

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0957.01 Esther van Mourik x4215

SENATE BILL 15-282

SENATE SPONSORSHIP

Scott and Johnston, Cadman, Scheffel

HOUSE SPONSORSHIP

Duran and Willett, DelGrosso

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE ESTABLISHMENT OF A RURAL JUMP-START PROGRAM**
102 **IN HIGHLY DISTRESSED COUNTIES OF THE STATE FOR NEW**
103 **BUSINESSES THAT BRING NEW JOBS TO THE STATE.**

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/bills summaries>.)

The bill creates the "Tax-friendly Zone Act" and requires the Colorado economic development commission (commission) to manage and oversee the program.

The bill allows tax-friendly zones to be created in up to 30 of the state's highly distressed counties. Those highly distressed counties are

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.*

determined by ranking the state's distressed counties from lowest to highest by the total sum of annual percentage change in each distressed county for population, employment, weekly wage, and the number of establishments. To be distressed, a county must meet 2 of 3 economic indicators related to change in employment, change in assessed value of all property, and the number of pupils eligible for free lunch.

The bill defines a tax-friendly zone as an area within the boundaries of a highly distressed county that is either:

- ! In one or more incorporated portions of the highly distressed county if the municipality provides the commission with a general resolution agreeing to provide incentive payments, exemptions, or credits to offset the imposition of certain municipal taxes for all new businesses in order to be a participant in the tax-friendly zone program;
- ! In one or more incorporated portions of the distressed county if the municipality provides the commission with a limited resolution that indicates the municipality agrees to only provide incentive payments, exemptions, or credits to offset the imposition of certain municipal taxes for a specific new business in order to be a limited participant in the tax-friendly zone program; or
- ! In the unincorporated portions of the highly distressed county.

If a new business establishes a relationship with a state institution of higher education in the tax-friendly zone and then locates in the zone, the new business is entitled to tax-friendly zone program benefits as follows:

- ! An income tax credit for the new business in an amount equal to 100% of the income taxes imposed on the income derived from the new business' activities in the tax-friendly zone for a specified period, and the specified period may be extended, subject to limitations, by the commission at the request of the new business;
- ! An income tax credit for the new business' employees in an amount equal to 100% of the income taxes imposed on the employees' wages paid by the new business for a specified period, and the specified period may be extended, subject to limitations, by the commission at the request of the new business;
- ! A sales and use tax refund on the purchase of all tangible personal property acquired by the new business and used exclusively within the tax-friendly zone for a specified period, and the specified period may be extended, subject to limitations, by the commission at the request of the new

business; and

- ! The elimination of the business personal property tax and incentive payments, exemptions, or refunds as determined by the county or municipality to eliminate any other tax liability imposed on the new business by the county and municipality.

The bill establishes requirements on the new business, the new employees, and the new hires, and sets forth application parameters for the state institution of higher education and the new business. State institutions of higher education include public postsecondary institutions governed by the state board for community colleges and occupational education. The bill also requires the commission to issue guidelines on a number of the details related to the administration of the program. The bill specifies that the guidelines issued by the commission must be reviewed by the office of legislative legal services as if such guidelines were rules subject to review pursuant to the "State Administrative Procedure Act".

The commission is required to annually review the economic stabilities of those counties determined to be not highly distressed to see if the county should be designated as highly distressed. Each highly distressed county retains its designation as a highly distressed county for 3 years, after which the commission will review the designation. If the commission determines that the county is no longer highly distressed, the new business and new employees in such county retain the tax-friendly program benefits for the period set forth in statute.

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

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

4 **ARTICLE 30.5**

5 **Rural Jump-Start Zone Act**

6 **39-30.5-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND
7 MAY BE CITED AS THE "RURAL JUMP-START ZONE ACT".

