

SENATE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chairman of Committee

April 29, 2015  
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

SB15-282 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

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:

5 **ARTICLE 30.5**  
6 **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.

1 THE GENERAL ASSEMBLY IS COMMITTED TO REACHING OUT TO ALL SUCH  
2 AREAS TO ENSURE THIS GOAL IS MET.

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

7 (3) THE GENERAL ASSEMBLY FINDS THAT, BY ATTRACTING  
8 BUSINESSES THAT ARE COMPLETELY NEW TO COLORADO, ECONOMIC  
9 GROWTH WILL OCCUR IN DISTRESSED COUNTIES WITHOUT NEGATIVELY  
10 IMPACTING OTHER AREAS OF THE STATE AND, WHILE CERTAIN TAXES, SUCH  
11 AS PROPERTY TAXES, WILL NOT BE COLLECTED WITHIN THE RURAL  
12 JUMP-START ZONE, THE NET IMPACT OF THOSE UNCOLLECTED TAXES WILL  
13 RESULT IN A NET POSITIVE IMPACT TO THE STATE, THE DISTRESSED  
14 COUNTY, AND THE INTERESTED MUNICIPALITY.

15 **39-30.5-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
16 CONTEXT OTHERWISE REQUIRES:

17 (1) "COLORADO ECONOMIC DEVELOPMENT COMMISSION" OR  
18 "COMMISSION" MEANS THE COLORADO ECONOMIC DEVELOPMENT  
19 COMMISSION CREATED IN SECTION 24-46-102, C.R.S.

20 (2) "CREDIT CERTIFICATE" MEANS A STATEMENT ISSUED BY THE  
21 COMMISSION CERTIFYING THAT THE NEW BUSINESS OR THE NEW EMPLOYEE  
22 QUALIFIES FOR AN INCOME TAX CREDIT ALLOWED IN SECTION 39-30.5-105.  
23 THE CREDIT CERTIFICATE SHALL NOT SPECIFY THE AMOUNT OF THE  
24 CREDIT, BUT MUST SPECIFY THAT THE NEW BUSINESS, NEW EMPLOYEE, OR  
25 NEW HIRE IS ELIGIBLE FOR THE CREDIT.

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

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

30 (a) PER CAPITA INCOME THAT IS SUBSTANTIALLY BELOW THE  
31 STATEWIDE AVERAGE;

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

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

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

40 (e) A COUNTYWIDE CONCENTRATION OF PUPILS ELIGIBLE FOR FREE  
41 LUNCH PURSUANT TO THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42

1 U.S.C. SEC. 1751 ET SEQ., GREATER THAN THE STATEWIDE AVERAGE  
2 CONCENTRATION OF PUPILS ELIGIBLE FOR FREE LUNCH.

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

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

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

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

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

14 (c) HIRES AT LEAST FIVE NEW EMPLOYEES;

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

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

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

29 (a) IS NEW TO THE STATE;

30 (b) HAS NOT BEEN TRANSFERRED FROM ANOTHER BUSINESS  
31 LOCATED IN THIS STATE THROUGH AN ACQUISITION, MERGER,  
32 CONSOLIDATION OR OTHER BUSINESS REORGANIZATION, OR THROUGH THE  
33 ACQUISITION OF ASSETS OF ANOTHER BUSINESS;

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

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

39 (9) "NEW HIRE" MEANS AN INDIVIDUAL WHO HAS PERFORMED  
40 LABOR OR SERVICES IN THE RURAL JUMP-START ZONE FOR THE NEW  
41 BUSINESS FOR MORE THAN SIX MONTHS FROM THE DATE HIRED AND FOR

1 WHICH SUCH INDIVIDUAL RECEIVES A FEDERAL FORM W-2 AND WHERE THE  
2 JOB PERFORMED BY THE INDIVIDUAL:

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

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

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

10 (a) IN ONE OR MORE INCORPORATED PORTIONS OF THE DISTRESSED  
11 COUNTY IF THE MUNICIPALITY PROVIDES THE COMMISSION WITH A  
12 GENERAL RESOLUTION AS DESCRIBED IN SECTION 39-30.5-106 AGREEING  
13 TO PROVIDE INCENTIVE PAYMENTS, EXEMPTIONS, OR CREDITS TO OFFSET  
14 THE IMPOSITION OF MUNICIPAL TAXES FOR ALL NEW BUSINESSES IN ORDER  
15 TO BE A PARTICIPANT IN THE RURAL JUMP-START ZONE PROGRAM;

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

23 (c) IN THE UNINCORPORATED PORTIONS OF THE DISTRESSED  
24 COUNTY.

