REREVISED
This Version Includes All Amendments
Adopted in the Second House

LLS NO. 13-0832.01 Kristen Forrestal x4217   **SENATE BILL 13-262**

SENATE SPONSORSHIP
Tochtrop, Baumgardner

HOUSE SPONSORSHIP
Primavera, DelGrosso, Ryden

Senate Committees	**House Committees**
Business, Labor, & Technology	Business, Labor, Economic, & Workforce Development

A BILL FOR AN ACT

101 **CONCERNING THE EXEMPTION OF REPRESENTATIVE SERVICES OF**
102 **ENROLLED AGENTS FROM THE DEFINITION OF DEBT**
103 **MANAGEMENT SERVICES.**

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.)

Current law defines debt-management services as intermediary services between an individual and one or more creditors of the individual for the purpose of obtaining concessions. Current law exempts legal and

HOUSE
3rd Reading Unamended
May 3, 2013

HOUSE
Amended 2nd Reading
May 2, 2013

SENATE
3rd Reading Unamended
April 23, 2013

SENATE
Amended 2nd Reading
April 22, 2013

accounting services from this definition. The bill creates an additional exemption for representative services provided before the internal revenue service and department of revenue by an enrolled agent who is authorized by and in good standing with the United States department of treasury.

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

2   **SECTION 1.** In Colorado Revised Statutes, 12-14.5-202, **amend**

3   (10) (A) and (10) (B) as follows:

4   **12-14.5-202. Definitions.** As used in this part 2, unless the

5   context otherwise requires:

6   (10) (A) "Debt-management services" means services as an

7   intermediary between an individual and one or more creditors of the

8   individual for the purpose of obtaining concessions, but does not include:

9   (i) Legal services provided in an attorney-client relationship by an

10   attorney licensed to practice law in this state; or

11   (ii)   Accounting services provided in an accountant-client

12   relationship by a certified public accountant certified or authorized by the

13   state board of accountancy to provide accounting services in this state; OR

14   (iii) REPRESENTATIVE SERVICES PROVIDED BEFORE THE INTERNAL

15   REVENUE SERVICE, THE DEPARTMENT OF REVENUE, OR THE DEPARTMENT

16   OF LABOR AND EMPLOYMENT IN AN ENROLLED AGENT-CLIENT

17   RELATIONSHIP FOR TAX PURPOSES BY AN ENROLLED AGENT WHO IS

18   AUTHORIZED BY AND IN GOOD STANDING WITH THE UNITED STATES

19   DEPARTMENT OF TREASURY, IF THE ENROLLED AGENT IS NOT ENGAGING IN

20   OTHER DEBT MANAGEMENT SERVICES.

21   (B) The exemptions in subparagraph (A) of this paragraph (10) do

22   not apply to any person who directly or indirectly provides any debt

23   management services on behalf of a licensed attorney, or certified public

1   accountant, OR ENROLLED AGENT if that person is not an employee of the

2   licensed attorney, ~~or~~ certified public accountant, OR ENROLLED AGENT.

3   **SECTION 2. Act subject to petition - effective date.** This act

4   takes effect at 12:01 a.m. on the day following the expiration of the

5   ninety-day period after final adjournment of the general assembly (August

6   7, 2013, if adjournment sine die is on May 8, 2013); except that, if a

7   referendum petition is filed pursuant to section 1 (3) of article V of the

8   state constitution against this act or an item, section, or part of this act

9   within such period, then the act, item, section, or part will not take effect

10   unless approved by the people at the general election to be held in

11   November 2014 and, in such case, will take effect on the date of the

12   official declaration of the vote thereon by the governor.