8 **39-30.5-102. Legislative declaration.** (1) THE GENERAL
9 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

10 (a) WHILE OVERALL THERE ARE IMPROVEMENTS TO THE
11 COLORADO ECONOMY, THERE STILL EXISTS A SIGNIFICANT CONTRACTION

1 OF LOCAL ECONOMIES IN CERTAIN AREAS OF THE STATE;

2 (b) IMPORTANTLY, THOSE AREAS ARE EXPERIENCING INCREASED
3 ECONOMIC DOWNTURN AS MEASURED BY CHANGES IN SUCH FACTORS AS
4 POPULATION, EMPLOYMENT, WEEKLY WAGE, ASSESSED VALUE OF ALL
5 PROPERTY, AND CONCENTRATION OF PUPILS ELIGIBLE FOR FREE LUNCH;
6 AND

7 (c) COLORADO'S MANY DIVERSE ASPECTS ARE WHAT MAKE IT SUCH
8 A UNIQUE AND WONDERFUL STATE, WITH VARYING ECONOMIC SECTORS
9 AND REGIONS MAKING ITS STRENGTH GREATER THAN THE SUM OF ITS
10 PARTS. IT IS IMPERATIVE THAT ALL SECTORS OF THE STATE BE KEPT
11 INDEPENDENTLY STRONG AND BE GIVEN THE CHANCE TO IMPROVE,
12 PROSPER, AND CONTRIBUTE TO THE WHOLE, FROM WHICH ALL BENEFIT.
13 THE GENERAL ASSEMBLY IS COMMITTED TO REACHING OUT TO ALL SUCH
14 AREAS TO ENSURE THIS GOAL IS MET.

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

19 (3) THE GENERAL ASSEMBLY FINDS THAT, BY ATTRACTING
20 BUSINESSES THAT ARE COMPLETELY NEW TO COLORADO, ECONOMIC
21 GROWTH WILL OCCUR IN DISTRESSED COUNTIES WITHOUT NEGATIVELY
22 IMPACTING OTHER AREAS OF THE STATE AND, WHILE CERTAIN TAXES, SUCH
23 AS PROPERTY TAXES, WILL NOT BE COLLECTED WITHIN THE RURAL
24 JUMP-START ZONE, THE NET IMPACT OF THOSE UNCOLLECTED TAXES WILL
25 RESULT IN A NET POSITIVE IMPACT TO THE STATE, THE DISTRESSED
26 COUNTY, AND THE INTERESTED MUNICIPALITY.

27 **39-30.5-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

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

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

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

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

15 (a) PER CAPITA INCOME THAT IS SUBSTANTIALLY BELOW THE
16 STATEWIDE AVERAGE;

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

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

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

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

1 CONCENTRATION OF PUPILS ELIGIBLE FOR FREE LUNCH.

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

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

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

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

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

13 (c) HIRES AT LEAST FIVE NEW EMPLOYEES;

14 (d) IS NOT SUBSTANTIALLY SIMILAR IN OPERATION TO AND DOES
15 NOT DIRECTLY COMPETE WITH THE CORE FUNCTION OF A BUSINESS THAT
16 IS OPERATING IN THE STATE AT THE TIME THE NEW BUSINESS SUBMITS ITS
17 APPLICATION TO A STATE INSTITUTION OF HIGHER EDUCATION TO
18 PARTICIPATE IN THE RURAL JUMP-START ZONE PROGRAM; AND

19 (e) ADDS TO THE ECONOMIC BASE AND EXPORTS GOODS AND
20 SERVICES OUTSIDE THE DISTRESSED COUNTY.

21 (8) "NEW EMPLOYEE" MEANS AN INDIVIDUAL WHO HAS NOT BEEN
22 EMPLOYED IN THE RURAL JUMP-START ZONE FOR TWELVE MONTHS PRIOR
23 TO BEING HIRED BY THE NEW BUSINESS, WHO HAS PERFORMED LABOR OR
24 SERVICES IN THE RURAL JUMP-START ZONE FOR THE NEW BUSINESS FOR
25 MORE THAN SIX MONTHS FROM THE DATE HIRED AND FOR WHICH SUCH
26 INDIVIDUAL RECEIVES A FEDERAL FORM W-2, AND WHERE THE JOB
27 PERFORMED BY THE INDIVIDUAL:

1 (a) IS NEW TO THE STATE;

2 (b) HAS NOT BEEN TRANSFERRED FROM ANOTHER BUSINESS
3 LOCATED IN THIS STATE THROUGH AN ACQUISITION, MERGER,
4 CONSOLIDATION OR OTHER BUSINESS REORGANIZATION, OR THROUGH THE
5 ACQUISITION OF ASSETS OF ANOTHER BUSINESS;

6 (c) IS EITHER A FULL-TIME, WAGE-PAYING JOB OR IS EQUIVALENT
7 TO A FULL-TIME, WAGE-PAYING JOB REQUIRING AT LEAST THIRTY-FIVE
8 HOURS PER WEEK; AND

9 (d) HAS A SALARY OR COMPENSATION EQUAL TO OR GREATER
10 THAN THE COUNTY AVERAGE ANNUAL WAGE.