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

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

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

31 (b) INCLUDES A DISTRESSED COUNTY IN THE COMMUNITY  
32 COLLEGE'S SERVICE AREA OR THE REGIONAL EDUCATION PROVIDER'S  
33 SERVICE AREA.

34 **39-30.5-104. Rural jump-start zone program requirements -**  
35 **commission guidelines.** (1) (a) THE COMMISSION SHALL DEVELOP  
36 GUIDELINES FOR THE ADMINISTRATION OF THE RURAL JUMP-START ZONE  
37 PROGRAM CREATED IN THIS ARTICLE, INCLUDING, BUT NOT LIMITED TO:

38 (I) APPLICATION REQUIREMENTS;

39 (II) GUIDELINES REGARDING THE ISSUING OF CREDIT  
40 CERTIFICATES; AND

41 (III) GUIDELINES CONCERNING THE PROCESS BY WHICH THE  
42 COMMISSION WILL DETERMINE WHETHER A NEW BUSINESS IS NOT

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

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

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

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

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

28 (I) A REPRESENTATIVE OF THE STATE INSTITUTION OF HIGHER  
29 EDUCATION MAY NOT USE THE RELATIONSHIP BETWEEN THE STATE  
30 INSTITUTION OF HIGHER EDUCATION AND THE NEW BUSINESS AS A MEANS  
31 FOR INUREMENT OR PRIVATE BENEFIT TO THE REPRESENTATIVE OF THE  
32 STATE INSTITUTION OF HIGHER EDUCATION, ANY RELATIVE OF SUCH  
33 REPRESENTATIVE, OR ANY BUSINESS INTERESTS OF SUCH REPRESENTATIVE;

34 (II) A PERSON WHO ENGAGES IN THE BUSINESS OF SELLING GOODS  
35 OR SERVICES TO A STATE INSTITUTION OF HIGHER EDUCATION, AN  
36 EMPLOYEE OF SUCH PERSON, OR A PERSON WITH A BUSINESS INTEREST IN  
37 SUCH PERSON'S BUSINESS SHALL NOT VOTE ON OR PARTICIPATE IN THE  
38 ADMINISTRATION BY THE STATE INSTITUTION OF HIGHER EDUCATION OF  
39 ANY TRANSACTION WITH SUCH BUSINESS; AND

40 (III) (A) UPON BECOMING AWARE OF AN ACTUAL OR POTENTIAL  
41 CONFLICT OF INTEREST, A REPRESENTATIVE OF THE STATE INSTITUTION OF

1 HIGHER EDUCATION SHALL ADVISE THE CHIEF ACADEMIC OFFICERS OR  
2 EXECUTIVE DIRECTOR OF THE INSTITUTION OF THE CONFLICT.

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

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

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

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

13 (A) OWNS OR CONTROLS TEN PERCENT OR MORE OF THE STOCK OF  
14 THE ENTITY; OR

15 (B) SERVES AS AN OFFICER, DIRECTOR, OR PARTNER OF THE  
16 ENTITY.

17 (II) "RELATIVE" MEANS ANY PERSON LIVING IN THE SAME  
18 HOUSEHOLD AS THE REPRESENTATIVE OF THE STATE INSTITUTION OF  
19 HIGHER EDUCATION, ANY PERSON WHO IS A DIRECT DESCENDANT OF THE  
20 REPRESENTATIVE'S GRANDPARENTS, OR THE SPOUSE OF SUCH  
21 REPRESENTATIVE.

