPALITY PROVIDES THE COMMISSION WITH A
40 GENERAL RESOLUTION AS DESCRIBED IN SECTION 39-30.5-106 AGREEING
41 TO PROVIDE INCENTIVE PAYMENTS, EXEMPTIONS, OR CREDITS TO OFFSET



1 THE IMPOSITION OF MUNICIPAL TAXES FOR ALL NEW BUSINESSES IN ORDER
2 TO BE A PARTICIPANT IN THE RURAL JUMP-START ZONE PROGRAM;

3 (b) IN ONE OR MORE INCORPORATED PORTIONS OF THE DISTRESSED
4 COUNTY IF THE MUNICIPALITY PROVIDES THE COMMISSION WITH A LIMITED
5 RESOLUTION AS DESCRIBED IN SECTION 39-30.5-106 THAT INDICATES THE
6 MUNICIPALITY AGREES TO ONLY PROVIDE INCENTIVE PAYMENTS,
7 EXEMPTIONS, OR CREDITS TO OFFSET THE IMPOSITION OF MUNICIPAL TAXES
8 FOR A SPECIFIC NEW BUSINESS IN ORDER TO BE A LIMITED PARTICIPANT IN
9 THE RURAL JUMP-START ZONE PROGRAM; OR

10 (c) IN THE UNINCORPORATED PORTIONS OF THE DISTRESSED
11 COUNTY.

12 (11) "RURAL JUMP-START ZONE PROGRAM" MEANS THE RURAL
13 JUMP-START ZONE PROGRAM CREATED IN THIS ARTICLE.

14 (12) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A STATE
15 INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-18-102
16 (10), C.R.S., A JUNIOR COLLEGE, OR AN AREA VOCATIONAL SCHOOL THAT:

17 (a) HAS A CAMPUS LOCATED IN THE DISTRESSED COUNTY; OR

18 (b) INCLUDES A DISTRESSED COUNTY IN THE COMMUNITY
19 COLLEGE'S SERVICE AREA OR THE REGIONAL EDUCATION PROVIDER'S
20 SERVICE AREA.

21 **39-30.5-104. Rural jump-start zone program requirements -**
22 **commission guidelines.** (1) (a) THE COMMISSION SHALL DEVELOP
23 GUIDELINES FOR THE ADMINISTRATION OF THE RURAL JUMP-START ZONE
24 PROGRAM CREATED IN THIS ARTICLE, INCLUDING, BUT NOT LIMITED TO:

25 (I) APPLICATION REQUIREMENTS;

26 (II) GUIDELINES REGARDING THE ISSUING OF CREDIT
27 CERTIFICATES; AND

28 (III) GUIDELINES CONCERNING THE PROCESS BY WHICH THE
29 COMMISSION WILL DETERMINE WHETHER A NEW BUSINESS IS NOT
30 SUBSTANTIALLY SIMILAR IN OPERATION TO AND DOES NOT DIRECTLY
31 COMPETE WITH THE CORE FUNCTION OF A BUSINESS THAT IS OPERATING IN
32 THE STATE AT THE TIME THE NEW BUSINESS SUBMITS ITS APPLICATION TO
33 A STATE INSTITUTION OF HIGHER EDUCATION TO PARTICIPATE IN THE
34 RURAL JUMP-START ZONE PROGRAM.

35 (b) THE GUIDELINES MUST BE POSTED ON THE COLORADO OFFICE
36 OF ECONOMIC DEVELOPMENT'S WEB SITE NO LATER THAN DECEMBER 1,
37 2015.

38 (2) NO LATER THAN DECEMBER 1, 2015, THE COMMISSION SHALL
39 DETERMINE WHICH OF THE STATE'S COUNTIES ARE DISTRESSED COUNTIES.
40 IF A DISTRESSED COUNTY IS INTERESTED IN PARTICIPATING IN THE RURAL
41 JUMP-START ZONE PROGRAM, THE DISTRESSED COUNTY SHALL PROVIDE

1 THE COMMISSION WITH A RESOLUTION DESCRIBED IN SECTION 39-30.5-106.
2 (1) (a).

3 (3) EACH DISTRESSED COUNTY SHALL RETAIN ITS DESIGNATION AS
4 A DISTRESSED COUNTY FOR THREE YEARS FROM THE DATE OF THE
5 DESIGNATION. AFTER THE THREE-YEAR PERIOD, THE COMMISSION SHALL
6 REVIEW THE DESIGNATION. IF THE COMMISSION DETERMINES THAT THE
7 COUNTY IS NO LONGER DISTRESSED, THE NEW BUSINESS AND THE NEW
8 EMPLOYEES RETAIN THE BENEFITS SPECIFIED IN SECTION 39-30.5-105 FOR
9 THE REMAINING PORTION OF THE TEN-YEAR PERIOD OUTLINED IN THAT
10 SECTION, UNLESS THE COMMISSION REDUCES THE PERIOD PURSUANT TO
11 SECTION 39-30.5-105 (1) (a) (II), (2) (a) (II), OR (3) (b).