11 (9) "NEW HIRE" MEANS AN INDIVIDUAL WHO HAS PERFORMED
12 LABOR OR SERVICES IN THE RURAL JUMP-START ZONE FOR THE NEW
13 BUSINESS FOR MORE THAN SIX MONTHS FROM THE DATE HIRED AND FOR
14 WHICH SUCH INDIVIDUAL RECEIVES A FEDERAL FORM W-2 AND WHERE THE
15 JOB PERFORMED BY THE INDIVIDUAL:

16 (a) IS EITHER A FULL-TIME, WAGE-PAYING JOB OR IS EQUIVALENT
17 TO A FULL-TIME, WAGE-PAYING JOB REQUIRING AT LEAST THIRTY-FIVE
18 HOURS PER WEEK; AND

19 (b) HAS A SALARY OR COMPENSATION EQUAL TO OR GREATER
20 THAN THE COUNTY AVERAGE ANNUAL WAGE.

21 (10) "RURAL JUMP-START ZONE" MEANS AN AREA WITHIN THE
22 BOUNDARIES OF A DISTRESSED COUNTY THAT IS EITHER:

23 (a) IN ONE OR MORE INCORPORATED PORTIONS OF THE DISTRESSED
24 COUNTY IF THE MUNICIPALITY PROVIDES THE COMMISSION WITH A
25 GENERAL RESOLUTION AS DESCRIBED IN SECTION 39-30.5-106 AGREEING
26 TO PROVIDE INCENTIVE PAYMENTS, EXEMPTIONS, OR CREDITS TO OFFSET
27 THE IMPOSITION OF MUNICIPAL TAXES FOR ALL NEW BUSINESSES IN ORDER

1 TO BE A PARTICIPANT IN THE RURAL JUMP-START ZONE PROGRAM;

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

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

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

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

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

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

20 **39-30.5-104. Rural jump-start zone program requirements -**
21 **commission guidelines.** (1) (a) THE COMMISSION SHALL DEVELOP
22 GUIDELINES FOR THE ADMINISTRATION OF THE RURAL JUMP-START ZONE
23 PROGRAM CREATED IN THIS ARTICLE, INCLUDING, BUT NOT LIMITED TO:

24 (I) APPLICATION REQUIREMENTS;

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

27 (III) GUIDELINES CONCERNING THE PROCESS BY WHICH THE

1 COMMISSION WILL DETERMINE WHETHER A NEW BUSINESS IS NOT
2 SUBSTANTIALLY SIMILAR IN OPERATION TO AND DOES NOT DIRECTLY
3 COMPETE WITH THE CORE FUNCTION OF A BUSINESS THAT IS OPERATING IN
4 THE STATE AT THE TIME THE NEW BUSINESS SUBMITS ITS APPLICATION TO
5 A STATE INSTITUTION OF HIGHER EDUCATION TO PARTICIPATE IN THE
6 RURAL JUMP-START ZONE PROGRAM.

7 (b) THE GUIDELINES MUST BE POSTED ON THE COLORADO OFFICE
8 OF ECONOMIC DEVELOPMENT'S WEB SITE NO LATER THAN DECEMBER 1,
9 2015.

10 (2) NO LATER THAN DECEMBER 1, 2015, THE COMMISSION SHALL
11 DETERMINE WHICH OF THE STATE'S COUNTIES ARE DISTRESSED COUNTIES.
12 IF A DISTRESSED COUNTY IS INTERESTED IN PARTICIPATING IN THE RURAL
13 JUMP-START ZONE PROGRAM, THE DISTRESSED COUNTY SHALL PROVIDE
14 THE COMMISSION WITH A RESOLUTION DESCRIBED IN SECTION 39-30.5-106

15 (1) (a).

16 (3) EACH DISTRESSED COUNTY SHALL RETAIN ITS DESIGNATION AS
17 A DISTRESSED COUNTY FOR THREE YEARS FROM THE DATE OF THE
18 DESIGNATION. AFTER THE THREE-YEAR PERIOD, THE COMMISSION SHALL
19 REVIEW THE DESIGNATION. IF THE COMMISSION DETERMINES THAT THE
20 COUNTY IS NO LONGER DISTRESSED, THE NEW BUSINESS AND THE NEW
21 EMPLOYEES RETAIN THE BENEFITS SPECIFIED IN SECTION 39-30.5-105 FOR
22 THE REMAINING PORTION OF THE TEN-YEAR PERIOD OUTLINED IN THAT
23 SECTION, UNLESS THE COMMISSION REDUCES THE PERIOD PURSUANT TO
24 SECTION 39-30.5-105 (1) (a) (II), (2) (a) (II), OR (3) (b).