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

25 (5) A NEW BUSINESS SHALL APPLY TO A STATE INSTITUTION OF  
26 HIGHER EDUCATION TO PARTICIPATE IN A RURAL JUMP-START ZONE  
27 PROGRAM. THE STATE INSTITUTION OF HIGHER EDUCATION SHALL REQUIRE  
28 THE NEW BUSINESS TO PROVIDE DOCUMENTATION THAT THE NEW BUSINESS  
29 MEETS THE DEFINITION OF NEW BUSINESS AS SPECIFIED IN SECTION  
30 39-30.5-103 (7), THAT THE NEW EMPLOYEES WILL MEET THE DEFINITION  
31 OF NEW EMPLOYEE AS SPECIFIED IN SECTION 39-30.5-103 (8), AND THAT  
32 THE NEW HIRES WILL MEET THE DEFINITION OF NEW HIRE AS SPECIFIED IN  
33 SECTION 39-30.5-103 (9). IF THE STATE INSTITUTION OF HIGHER  
34 EDUCATION APPROVES THE NEW BUSINESS, THEN THE STATE INSTITUTION  
35 OF HIGHER EDUCATION SHALL APPLY TO THE COMMISSION FOR THE  
36 APPROVAL OF A RURAL JUMP-START ZONE AS SPECIFIED IN SUBSECTION (6)  
37 OF THIS SECTION AND APPROVAL OF THE NEW BUSINESS FOR THE RURAL  
38 JUMP-START ZONE PROGRAM BENEFITS AS SPECIFIED IN SUBSECTION (7) OF  
39 THIS SECTION.

40 (6) (a) UPON APPROVING A NEW BUSINESS AS SPECIFIED IN  
41 SUBSECTION (5) OF THIS SECTION, THE STATE INSTITUTION OF HIGHER  
42 EDUCATION SHALL SUBMIT A COMPLETE WRITTEN APPLICATION FOR

1 APPROVAL FOR A RURAL JUMP-START ZONE TO THE COMMISSION BY THE  
2 DEADLINE ESTABLISHED IN THE COMMISSION'S GUIDELINES. THE  
3 APPLICATION MUST INCLUDE:

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

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

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

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

18 (B) THE MISSION AND ACTIVITIES OF THE NEW BUSINESS ALIGN  
19 WITH OR FURTHER THE ACADEMIC MISSION OF THE STATE INSTITUTION OF  
20 HIGHER EDUCATION.

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

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

25 (VI) A DESCRIPTION OF THE RURAL JUMP-START ZONE  
26 BOUNDARIES; AND

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

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

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

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

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

3 (IV) A DESCRIPTION OF THE RURAL JUMP-START ZONE  
4 BOUNDARIES; AND

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

7 (7) (a) (I) THE COMMISSION SHALL, AT A PUBLIC MEETING  
8 PROPERLY NOTICED, REVIEW EACH APPLICATION FOR A RURAL JUMP-START  
9 ZONE SUBMITTED BY A STATE INSTITUTION OF HIGHER EDUCATION. BASED  
10 ON THE APPLICATION SUBMITTED AND THE COMMISSION'S GUIDELINES, THE  
11 COMMISSION MAY APPROVE THE RURAL JUMP-START ZONE AND MAY  
12 APPROVE THE NEW BUSINESS FOR THE RURAL JUMP-START ZONE PROGRAM  
13 BENEFITS SPECIFIED IN SECTION 39-30.5-105. THE APPROVAL FOR THE  
14 RURAL JUMP-START ZONE PROGRAM BENEFITS MUST INCLUDE THE SPECIFIC  
15 TERMS THAT MUST BE MET BY THE STATE INSTITUTION OF HIGHER  
16 EDUCATION AND THE NEW BUSINESS FOR THE NEW BUSINESS, THE NEW  
17 EMPLOYEES, AND THE NEW HIRES TO QUALIFY FOR THE BENEFITS  
18 DESCRIBED IN THIS ARTICLE.

