First Regular Session Sixty-ninth General Assembly STATE OF COLORADO

REVISED

This Version Includes All Amendments Adopted on Second Reading 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 Business, Labor, & Technology House Committees Business, Labor, Economic, & Workforce Development

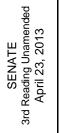
A BILL FOR AN ACT

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 Amended 2nd Reading May 2, 2013



Amended 2nd Reading April 22, 2013

SENATE

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

accountant, OR ENROLLED AGENT if that person is not an employee of the
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 unless approved by the people at the general election to be held in 10 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.