25 (4) (a) A STATE INSTITUTION OF HIGHER EDUCATION INTENDING TO
26 PARTICIPATE IN THE RURAL JUMP-START ZONE PROGRAM SHALL ADOPT A
27 CONFLICT OF INTEREST POLICY. THE CONFLICT OF INTEREST POLICY MUST

1 PROVIDE THAT:

2 (I) A REPRESENTATIVE OF THE STATE INSTITUTION OF HIGHER
3 EDUCATION MAY NOT USE THE RELATIONSHIP BETWEEN THE STATE
4 INSTITUTION OF HIGHER EDUCATION AND THE NEW BUSINESS AS A MEANS
5 FOR INUREMENT OR PRIVATE BENEFIT TO THE REPRESENTATIVE OF THE
6 STATE INSTITUTION OF HIGHER EDUCATION, ANY RELATIVE OF SUCH
7 REPRESENTATIVE, OR ANY BUSINESS INTERESTS OF SUCH REPRESENTATIVE;

8 (II) A PERSON WHO ENGAGES IN THE BUSINESS OF SELLING GOODS
9 OR SERVICES TO A STATE INSTITUTION OF HIGHER EDUCATION, AN
10 EMPLOYEE OF SUCH PERSON, OR A PERSON WITH A BUSINESS INTEREST IN
11 SUCH PERSON'S BUSINESS SHALL NOT VOTE ON OR PARTICIPATE IN THE
12 ADMINISTRATION BY THE STATE INSTITUTION OF HIGHER EDUCATION OF
13 ANY TRANSACTION WITH SUCH BUSINESS; AND

14 (III) (A) UPON BECOMING AWARE OF AN ACTUAL OR POTENTIAL
15 CONFLICT OF INTEREST, A REPRESENTATIVE OF THE STATE INSTITUTION OF
16 HIGHER EDUCATION SHALL ADVISE THE CHIEF ACADEMIC OFFICERS OR
17 EXECUTIVE DIRECTOR OF THE INSTITUTION OF THE CONFLICT.

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

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

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

27 (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.

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

7 (I) IDENTIFICATION OF THE STATE INSTITUTION OF HIGHER
8 EDUCATION AND IDENTIFICATION OF EITHER THE DISTRESSED COUNTY IN
9 WHICH A CAMPUS IS LOCATED OR THE DISTRESSED COUNTY THAT IS
10 INCLUDED IN THE COMMUNITY COLLEGE'S SERVICE AREA OR THE REGIONAL
11 EDUCATION PROVIDER'S SERVICE AREA;

12 (II) IDENTIFICATION OF THE NEW BUSINESS AND DOCUMENTATION
13 INDICATING THAT REQUIREMENTS FOR THE NEW BUSINESS HAVE BEEN MET,
14 INCLUDING AN ESTIMATE OF THE NUMBER OF NEW EMPLOYEES THAT THE
15 NEW BUSINESS ANTICIPATES IT WILL HIRE;

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

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

21 (B) THE MISSION AND ACTIVITIES OF THE NEW BUSINESS ALIGN
22 WITH OR FURTHER THE ACADEMIC MISSION OF THE STATE INSTITUTION OF
23 HIGHER EDUCATION.

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

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

1 (VI) A DESCRIPTION OF THE RURAL JUMP-START ZONE
2 BOUNDARIES; AND

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

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

12 (I) IDENTIFICATION OF THE STATE INSTITUTION OF HIGHER
13 EDUCATION AND IDENTIFICATION OF EITHER THE DISTRESSED COUNTY IN
14 WHICH A CAMPUS IS LOCATED OR THE DISTRESSED COUNTY THAT IS
15 INCLUDED IN THE COMMUNITY COLLEGE'S SERVICE AREA OR THE REGIONAL
16 EDUCATION PROVIDER'S SERVICE AREA;

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

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

21 (IV) A DESCRIPTION OF THE RURAL JUMP-START ZONE
22 BOUNDARIES; AND

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

25 (7) (a) (I) THE COMMISSION SHALL, AT A PUBLIC MEETING
26 PROPERLY NOTICED, REVIEW EACH APPLICATION FOR A RURAL JUMP-START
27 ZONE SUBMITTED BY A STATE INSTITUTION OF HIGHER EDUCATION. BASED

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

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

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

1 39-30.5-105 AND AN ESTIMATED AMOUNT, AS CALCULATED BY THE NEW
2 BUSINESS, OF INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS PROVIDED
3 BY LOCAL GOVERNMENTS AS SPECIFIED IN SECTION 39-30.5-106.