19 (II) THE COMMISSION MAY ONLY APPROVE A NEW BUSINESS FOR  
20 THE RURAL JUMP-START ZONE PROGRAM BENEFITS IF THE COMMISSION IS  
21 SATISFIED THAT THE NEW BUSINESS MEETS THE DEFINITION OF NEW  
22 BUSINESS AS SPECIFIED IN SECTION 39-30.5-103 (7), THAT THE NEW  
23 EMPLOYEES WILL MEET THE DEFINITION OF NEW EMPLOYEE AS SPECIFIED  
24 IN SECTION 39-30.5-103 (8), THAT THE NEW HIRES WILL MEET THE  
25 DEFINITION OF NEW HIRE AS SPECIFIED IN SECTION 39-30.5-103 (9), AND  
26 THAT THE NEW BUSINESS WILL BE LOCATED IN THE RURAL JUMP-START  
27 ZONE FOR WHICH THE STATE INSTITUTION OF HIGHER EDUCATION SOUGHT  
28 APPROVAL.

29 (b) (I) A NEW BUSINESS THAT RECEIVES APPROVAL AS SPECIFIED  
30 IN PARAGRAPH (a) OF THIS SUBSECTION (7) FOR THE RURAL JUMP-START  
31 ZONE PROGRAM BENEFITS MUST SUBMIT A REQUEST FOR THE ISSUANCE OF  
32 A CREDIT CERTIFICATE BY THE DEADLINES ESTABLISHED IN THE  
33 COMMISSION'S GUIDELINES. THE REQUEST MUST INCLUDE AN ESTIMATED  
34 AMOUNT, AS CALCULATED BY THE NEW BUSINESS, OF THE INCOME TAX  
35 CREDITS FOR THE NEW BUSINESS AND ANY NEW EMPLOYEES AND NEW  
36 HIRES AND THE SALES AND USE TAX REFUNDS ALLOWED IN SECTION  
37 39-30.5-105 AND AN ESTIMATED AMOUNT, AS CALCULATED BY THE NEW  
38 BUSINESS, OF INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS PROVIDED  
39 BY LOCAL GOVERNMENTS AS SPECIFIED IN SECTION 39-30.5-106.

40 (II) THE COMMISSION SHALL NOT ISSUE MORE THAN A TOTAL OF  
41 TWO HUNDRED CREDIT CERTIFICATES IN ONE INCOME TAX YEAR FOR ALL  
42 NEW EMPLOYEES AND NEW HIRES EMPLOYED BY ALL NEW BUSINESSES IN



1 EACH RURAL JUMP-START ZONE THAT RECEIVE APPROVAL AS SPECIFIED IN  
2 PARAGRAPH (a) OF THIS SUBSECTION (7); EXCEPT THAT THE COMMISSION  
3 HAS THE DISCRETION TO INCREASE THIS LIMIT TO THREE HUNDRED CREDIT  
4 CERTIFICATES IF THE NEW BUSINESS IS IN ONE OF THE FOURTEEN  
5 INDUSTRIES THAT THE COMMISSION TARGETS FOR ECONOMIC  
6 DEVELOPMENT IN THE STATE.

7 (III) IF THE BENEFIT IS FOR NEW EMPLOYEES OR NEW HIRES, THE  
8 COMMISSION SHALL PROVIDE THE CREDIT CERTIFICATES FOR SUCH NEW  
9 EMPLOYEES OR NEW HIRES DIRECTLY TO THE NEW BUSINESS, AND THE NEW  
10 BUSINESS SHALL PROVIDE A COPY OF THE CREDIT CERTIFICATE TO THE NEW  
11 EMPLOYEE OR NEW HIRE WITH THEIR FEDERAL FORM W-2.

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

16 (9) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED  
17 IN SECTION 24-48.5-101, C.R.S., MAY MAKE RECOMMENDATIONS TO THE  
18 COMMISSION REGARDING ANY OF THE COMMISSION'S DUTIES AND  
19 RESPONSIBILITIES OUTLINED IN THIS ARTICLE, MAY PROVIDE STAFF  
20 ASSISTANCE TO THE COMMISSION, AND MAY ASSIST THE COMMISSION IN  
21 ADMINISTERING THE PROVISIONS OF THIS ARTICLE.