12 (4) (a) A STATE INSTITUTION OF HIGHER EDUCATION INTENDING TO
13 PARTICIPATE IN THE RURAL JUMP-START ZONE PROGRAM SHALL ADOPT A
14 CONFLICT OF INTEREST POLICY. THE CONFLICT OF INTEREST POLICY MUST
15 PROVIDE THAT:

16 (I) A REPRESENTATIVE OF THE STATE INSTITUTION OF HIGHER
17 EDUCATION MAY NOT USE THE RELATIONSHIP BETWEEN THE STATE
18 INSTITUTION OF HIGHER EDUCATION AND THE NEW BUSINESS AS A MEANS
19 FOR INUREMENT OR PRIVATE BENEFIT TO THE REPRESENTATIVE OF THE
20 STATE INSTITUTION OF HIGHER EDUCATION, ANY RELATIVE OF SUCH
21 REPRESENTATIVE, OR ANY BUSINESS INTERESTS OF SUCH REPRESENTATIVE;

22 (II) A PERSON WHO ENGAGES IN THE BUSINESS OF SELLING GOODS
23 OR SERVICES TO A STATE INSTITUTION OF HIGHER EDUCATION, AN
24 EMPLOYEE OF SUCH PERSON, OR A PERSON WITH A BUSINESS INTEREST IN
25 SUCH PERSON'S BUSINESS SHALL NOT VOTE ON OR PARTICIPATE IN THE
26 ADMINISTRATION BY THE STATE INSTITUTION OF HIGHER EDUCATION OF
27 ANY TRANSACTION WITH SUCH BUSINESS; AND

28 (III) (A) UPON BECOMING AWARE OF AN ACTUAL OR POTENTIAL
29 CONFLICT OF INTEREST, A REPRESENTATIVE OF THE STATE INSTITUTION OF
30 HIGHER EDUCATION SHALL ADVISE THE CHIEF ACADEMIC OFFICERS OR
31 EXECUTIVE DIRECTOR OF THE INSTITUTION OF THE CONFLICT.

32 (B) EACH STATE INSTITUTION OF HIGHER EDUCATION SHALL
33 MAINTAIN A WRITTEN RECORD OF ALL DISCLOSURES MADE PURSUANT TO
34 SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III).

35 (C) BY JANUARY 31, 2016, AND BY JANUARY 31 OF EACH YEAR
36 THEREAFTER, A STATE INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE
37 THE RECORD MAINTAINED UNDER SUB-SUBPARAGRAPH (B) OF THIS
38 SUBPARAGRAPH (III) TO THE COMMISSION.

39 (b) FOR THE PURPOSES OF A CONFLICT-OF-INTEREST POLICY
40 DEVELOPED UNDER PARAGRAPH (a) OF THIS SUBSECTION (4):

41 (I) "BUSINESS INTEREST" MEANS THAT A REPRESENTATIVE:



1 (A) OWNS OR CONTROLS TEN PERCENT OR MORE OF THE STOCK OF
2 THE ENTITY; OR

3 (B) SERVES AS AN OFFICER, DIRECTOR, OR PARTNER OF THE
4 ENTITY.

5 (II) "RELATIVE" MEANS ANY PERSON LIVING IN THE SAME
6 HOUSEHOLD AS THE REPRESENTATIVE OF THE STATE INSTITUTION OF
7 HIGHER EDUCATION, ANY PERSON WHO IS A DIRECT DESCENDANT OF THE
8 REPRESENTATIVE'S GRANDPARENTS, OR THE SPOUSE OF SUCH
9 REPRESENTATIVE.

10 (III) "REPRESENTATIVE OF THE STATE INSTITUTION OF HIGHER
11 EDUCATION" MEANS ANY EMPLOYEE WITH DECISION-MAKING AUTHORITY
12 OVER THE RURAL JUMP-START ZONE PROGRAM.

13 (5) A NEW BUSINESS SHALL APPLY TO A STATE INSTITUTION OF
14 HIGHER EDUCATION TO PARTICIPATE IN A RURAL JUMP-START ZONE
15 PROGRAM. THE STATE INSTITUTION OF HIGHER EDUCATION SHALL REQUIRE
16 THE NEW BUSINESS TO PROVIDE DOCUMENTATION THAT THE NEW BUSINESS
17 MEETS THE DEFINITION OF NEW BUSINESS AS SPECIFIED IN SECTION
18 39-30.5-103 (7), THAT THE NEW EMPLOYEES WILL MEET THE DEFINITION
19 OF NEW EMPLOYEE AS SPECIFIED IN SECTION 39-30.5-103 (8), AND THAT
20 THE NEW HIRES WILL MEET THE DEFINITION OF NEW HIRE AS SPECIFIED IN
21 SECTION 39-30.5-103 (9). IF THE STATE INSTITUTION OF HIGHER
22 EDUCATION APPROVES THE NEW BUSINESS, THEN THE STATE INSTITUTION
23 OF HIGHER EDUCATION SHALL APPLY TO THE COMMISSION FOR THE
24 APPROVAL OF A RURAL JUMP-START ZONE AS SPECIFIED IN SUBSECTION (6)
25 OF THIS SECTION AND APPROVAL OF THE NEW BUSINESS FOR THE RURAL
26 JUMP-START ZONE PROGRAM BENEFITS AS SPECIFIED IN SUBSECTION (7) OF
27 THIS SECTION.