4 (II) THE COMMISSION SHALL NOT ISSUE MORE THAN A TOTAL OF
5 TWO HUNDRED CREDIT CERTIFICATES IN ONE INCOME TAX YEAR FOR ALL
6 NEW EMPLOYEES AND NEW HIRES EMPLOYED BY ALL NEW BUSINESSES IN
7 EACH RURAL JUMP-START ZONE THAT RECEIVE APPROVAL AS SPECIFIED IN
8 PARAGRAPH (a) OF THIS SUBSECTION (7); EXCEPT THAT THE COMMISSION
9 HAS THE DISCRETION TO INCREASE THIS LIMIT TO THREE HUNDRED CREDIT
10 CERTIFICATES IF THE NEW BUSINESS IS IN ONE OF THE FOURTEEN
11 INDUSTRIES THAT THE COMMISSION TARGETS FOR ECONOMIC
12 DEVELOPMENT IN THE STATE.

13 (III) IF THE BENEFIT IS FOR NEW EMPLOYEES OR NEW HIRES, THE
14 COMMISSION SHALL PROVIDE THE CREDIT CERTIFICATES FOR SUCH NEW
15 EMPLOYEES OR NEW HIRES DIRECTLY TO THE NEW BUSINESS, AND THE NEW
16 BUSINESS SHALL PROVIDE A COPY OF THE CREDIT CERTIFICATE TO THE NEW
17 EMPLOYEE OR NEW HIRE WITH THEIR FEDERAL FORM W-2.

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

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

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

20 **(II) THE COMMISSION HAS THE DISCRETION TO REDUCE THE**
21 **TEN-YEAR PERIOD TO A FIVE-YEAR PERIOD IF THE COMMISSION IS**
22 **CONCERNED THE NEW BUSINESS IS NO LONGER MEETING THE**
23 **REQUIREMENTS SET FORTH IN THIS ARTICLE.**

24 **(b) TO CLAIM THE INCOME TAX CREDIT ALLOWED IN THIS SECTION,**
25 **THE NEW BUSINESS SHALL ATTACH A COPY OF THE CREDIT CERTIFICATE TO**
26 **ITS STATE INCOME TAX RETURN. NO TAX CREDIT IS ALLOWED UNDER THIS**
27 **SECTION UNLESS THE NEW BUSINESS PROVIDES THE COPY OF THE CREDIT**

1 CERTIFICATE WITH ITS FILED STATE INCOME TAX RETURN.

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

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

21 (I) THE TAXPAYER'S NAME; AND

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

25 (e) IF A NEW BUSINESS RECEIVING AN INCOME TAX CREDIT
26 ALLOWED IN THIS SUBSECTION (1) IS A PARTNERSHIP, LIMITED LIABILITY
27 COMPANY, S CORPORATION, OR SIMILAR PASS-THROUGH ENTITY, THE

1 COMMISSION SHALL ISSUE CREDIT CERTIFICATES THAT ALLOCATE THE
2 CREDIT AMONG THE NEW BUSINESS' PARTNERS, SHAREHOLDERS, MEMBERS,
3 OR OTHER CONSTITUENT ENTITIES IN ACCORDANCE WITH THEIR OWNERSHIP
4 INTERESTS. THE NEW BUSINESS SHALL CERTIFY TO THE COMMISSION, AND
5 THE COMMISSION SHALL PROVIDE TO THE DEPARTMENT NO LATER THAN
6 THE JANUARY 15 FOLLOWING EACH INCOME TAX YEAR FOR WHICH THE
7 NEW BUSINESS IS CLAIMING A CREDIT, THE IDENTITY AND OWNERSHIP
8 PERCENTAGE, INCLUDING SUCH IDENTIFYING INFORMATION AS THE
9 DEPARTMENT MAY REQUIRE, OF EACH PARTNER, SHAREHOLDER, MEMBER,
10 OR OTHER CONSTITUENT ENTITY OF THE NEW BUSINESS.