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

41 (II) THE COMMISSION HAS THE DISCRETION TO REDUCE THE  
42 TEN-YEAR PERIOD TO A FIVE-YEAR PERIOD IF THE COMMISSION IS

1 CONCERNED THE NEW BUSINESS IS NO LONGER MEETING THE  
2 REQUIREMENTS SET FORTH IN THIS ARTICLE.

3 (b) TO CLAIM THE INCOME TAX CREDIT ALLOWED IN THIS SECTION,  
4 THE NEW BUSINESS SHALL ATTACH A COPY OF THE CREDIT CERTIFICATE TO  
5 ITS STATE INCOME TAX RETURN. NO TAX CREDIT IS ALLOWED UNDER THIS  
6 SECTION UNLESS THE NEW BUSINESS PROVIDES THE COPY OF THE CREDIT  
7 CERTIFICATE WITH ITS FILED STATE INCOME TAX RETURN.

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

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

27 (I) THE TAXPAYER'S NAME; AND

28 (II) THE TAXPAYER'S SOCIAL SECURITY NUMBER OR THE  
29 TAXPAYER'S COLORADO ACCOUNT NUMBER AND FEDERAL EMPLOYER  
30 IDENTIFICATION NUMBER.

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

1 DEPARTMENT MAY REQUIRE, OF EACH PARTNER, SHAREHOLDER, MEMBER,  
2 OR OTHER CONSTITUENT ENTITY OF THE NEW BUSINESS.

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

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

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

28 (b) TO CLAIM THE INCOME TAX CREDIT ALLOWED IN THIS SECTION,  
29 THE NEW EMPLOYEE OR NEW HIRE SHALL ATTACH A COPY OF THE CREDIT  
30 CERTIFICATE TO THE NEW EMPLOYEE'S OR NEW HIRE'S STATE INCOME TAX  
31 RETURN. NO TAX CREDIT IS ALLOWED UNDER THIS SECTION UNLESS THE  
32 NEW EMPLOYEE OR NEW HIRE PROVIDES THE COPY OF THE CREDIT  
33 CERTIFICATE WITH HIS OR HER FILED STATE INCOME TAX RETURN.

34 (c) THE COMMISSION SHALL, IN A SUFFICIENTLY TIMELY MANNER  
35 TO ALLOW THE DEPARTMENT TO PROCESS RETURNS CLAIMING THE CREDIT  
36 ALLOWED BY THIS SECTION, PROVIDE THE DEPARTMENT WITH AN  
37 ELECTRONIC REPORT OF EACH NEW EMPLOYEE OR NEW HIRE RECEIVING A  
38 CREDIT CERTIFICATE AS ALLOWED IN THIS SECTION FOR THE PRECEDING  
39 CALENDAR YEAR THAT INCLUDES THE FOLLOWING INFORMATION:

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

41 (II) THE NEW EMPLOYEE'S OR NEW HIRE'S SOCIAL SECURITY  
42 NUMBER.

1           (3) **New business sales and use tax refund.** (a) EACH NEW  
2 BUSINESS IS ELIGIBLE FOR A REFUND FOR ALL SALES AND USE TAXES  
3 IMPOSED UNDER PARTS 1 AND 2 OF ARTICLE 26 OF THIS TITLE ON THE  
4 PURCHASE OF ALL TANGIBLE PERSONAL PROPERTY ACQUIRED BY THE NEW  
5 BUSINESS AND USED EXCLUSIVELY WITHIN THE RURAL JUMP-START ZONE.  
6 EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (3), THE NEW  
7 BUSINESS IS ELIGIBLE FOR THE REFUND ALLOWED IN THIS PARAGRAPH (a)  
8 FOR TEN CONSECUTIVE YEARS BEGINNING WITH THE DATE THE  
9 COMMISSION APPROVED THE NEW BUSINESS FOR THE RURAL JUMP-START  
10 ZONE PROGRAM BENEFITS AS SPECIFIED IN SECTION 39-30.5-104 (7) (a).

11           (b) THE COMMISSION HAS THE DISCRETION TO REDUCE THE  
12 TEN-YEAR PERIOD TO A FIVE-YEAR PERIOD IF THE COMMISSION IS  
13 CONCERNED THE NEW BUSINESS IS NO LONGER MEETING THE  
14 REQUIREMENTS SET FORTH IN THIS ARTICLE.