28 (6) (a) UPON APPROVING A NEW BUSINESS AS SPECIFIED IN
29 SUBSECTION (5) OF THIS SECTION, THE STATE INSTITUTION OF HIGHER
30 EDUCATION SHALL SUBMIT A COMPLETE WRITTEN APPLICATION FOR
31 APPROVAL FOR A RURAL JUMP-START ZONE TO THE COMMISSION BY THE
32 DEADLINE ESTABLISHED IN THE COMMISSION'S GUIDELINES. THE
33 APPLICATION MUST INCLUDE:

34 (I) IDENTIFICATION OF THE STATE INSTITUTION OF HIGHER
35 EDUCATION AND IDENTIFICATION OF EITHER THE DISTRESSED COUNTY IN
36 WHICH A CAMPUS IS LOCATED OR THE DISTRESSED COUNTY THAT IS
37 INCLUDED IN THE COMMUNITY COLLEGE'S SERVICE AREA OR THE REGIONAL
38 EDUCATION PROVIDER'S SERVICE AREA;

39 (II) IDENTIFICATION OF THE NEW BUSINESS AND DOCUMENTATION
40 INDICATING THAT REQUIREMENTS FOR THE NEW BUSINESS HAVE BEEN MET,
41 INCLUDING AN ESTIMATE OF THE NUMBER OF NEW EMPLOYEES THAT THE

1 NEW BUSINESS ANTICIPATES IT WILL HIRE;

2 (III) SATISFACTORY DOCUMENTATION THAT THERE EXISTS A
3 RELATIONSHIP BETWEEN THE NEW BUSINESS AND THE STATE INSTITUTION
4 OF HIGHER EDUCATION. SUCH DOCUMENTATION MUST SHOW THAT:

5 (A) THE RELATIONSHIP WILL RESULT IN POSITIVE BENEFITS TO THE
6 COMMUNITY AND THE LOCAL ECONOMY; AND

7 (B) THE MISSION AND ACTIVITIES OF THE NEW BUSINESS ALIGN
8 WITH OR FURTHER THE ACADEMIC MISSION OF THE STATE INSTITUTION OF
9 HIGHER EDUCATION.

10 (IV) IDENTIFICATION OF THE MUNICIPALITIES WITH BOUNDARIES
11 WHOLLY OR PARTLY WITHIN THE DISTRESSED COUNTY'S BOUNDARIES;

12 (V) A RESOLUTION AS DESCRIBED IN SECTION 39-30.5-106 FROM
13 EACH INTERESTED MUNICIPALITY;

14 (VI) A DESCRIPTION OF THE RURAL JUMP-START ZONE
15 BOUNDARIES; AND

16 (VII) ANY OTHER INFORMATION THAT THE COMMISSION DEEMS
17 NECESSARY AS SPECIFIED IN THE COMMISSION'S GUIDELINES.

18 (b) A STATE INSTITUTION OF HIGHER EDUCATION MAY ALSO
19 SUBMIT A COMPLETE WRITTEN APPLICATION FOR APPROVAL FOR A RURAL
20 JUMP-START ZONE TO THE COMMISSION BY THE DEADLINES ESTABLISHED
21 IN THE COMMISSION'S GUIDELINES WHEN SUCH STATE INSTITUTION OF
22 HIGHER EDUCATION HAS NOT YET APPROVED A NEW BUSINESS AS
23 SPECIFIED IN SUBSECTION (5) OF THIS SECTION. IN THIS CASE, THE
24 APPLICATION MUST INCLUDE:

25 (I) IDENTIFICATION OF THE STATE INSTITUTION OF HIGHER
26 EDUCATION AND IDENTIFICATION OF EITHER THE DISTRESSED COUNTY IN
27 WHICH A CAMPUS IS LOCATED OR THE DISTRESSED COUNTY THAT IS
28 INCLUDED IN THE COMMUNITY COLLEGE'S SERVICE AREA OR THE REGIONAL
29 EDUCATION PROVIDER'S SERVICE AREA;

30 (II) IDENTIFICATION OF THE MUNICIPALITIES WITH BOUNDARIES
31 WHOLLY OR PARTLY WITHIN THE DISTRESSED COUNTY'S BOUNDARIES;

32 (III) A RESOLUTION AS DESCRIBED IN SECTION 39-30.5-106 FROM
33 EACH INTERESTED MUNICIPALITY;

34 (IV) A DESCRIPTION OF THE RURAL JUMP-START ZONE
35 BOUNDARIES; AND

36 (V) ANY OTHER INFORMATION THAT THE COMMISSION DEEMS
37 NECESSARY AS SPECIFIED IN THE COMMISSION'S GUIDELINES.