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

12 (a) (I) EXCEPT AS PROVIDED IN SECTION 39-30.5-104 (7) (b) (II) AND
13 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), IF A NEW EMPLOYEE OR NEW
14 HIRE IS EMPLOYED BY A NEW BUSINESS, AND THE COMMISSION HAS
15 APPROVED THE NEW BUSINESS FOR THE RURAL JUMP-START ZONE
16 PROGRAM BENEFITS AS SPECIFIED IN SECTION 39-30.5-104 (7) (a), FOR
17 INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2016, BUT
18 BEFORE JANUARY 1, 2021, NEW EMPLOYEES AND NEW HIRES ARE ENTITLED
19 TO RECEIVE AN INCOME TAX CREDIT IN AN AMOUNT EQUAL TO ONE
20 HUNDRED PERCENT OF THE INCOME TAXES IMPOSED BY ARTICLE 22 OF THIS
21 TITLE ON THE NEW EMPLOYEE'S OR NEW HIRE'S WAGES PAID BY THE NEW
22 BUSINESS FOR WORK PERFORMED IN THE RURAL JUMP-START ZONE FOR TEN
23 CONSECUTIVE INCOME TAX YEARS BEGINNING WITH THE FIRST INCOME TAX
24 YEAR IN WHICH THE NEW EMPLOYEE OR NEW HIRE IS EMPLOYED BY THE
25 NEW BUSINESS. THE COMMISSION SHALL CONDUCT AN ANNUAL REVIEW TO
26 VERIFY THAT THE NEW EMPLOYEE, NEW HIRE, AND THE NEW BUSINESS
27 CONTINUE TO MEET THE REQUIREMENTS SET FORTH IN THIS ARTICLE AND

1 SHALL ISSUE A CREDIT CERTIFICATE TO THE NEW BUSINESS FOR EACH NEW
2 EMPLOYEE AND NEW HIRE FOR EVERY INCOME TAX YEAR DURING THE
3 TEN-YEAR PERIOD ONLY IF THE COMMISSION IS SATISFIED THE
4 REQUIREMENTS ARE BEING MET.

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

9 (b) TO CLAIM THE INCOME TAX CREDIT ALLOWED IN THIS SECTION,
10 THE NEW EMPLOYEE OR NEW HIRE SHALL ATTACH A COPY OF THE CREDIT
11 CERTIFICATE TO THE NEW EMPLOYEE'S OR NEW HIRE'S STATE INCOME TAX
12 RETURN. NO TAX CREDIT IS ALLOWED UNDER THIS SECTION UNLESS THE
13 NEW EMPLOYEE OR NEW HIRE PROVIDES THE COPY OF THE CREDIT
14 CERTIFICATE WITH HIS OR HER FILED STATE INCOME TAX RETURN.

15 (c) THE COMMISSION SHALL, IN A SUFFICIENTLY TIMELY MANNER
16 TO ALLOW THE DEPARTMENT TO PROCESS RETURNS CLAIMING THE CREDIT
17 ALLOWED BY THIS SECTION, PROVIDE THE DEPARTMENT WITH AN
18 ELECTRONIC REPORT OF EACH NEW EMPLOYEE OR NEW HIRE RECEIVING A
19 CREDIT CERTIFICATE AS ALLOWED IN THIS SECTION FOR THE PRECEDING
20 CALENDAR YEAR THAT INCLUDES THE FOLLOWING INFORMATION:

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

22 (II) THE NEW EMPLOYEE'S OR NEW HIRE'S SOCIAL SECURITY
23 NUMBER.

24 (3) **New business sales and use tax refund.** (a) EACH NEW
25 BUSINESS IS ELIGIBLE FOR A REFUND FOR ALL SALES AND USE TAXES
26 IMPOSED UNDER PARTS 1 AND 2 OF ARTICLE 26 OF THIS TITLE ON THE
27 PURCHASE OF ALL TANGIBLE PERSONAL PROPERTY ACQUIRED BY THE NEW

1 BUSINESS AND USED EXCLUSIVELY WITHIN THE RURAL JUMP-START ZONE.
2 EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (3), THE NEW
3 BUSINESS IS ELIGIBLE FOR THE REFUND ALLOWED IN THIS PARAGRAPH (a)
4 FOR TEN CONSECUTIVE YEARS BEGINNING WITH THE DATE THE
5 COMMISSION APPROVED THE NEW BUSINESS FOR THE RURAL JUMP-START
6 ZONE PROGRAM BENEFITS AS SPECIFIED IN SECTION 39-30.5-104 (7) (a).