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

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

25           **39-30.5-106. Rural jump-start zone - local government**  
26 **requirements.** (1) BEFORE THE COMMISSION MAY APPROVE A RURAL  
27 JUMP-START ZONE AS SPECIFIED IN SECTION 39-30.5-104, THE FOLLOWING  
28 MUST OCCUR:

29           (a) AN INTERESTED DISTRESSED COUNTY MUST ADOPT A  
30 RESOLUTION AFFIRMING THAT IT WILL PROVIDE INCENTIVE PAYMENTS,  
31 EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO NEW BUSINESSES TO  
32 ELIMINATE ALL TAX LIABILITY IMPOSED ON ALL NEW BUSINESSES BY THE  
33 DISTRESSED COUNTY AND ALL SALES AND USES TAXES PAID BY NEW  
34 BUSINESSES IN THE DISTRESSED COUNTY; AND

35           (b) INTERESTED MUNICIPALITIES WITHIN AN INTERESTED  
36 DISTRESSED COUNTY MUST ADOPT EITHER:

37           (I) A GENERAL RESOLUTION AFFIRMING THAT IT WILL PROVIDE  
38 INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO  
39 ALL NEW BUSINESSES TO ELIMINATE ALL TAX LIABILITY IMPOSED ON NEW  
40 BUSINESSES BY THE INTERESTED MUNICIPALITY, AND ALL SALES AND USE  
41 TAXES PAID BY NEW BUSINESSES IN THE INTERESTED MUNICIPALITY; OR

1 (II) A LIMITED RESOLUTION AFFIRMING THAT IT WILL PROVIDE  
2 INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO A  
3 SPECIFIC NEW BUSINESS TO ELIMINATE ALL TAX LIABILITY IMPOSED ON THE  
4 SPECIFIC NEW BUSINESS BY THE INTERESTED MUNICIPALITY, AND ALL  
5 SALES AND USES TAXES PAID BY THE SPECIFIC NEW BUSINESS IN THE  
6 INTERESTED MUNICIPALITY.

7 **39-30.5-107. Rural jump-start zone reporting requirements.**

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

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

16 (b) THE STATE INSTITUTION OF HIGHER EDUCATION THAT  
17 SUBMITTED THE APPLICATION;

18 (c) THE NAME OF THE NEW BUSINESS;

19 (d) THE TYPE OF NEW BUSINESS;

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

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

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

25 (h) AN ESTIMATED AMOUNT, AS CALCULATED BY THE NEW  
26 BUSINESS, OF THE INCOME TAX CREDITS FOR THE NEW BUSINESS, THE NEW  
27 EMPLOYEES, AND ANY NEW HIRES AND THE SALES AND USE TAX REFUNDS  
28 ALLOWED IN SECTION 39-30.5-105, AND AN ESTIMATED AMOUNT, AS  
29 CALCULATED BY THE NEW BUSINESS, OF INCENTIVE PAYMENTS,  
30 EXEMPTIONS, OR REFUNDS PROVIDED BY LOCAL GOVERNMENTS AS  
31 ALLOWED IN SECTION 39-30.5-106; AND

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

34 (2) ANY NEW BUSINESS LOCATED IN A RURAL JUMP-START ZONE  
35 MUST SUBMIT AN ANNUAL REPORT TO THE COMMISSION IN A FORM AND AT  
36 SUCH TIME AND WITH SUCH INFORMATION AS PRESCRIBED BY THE  
37 COMMISSION IN ITS GUIDELINES. SUCH INFORMATION SHALL BE SUFFICIENT  
38 FOR THE COMMISSION TO MONITOR THE CONTINUED ELIGIBILITY OF THE  
39 NEW BUSINESS, THE NEW EMPLOYEES, AND THE NEW HIRES TO CONTINUE  
40 TO PARTICIPATE IN THE RURAL JUMP-START ZONE PROGRAM AND TO  
41 RECEIVE THE RURAL JUMP-START ZONE PROGRAM BENEFITS.

1           **39-30.5-108. Severability.** IF ANY PROVISION OF THIS ARTICLE OR  
2 THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD  
3 INVALID, SUCH INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR  
4 APPLICATIONS OF THIS ARTICLE THAT CAN BE GIVEN EFFECT WITHOUT THE  
5 INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF  
6 THIS ARTICLE ARE DECLARED TO BE SEVERABLE.

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

\*\* \*\* \*\* \*\* \*\*