38 (7) (a) (I) THE COMMISSION SHALL, AT A PUBLIC MEETING
39 PROPERLY NOTICED, REVIEW EACH APPLICATION FOR A RURAL JUMP-START
40 ZONE SUBMITTED BY A STATE INSTITUTION OF HIGHER EDUCATION. BASED
41 ON THE APPLICATION SUBMITTED AND THE COMMISSION'S GUIDELINES, THE

1 COMMISSION MAY APPROVE THE RURAL JUMP-START ZONE AND MAY
2 APPROVE THE NEW BUSINESS FOR THE RURAL JUMP-START ZONE PROGRAM
3 BENEFITS SPECIFIED IN SECTION 39-30.5-105. THE APPROVAL FOR THE
4 RURAL JUMP-START ZONE PROGRAM BENEFITS MUST INCLUDE THE SPECIFIC
5 TERMS THAT MUST BE MET BY THE STATE INSTITUTION OF HIGHER
6 EDUCATION AND THE NEW BUSINESS FOR THE NEW BUSINESS, THE NEW
7 EMPLOYEES, AND THE NEW HIRES TO QUALIFY FOR THE BENEFITS
8 DESCRIBED IN THIS ARTICLE.

9 (II) THE COMMISSION MAY ONLY APPROVE A NEW BUSINESS FOR
10 THE RURAL JUMP-START ZONE PROGRAM BENEFITS IF THE COMMISSION IS
11 SATISFIED THAT THE NEW BUSINESS MEETS THE DEFINITION OF NEW
12 BUSINESS AS SPECIFIED IN SECTION 39-30.5-103 (7), THAT THE NEW
13 EMPLOYEES WILL MEET THE DEFINITION OF NEW EMPLOYEE AS SPECIFIED
14 IN SECTION 39-30.5-103 (8), THAT THE NEW HIRES WILL MEET THE
15 DEFINITION OF NEW HIRE AS SPECIFIED IN SECTION 39-30.5-103 (9), AND
16 THAT THE NEW BUSINESS WILL BE LOCATED IN THE RURAL JUMP-START
17 ZONE FOR WHICH THE STATE INSTITUTION OF HIGHER EDUCATION SOUGHT
18 APPROVAL.

19 (b) (I) A NEW BUSINESS THAT RECEIVES APPROVAL AS SPECIFIED
20 IN PARAGRAPH (a) OF THIS SUBSECTION (7) FOR THE RURAL JUMP-START
21 ZONE PROGRAM BENEFITS MUST SUBMIT A REQUEST FOR THE ISSUANCE OF
22 A CREDIT CERTIFICATE BY THE DEADLINES ESTABLISHED IN THE
23 COMMISSION'S GUIDELINES. THE REQUEST MUST INCLUDE AN ESTIMATED
24 AMOUNT, AS CALCULATED BY THE NEW BUSINESS, OF THE INCOME TAX
25 CREDITS FOR THE NEW BUSINESS AND ANY NEW EMPLOYEES AND NEW
26 HIRES AND THE SALES AND USE TAX REFUNDS ALLOWED IN SECTION
27 39-30.5-105 AND AN ESTIMATED AMOUNT, AS CALCULATED BY THE NEW
28 BUSINESS, OF INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS PROVIDED
29 BY LOCAL GOVERNMENTS AS SPECIFIED IN SECTION 39-30.5-106.

30 (II) THE COMMISSION SHALL NOT ISSUE MORE THAN A TOTAL OF
31 TWO HUNDRED CREDIT CERTIFICATES IN ONE INCOME TAX YEAR FOR ALL
32 NEW EMPLOYEES AND NEW HIRES EMPLOYED BY ALL NEW BUSINESSES IN
33 EACH RURAL JUMP-START ZONE THAT RECEIVE APPROVAL AS SPECIFIED IN
34 PARAGRAPH (a) OF THIS SUBSECTION (7); EXCEPT THAT THE COMMISSION
35 HAS THE DISCRETION TO INCREASE THIS LIMIT TO THREE HUNDRED CREDIT
36 CERTIFICATES IF THE NEW BUSINESS IS IN ONE OF THE FOURTEEN
37 INDUSTRIES THAT THE COMMISSION TARGETS FOR ECONOMIC
38 DEVELOPMENT IN THE STATE.