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

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

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

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

25 (a) AN INTERESTED DISTRESSED COUNTY MUST ADOPT A
26 RESOLUTION AFFIRMING THAT IT WILL PROVIDE INCENTIVE PAYMENTS,
27 EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO NEW BUSINESSES TO

1 ELIMINATE ALL TAX LIABILITY IMPOSED ON ALL NEW BUSINESSES BY THE
2 DISTRESSED COUNTY AND ALL SALES AND USES TAXES PAID BY NEW
3 BUSINESSES IN THE DISTRESSED COUNTY; AND

4 (b) INTERESTED MUNICIPALITIES WITHIN AN INTERESTED
5 DISTRESSED COUNTY MUST ADOPT EITHER:

6 (I) A GENERAL RESOLUTION AFFIRMING THAT IT WILL PROVIDE
7 INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO
8 ALL NEW BUSINESSES TO ELIMINATE ALL TAX LIABILITY IMPOSED ON NEW
9 BUSINESSES BY THE INTERESTED MUNICIPALITY, AND ALL SALES AND USE
10 TAXES PAID BY NEW BUSINESSES IN THE INTERESTED MUNICIPALITY; OR

11 (II) A LIMITED RESOLUTION AFFIRMING THAT IT WILL PROVIDE
12 INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO A
13 SPECIFIC NEW BUSINESS TO ELIMINATE ALL TAX LIABILITY IMPOSED ON THE
14 SPECIFIC NEW BUSINESS BY THE INTERESTED MUNICIPALITY, AND ALL
15 SALES AND USES TAXES PAID BY THE SPECIFIC NEW BUSINESS IN THE
16 INTERESTED MUNICIPALITY.

17 **39-30.5-107. Rural jump-start zone reporting requirements.**

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

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

26 (b) THE STATE INSTITUTION OF HIGHER EDUCATION THAT
27 SUBMITTED THE APPLICATION;

1 (c) THE NAME OF THE NEW BUSINESS;

2 (d) THE TYPE OF NEW BUSINESS;

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

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

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

8 (h) AN ESTIMATED AMOUNT, AS CALCULATED BY THE NEW
9 BUSINESS, OF THE INCOME TAX CREDITS FOR THE NEW BUSINESS, THE NEW
10 EMPLOYEES, AND ANY NEW HIRES AND THE SALES AND USE TAX REFUNDS
11 ALLOWED IN SECTION 39-30.5-105, AND AN ESTIMATED AMOUNT, AS
12 CALCULATED BY THE NEW BUSINESS, OF INCENTIVE PAYMENTS,
13 EXEMPTIONS, OR REFUNDS PROVIDED BY LOCAL GOVERNMENTS AS
14 ALLOWED IN SECTION 39-30.5-106; AND

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

17 (2) ANY NEW BUSINESS LOCATED IN A RURAL JUMP-START ZONE
18 MUST SUBMIT AN ANNUAL REPORT TO THE COMMISSION IN A FORM AND AT
19 SUCH TIME AND WITH SUCH INFORMATION AS PRESCRIBED BY THE
20 COMMISSION IN ITS GUIDELINES. SUCH INFORMATION SHALL BE SUFFICIENT
21 FOR THE COMMISSION TO MONITOR THE CONTINUED ELIGIBILITY OF THE
22 NEW BUSINESS, THE NEW EMPLOYEES, AND THE NEW HIRES TO CONTINUE
23 TO PARTICIPATE IN THE RURAL JUMP-START ZONE PROGRAM AND TO
24 RECEIVE THE RURAL JUMP-START ZONE PROGRAM BENEFITS.

25 **39-30.5-108. Severability.** IF ANY PROVISION OF THIS ARTICLE OR
26 THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD
27 INVALID, SUCH INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR

1 APPLICATIONS OF THIS ARTICLE THAT CAN BE GIVEN EFFECT WITHOUT THE
2 INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF
3 THIS ARTICLE ARE DECLARED TO BE SEVERABLE.

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