39 (III) IF THE BENEFIT IS FOR NEW EMPLOYEES OR NEW HIRES, THE
40 COMMISSION SHALL PROVIDE THE CREDIT CERTIFICATES FOR SUCH NEW
41 EMPLOYEES OR NEW HIRES DIRECTLY TO THE NEW BUSINESS, AND THE NEW



1 BUSINESS SHALL PROVIDE A COPY OF THE CREDIT CERTIFICATE TO THE NEW
2 EMPLOYEE OR NEW HIRE WITH THEIR FEDERAL FORM W-2.

3 (8) THE COMMISSION MAY REVIEW A NEW BUSINESS, NEW
4 EMPLOYEE, OR NEW HIRE UP TO TWELVE MONTHS FOLLOWING THE
5 ISSUANCE OF ANY CREDIT CERTIFICATES TO ENSURE THE REQUIREMENTS
6 IN THIS ARTICLE ARE BEING MET.

7 (9) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED
8 IN SECTION 24-48.5-101, C.R.S., MAY MAKE RECOMMENDATIONS TO THE
9 COMMISSION REGARDING ANY OF THE COMMISSION'S DUTIES AND
10 RESPONSIBILITIES OUTLINED IN THIS ARTICLE, MAY PROVIDE STAFF
11 ASSISTANCE TO THE COMMISSION, AND MAY ASSIST THE COMMISSION IN
12 ADMINISTERING THE PROVISIONS OF THIS ARTICLE.

13 **39-30.5-105. Rural jump-start zone program benefits.** (1) **New**
14 **business income tax credit.** (a) (I) IF A NEW BUSINESS LOCATES IN A
15 RURAL JUMP-START ZONE DURING THE INCOME TAX YEARS COMMENCING
16 ON OR AFTER JANUARY 1, 2016, BUT BEFORE JANUARY 1, 2021, AND THE
17 COMMISSION HAS APPROVED THE NEW BUSINESS FOR THE RURAL
18 JUMP-START ZONE PROGRAM BENEFITS AS SPECIFIED IN SECTION
19 39-30.5-104 (7) (a), THEN EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF
20 THIS PARAGRAPH (a), THE NEW BUSINESS IS ENTITLED TO RECEIVE AN
21 ANNUAL INCOME TAX CREDIT IN AN AMOUNT EQUAL TO ONE HUNDRED
22 PERCENT OF THE INCOME TAXES IMPOSED BY ARTICLE 22 OF THIS TITLE ON
23 THE INCOME DERIVED FROM ITS ACTIVITIES IN THE RURAL JUMP-START
24 ZONE FOR TEN CONSECUTIVE INCOME TAX YEARS BEGINNING WITH THE
25 FIRST INCOME TAX YEAR DESIGNATED BY THE COMMISSION IN THE FIRST
26 CREDIT CERTIFICATE. THE COMMISSION SHALL CONDUCT AN ANNUAL
27 REVIEW TO VERIFY THAT THE NEW BUSINESS CONTINUES TO MEET THE
28 REQUIREMENTS SET FORTH IN THIS ARTICLE AND SHALL ISSUE A CREDIT
29 CERTIFICATE TO THE NEW BUSINESS FOR EVERY INCOME TAX YEAR DURING
30 THE TEN-YEAR PERIOD ONLY IF THE COMMISSION IS SATISFIED THE
31 REQUIREMENTS ARE BEING MET.

32 (II) THE COMMISSION HAS THE DISCRETION TO REDUCE THE
33 TEN-YEAR PERIOD TO A FIVE-YEAR PERIOD IF THE COMMISSION IS
34 CONCERNED THE NEW BUSINESS IS NO LONGER MEETING THE
35 REQUIREMENTS SET FORTH IN THIS ARTICLE.

36 (b) TO CLAIM THE INCOME TAX CREDIT ALLOWED IN THIS SECTION,
37 THE NEW BUSINESS SHALL ATTACH A COPY OF THE CREDIT CERTIFICATE TO
38 ITS STATE INCOME TAX RETURN. NO TAX CREDIT IS ALLOWED UNDER THIS
39 SECTION UNLESS THE NEW BUSINESS PROVIDES THE COPY OF THE CREDIT
40 CERTIFICATE WITH ITS FILED STATE INCOME TAX RETURN.

41 (c) IF A NEW BUSINESS HAS INCOME BOTH FROM OPERATIONS

1 WITHIN THE RURAL JUMP-START ZONE AND OPERATIONS OUTSIDE OF THE
2 RURAL JUMP-START ZONE, THE NEW BUSINESS SHALL APPORTION ITS
3 INCOME BETWEEN THE OPERATIONS WITHIN AND OUTSIDE THE RURAL
4 JUMP-START ZONE IN ACCORDANCE WITH RULES PROMULGATED BY THE
5 DEPARTMENT IN ORDER TO CALCULATE THE AMOUNT OF INCOME TAX
6 CREDIT. SUCH RULES SHALL CALCULATE THE VALUE OF THE CREDIT, AS
7 NEARLY AS PRACTICABLE, TO BE EQUAL TO THE TAX DUE ON THE INCOME
8 GENERATED BY THE NEW BUSINESS THAT RELATES TO ITS ACTIVITIES IN
9 THE RURAL JUMP-START ZONE ON THE BASIS OF THE NEW BUSINESS'
10 PROPERTY AND PAYROLL IN THE RURAL JUMP-START ZONE RELATIVE TO ITS
11 PROPERTY AND PAYROLL EVERYWHERE.

12 (d) THE COMMISSION SHALL, IN A SUFFICIENTLY TIMELY MANNER
13 TO ALLOW THE DEPARTMENT TO PROCESS RETURNS CLAIMING THE INCOME
14 TAX CREDITS ALLOWED BY THIS SECTION, PROVIDE THE DEPARTMENT WITH
15 AN ELECTRONIC REPORT OF EACH NEW BUSINESS THAT THE COMMISSION
16 APPROVED FOR THE RURAL JUMP-START ZONE PROGRAM BENEFITS AS
17 SPECIFIED IN SECTION 39-30.5-104 (7) (a) FOR THE PRECEDING CALENDAR
18 YEAR THAT INCLUDES THE FOLLOWING INFORMATION:

19 (I) THE TAXPAYER'S NAME; AND

20 (II) THE TAXPAYER'S SOCIAL SECURITY NUMBER OR THE
21 TAXPAYER'S COLORADO ACCOUNT NUMBER AND FEDERAL EMPLOYER
22 IDENTIFICATION NUMBER.

23 (e) IF A NEW BUSINESS RECEIVING AN INCOME TAX CREDIT
24 ALLOWED IN THIS SUBSECTION (1) IS A PARTNERSHIP, LIMITED LIABILITY
25 COMPANY, S CORPORATION, OR SIMILAR PASS-THROUGH ENTITY, THE
26 COMMISSION SHALL ISSUE CREDIT CERTIFICATES THAT ALLOCATE THE
27 CREDIT AMONG THE NEW BUSINESS' PARTNERS, SHAREHOLDERS, MEMBERS,
28 OR OTHER CONSTITUENT ENTITIES IN ACCORDANCE WITH THEIR OWNERSHIP
29 INTERESTS. THE NEW BUSINESS SHALL CERTIFY TO THE COMMISSION, AND
30 THE COMMISSION SHALL PROVIDE TO THE DEPARTMENT NO LATER THAN
31 THE JANUARY 15 FOLLOWING EACH INCOME TAX YEAR FOR WHICH THE
32 NEW BUSINESS IS CLAIMING A CREDIT, THE IDENTITY AND OWNERSHIP
33 PERCENTAGE, INCLUDING SUCH IDENTIFYING INFORMATION AS THE
34 DEPARTMENT MAY REQUIRE, OF EACH PARTNER, SHAREHOLDER, MEMBER,
35 OR OTHER CONSTITUENT ENTITY OF THE NEW BUSINESS.

36 (2) **New employee and new hire income tax credit.**

37 (a) (I) EXCEPT AS PROVIDED IN SECTION 39-30.5-104 (7) (b) (II) AND
38 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), IF A NEW EMPLOYEE OR NEW
39 HIRE IS EMPLOYED BY A NEW BUSINESS, AND THE COMMISSION HAS
40 APPROVED THE NEW BUSINESS FOR THE RURAL JUMP-START ZONE
41 PROGRAM BENEFITS AS SPECIFIED IN SECTION 39-30.5-104 (7) (a), FOR

1 INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2016, BUT
2 BEFORE JANUARY 1, 2021, NEW EMPLOYEES AND NEW HIRES ARE ENTITLED
3 TO RECEIVE AN INCOME TAX CREDIT IN AN AMOUNT EQUAL TO ONE
4 HUNDRED PERCENT OF THE INCOME TAXES IMPOSED BY ARTICLE 22 OF THIS
5 TITLE ON THE NEW EMPLOYEE'S OR NEW HIRE'S WAGES PAID BY THE NEW
6 BUSINESS FOR WORK PERFORMED IN THE RURAL JUMP-START ZONE FOR TEN
7 CONSECUTIVE INCOME TAX YEARS BEGINNING WITH THE FIRST INCOME TAX
8 YEAR IN WHICH THE NEW EMPLOYEE OR NEW HIRE IS EMPLOYED BY THE
9 NEW BUSINESS. THE COMMISSION SHALL CONDUCT AN ANNUAL REVIEW TO
10 VERIFY THAT THE NEW EMPLOYEE, NEW HIRE, AND THE NEW BUSINESS
11 CONTINUE TO MEET THE REQUIREMENTS SET FORTH IN THIS ARTICLE AND
12 SHALL ISSUE A CREDIT CERTIFICATE TO THE NEW BUSINESS FOR EACH NEW
13 EMPLOYEE AND NEW HIRE FOR EVERY INCOME TAX YEAR DURING THE
14 TEN-YEAR PERIOD ONLY IF THE COMMISSION IS SATISFIED THE
15 REQUIREMENTS ARE BEING MET.

16 (II) THE COMMISSION HAS THE DISCRETION TO REDUCE THE
17 TEN-YEAR PERIOD TO A FIVE-YEAR PERIOD IF THE COMMISSION IS
18 CONCERNED THE NEW BUSINESS, NEW EMPLOYEE, OR NEW HIRE IS NO
19 LONGER MEETING THE REQUIREMENTS SET FORTH IN THIS ARTICLE.

20 (b) TO CLAIM THE INCOME TAX CREDIT ALLOWED IN THIS SECTION,
21 THE NEW EMPLOYEE OR NEW HIRE SHALL ATTACH A COPY OF THE CREDIT
22 CERTIFICATE TO THE NEW EMPLOYEE'S OR NEW HIRE'S STATE INCOME TAX
23 RETURN. NO TAX CREDIT IS ALLOWED UNDER THIS SECTION UNLESS THE
24 NEW EMPLOYEE OR NEW HIRE PROVIDES THE COPY OF THE CREDIT
25 CERTIFICATE WITH HIS OR HER FILED STATE INCOME TAX RETURN.

26 (c) THE COMMISSION SHALL, IN A SUFFICIENTLY TIMELY MANNER
27 TO ALLOW THE DEPARTMENT TO PROCESS RETURNS CLAIMING THE CREDIT
28 ALLOWED BY THIS SECTION, PROVIDE THE DEPARTMENT WITH AN
29 ELECTRONIC REPORT OF EACH NEW EMPLOYEE OR NEW HIRE RECEIVING A
30 CREDIT CERTIFICATE AS ALLOWED IN THIS SECTION FOR THE PRECEDING
31 CALENDAR YEAR THAT INCLUDES THE FOLLOWING INFORMATION:

32 (I) THE NEW EMPLOYEE'S OR NEW HIRE'S NAME; AND

33 (II) THE NEW EMPLOYEE'S OR NEW HIRE'S SOCIAL SECURITY
34 NUMBER.

35 (3) **New business sales and use tax refund.** (a) EACH NEW
36 BUSINESS IS ELIGIBLE FOR A REFUND FOR ALL SALES AND USE TAXES
37 IMPOSED UNDER PARTS 1 AND 2 OF ARTICLE 26 OF THIS TITLE ON THE
38 PURCHASE OF ALL TANGIBLE PERSONAL PROPERTY ACQUIRED BY THE NEW
39 BUSINESS AND USED EXCLUSIVELY WITHIN THE RURAL JUMP-START ZONE.
40 EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (3), THE NEW
41 BUSINESS IS ELIGIBLE FOR THE REFUND ALLOWED IN THIS PARAGRAPH (a)

1 FOR TEN CONSECUTIVE YEARS BEGINNING WITH THE DATE THE
2 COMMISSION APPROVED THE NEW BUSINESS FOR THE RURAL JUMP-START
3 ZONE PROGRAM BENEFITS AS SPECIFIED IN SECTION 39-30.5-104 (7) (a).

4 (b) THE COMMISSION HAS THE DISCRETION TO REDUCE THE
5 TEN-YEAR PERIOD TO A FIVE-YEAR PERIOD IF THE COMMISSION IS
6 CONCERNED THE NEW BUSINESS IS NO LONGER MEETING THE
7 REQUIREMENTS SET FORTH IN THIS ARTICLE.

8 (c) THE COMMISSION SHALL PROVIDE THE DEPARTMENT WITH A
9 LIST OF EVERY NEW BUSINESS ELIGIBLE FOR THE SALES AND USE TAX
10 REFUND ALLOWED IN THIS SUBSECTION (3).

11 (4) **Restrictions on other credits.** NOTWITHSTANDING ANY LAW
12 TO THE CONTRARY, IF A NEW BUSINESS CLAIMS THE RURAL JUMP-START
13 ZONE PROGRAM BENEFITS ALLOWED IN THIS SECTION, THE NEW BUSINESS
14 MAY NOT CLAIM ANY OTHER TAX INCENTIVE THAT THE NEW BUSINESS IS
15 ELIGIBLE FOR IN THIS TITLE AS A RESULT OF ESTABLISHING THE NEW
16 BUSINESS IN THE STATE, INCLUDING TAX INCENTIVES FOR THE NEW
17 EMPLOYEES HIRED BY THE NEW BUSINESS.

18 **39-30.5-106. Rural jump-start zone - local government**
19 **requirements.** (1) BEFORE THE COMMISSION MAY APPROVE A RURAL
20 JUMP-START ZONE AS SPECIFIED IN SECTION 39-30.5-104, THE FOLLOWING
21 MUST OCCUR:

22 (a) AN INTERESTED DISTRESSED COUNTY MUST ADOPT A
23 RESOLUTION AFFIRMING THAT IT WILL PROVIDE INCENTIVE PAYMENTS,
24 EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO NEW BUSINESSES TO
25 ELIMINATE ALL TAX LIABILITY IMPOSED ON ALL NEW BUSINESSES BY THE
26 DISTRESSED COUNTY AND ALL SALES AND USES TAXES PAID BY NEW
27 BUSINESSES IN THE DISTRESSED COUNTY; AND

28 (b) INTERESTED MUNICIPALITIES WITHIN AN INTERESTED
29 DISTRESSED COUNTY MUST ADOPT EITHER:

30 (I) A GENERAL RESOLUTION AFFIRMING THAT IT WILL PROVIDE
31 INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO
32 ALL NEW BUSINESSES TO ELIMINATE ALL TAX LIABILITY IMPOSED ON NEW
33 BUSINESSES BY THE INTERESTED MUNICIPALITY, AND ALL SALES AND USE
34 TAXES PAID BY NEW BUSINESSES IN THE INTERESTED MUNICIPALITY; OR

35 (II) A LIMITED RESOLUTION AFFIRMING THAT IT WILL PROVIDE
36 INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO A
37 SPECIFIC NEW BUSINESS TO ELIMINATE ALL TAX LIABILITY IMPOSED ON THE
38 SPECIFIC NEW BUSINESS BY THE INTERESTED MUNICIPALITY, AND ALL
39 SALES AND USES TAXES PAID BY THE SPECIFIC NEW BUSINESS IN THE
40 INTERESTED MUNICIPALITY.

41 **39-30.5-107. Rural jump-start zone reporting requirements.**

1. (1) THE COMMISSION SHALL ANNUALLY POST ON THE COLORADO OFFICE
2 OF ECONOMIC DEVELOPMENT'S WEB SITE, AND INCLUDE IN THE
3 COMMISSION'S ANNUAL REPORT REQUIRED TO BE PRESENTED TO THE
4 GENERAL ASSEMBLY PURSUANT TO SECTION 24-46-104 (2), C.R.S., THE
5 FOLLOWING INFORMATION REGARDING ANY RURAL JUMP-START ZONE
6 PROGRAM BENEFITS ALLOWED UNDER THIS ARTICLE:

7 (a) THE DISTRESSED COUNTY AND INTERESTED MUNICIPALITIES
8 THAT MAKE UP THE RURAL JUMP-START ZONE;

9 (b) THE STATE INSTITUTION OF HIGHER EDUCATION THAT
10 SUBMITTED THE APPLICATION;

11 (c) THE NAME OF THE NEW BUSINESS;

12 (d) THE TYPE OF NEW BUSINESS;

13 (e) THE TAX YEAR FOR WHICH THE FIRST CREDIT CERTIFICATE IS
14 ISSUED OR THE DATE THE SALES AND USE TAX REFUND IS AUTHORIZED;

15 (f) THE NUMBER OF NEW HIRES AND NEW EMPLOYEES HIRED;

16 (g) THE AVERAGE SALARY OR HOURLY WAGE OF EACH NEW
17 EMPLOYEE AND NEW HIRE;

18 (h) AN ESTIMATED AMOUNT, AS CALCULATED BY THE NEW
19 BUSINESS, OF THE INCOME TAX CREDITS FOR THE NEW BUSINESS, THE NEW
20 EMPLOYEES, AND ANY NEW HIRES AND THE SALES AND USE TAX REFUNDS
21 ALLOWED IN SECTION 39-30.5-105, AND AN ESTIMATED AMOUNT, AS
22 CALCULATED BY THE NEW BUSINESS, OF INCENTIVE PAYMENTS,
23 EXEMPTIONS, OR REFUNDS PROVIDED BY LOCAL GOVERNMENTS AS
24 ALLOWED IN SECTION 39-30.5-106; AND

25 (i) ANY OTHER ECONOMIC BENEFITS RESULTING FROM THE RURAL
26 JUMP-START ZONE PROGRAM.

27 (2) ANY NEW BUSINESS LOCATED IN A RURAL JUMP-START ZONE
28 MUST SUBMIT AN ANNUAL REPORT TO THE COMMISSION IN A FORM AND AT
29 SUCH TIME AND WITH SUCH INFORMATION AS PRESCRIBED BY THE
30 COMMISSION IN ITS GUIDELINES. SUCH INFORMATION SHALL BE SUFFICIENT
31 FOR THE COMMISSION TO MONITOR THE CONTINUED ELIGIBILITY OF THE
32 NEW BUSINESS, THE NEW EMPLOYEES, AND THE NEW HIRES TO CONTINUE
33 TO PARTICIPATE IN THE RURAL JUMP-START ZONE PROGRAM AND TO
34 RECEIVE THE RURAL JUMP-START ZONE PROGRAM BENEFITS.

35 **39-30.5-108. Severability.** IF ANY PROVISION OF THIS ARTICLE OR
36 THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD
37 INVALID, SUCH INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR
38 APPLICATIONS OF THIS ARTICLE THAT CAN BE GIVEN EFFECT WITHOUT THE
39 INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF
40 THIS ARTICLE ARE DECLARED TO BE SEVERABLE.

1 **SECTION 2. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety."

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