

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

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 15-0957.01 Esther van Mourik x4215

**SENATE BILL 15-282**

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**SENATE SPONSORSHIP**

**Scott and Johnston**, Cadman, Scheffel

**HOUSE SPONSORSHIP**

**Duran and Willett**, DelGrosso

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**Senate Committees**

State, Veterans, & Military Affairs  
Appropriations

**House Committees**

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**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, AND, IN**  
104                    **CONNECTION THEREWITH, MAKING AN APPROPRIATIO.N**

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**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>.)*

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

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.*

SENATE  
Amended 2nd Reading  
May 4, 2015

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 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.

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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**

1 COLORADO ECONOMY, THERE STILL EXISTS A SIGNIFICANT CONTRACTION  
2 OF LOCAL ECONOMIES IN CERTAIN AREAS OF THE STATE;

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

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

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

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

1           **39-30.5-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
2 CONTEXT OTHERWISE REQUIRES:

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

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

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

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

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

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

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

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

26           (e) A COUNTYWIDE CONCENTRATION OF PUPILS ELIGIBLE FOR FREE  
27 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 HIRES;

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.

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23 (8) "NEW HIRE" MEANS AN INDIVIDUAL WHO HAS PERFORMED  
24 LABOR OR SERVICES IN THE RURAL JUMP-START ZONE FOR THE NEW  
25 BUSINESS FOR MORE THAN SIX MONTHS FROM THE DATE HIRED AND FOR  
26 WHICH SUCH INDIVIDUAL RECEIVES A FEDERAL FORM W-2 AND WHERE THE  
27 JOB PERFORMED BY THE INDIVIDUAL:

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

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

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

8           (a) IN ONE OR MORE INCORPORATED PORTIONS OF THE DISTRESSED  
9 COUNTY IF THE MUNICIPALITY PROVIDES THE COMMISSION WITH A  
10 GENERAL RESOLUTION AS DESCRIBED IN SECTION 39-30.5-106 AGREEING  
11 TO PROVIDE INCENTIVE PAYMENTS, EXEMPTIONS, OR CREDITS TO OFFSET  
12 THE IMPOSITION OF BUSINESS PERSONAL PROPERTY TAX ON AND, IF THE  
13 MUNICIPALITY WISHES, TO OFFSET THE IMPOSITION OF ANY OTHER  
14 MUNICIPAL TAX ON ALL NEW BUSINESSES IN ORDER TO BE A PARTICIPANT  
15 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 BUSINESS  
21 PERSONAL PROPERTY TAX ON AND, IF THE MUNICIPALITY WISHES, TO  
22 OFFSET THE IMPOSITION OF ANY OTHER MUNICIPAL TAX ON A SPECIFIC NEW  
23 BUSINESS IN ORDER TO BE A LIMITED PARTICIPANT IN THE RURAL  
24 JUMP-START ZONE PROGRAM; OR

25           (c) IN THE UNINCORPORATED PORTIONS OF THE DISTRESSED  
26 COUNTY.

27           (10) "RURAL JUMP-START ZONE PROGRAM" MEANS THE RURAL

1 JUMP-START ZONE PROGRAM CREATED IN THIS ARTICLE.

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

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

6 (b) INCLUDES A DISTRESSED COUNTY IN THE COMMUNITY  
7 COLLEGE'S SERVICE AREA OR THE REGIONAL EDUCATION PROVIDER'S  
8 SERVICE AREA.

9 **39-30.5-104. Rural jump-start zone program requirements -**  
10 **commission guidelines.** (1) (a) THE COMMISSION SHALL DEVELOP  
11 GUIDELINES FOR THE ADMINISTRATION OF THE RURAL JUMP-START ZONE  
12 PROGRAM CREATED IN THIS ARTICLE, INCLUDING, BUT NOT LIMITED TO:

13 (I) APPLICATION REQUIREMENTS;

14 (II) GUIDELINES REGARDING THE ISSUING OF CREDIT  
15 CERTIFICATES; AND

16 (III) GUIDELINES CONCERNING THE PROCESS BY WHICH THE  
17 COMMISSION WILL DETERMINE WHETHER A NEW BUSINESS IS NOT  
18 SUBSTANTIALLY SIMILAR IN OPERATION TO AND DOES NOT DIRECTLY  
19 COMPETE WITH THE CORE FUNCTION OF A BUSINESS THAT IS OPERATING IN  
20 THE STATE AT THE TIME THE NEW BUSINESS SUBMITS ITS APPLICATION TO  
21 A STATE INSTITUTION OF HIGHER EDUCATION TO PARTICIPATE IN THE  
22 RURAL JUMP-START ZONE PROGRAM.

23 (b) THE GUIDELINES MUST BE POSTED ON THE COLORADO OFFICE  
24 OF ECONOMIC DEVELOPMENT'S WEB SITE NO LATER THAN DECEMBER 1,  
25 2015.

26 (c) IN DEVELOPING THE GUIDELINES, THE COMMISSION SHALL  
27 FOLLOW THE POLICIES OF THE COLORADO COMMISSION ON HIGHER



1 EDUCATION REGARDING SERVICE AREAS AND REGIONAL EDUCATION  
2 PROVIDERS.

3 (2) NO LATER THAN DECEMBER 1, 2015, THE COMMISSION SHALL  
4 DETERMINE WHICH OF THE STATE'S COUNTIES ARE DISTRESSED COUNTIES.  
5 IF A DISTRESSED COUNTY IS INTERESTED IN PARTICIPATING IN THE RURAL  
6 JUMP-START ZONE PROGRAM, THE DISTRESSED COUNTY SHALL PROVIDE  
7 THE COMMISSION WITH A RESOLUTION DESCRIBED IN SECTION 39-30.5-106  
8 (1) (a).

9 (3) EACH DISTRESSED COUNTY SHALL RETAIN ITS DESIGNATION AS  
10 A DISTRESSED COUNTY FOR THREE YEARS FROM THE DATE OF THE  
11 DESIGNATION. AFTER THE THREE-YEAR PERIOD, THE COMMISSION SHALL  
12 REVIEW THE DESIGNATION. IF THE COMMISSION DETERMINES THAT THE  
13 COUNTY IS NO LONGER DISTRESSED, THE NEW BUSINESS \_\_\_ RETAIN THE  
14 BENEFITS SPECIFIED IN SECTION 39-30.5-105 FOR THE REMAINING PORTION  
15 OF THE FOUR-YEAR PERIOD OUTLINED IN THAT SECTION, OR THE  
16 REMAINING EXTENDED PERIOD IF THE COMMISSION GRANTS AN EXTENSION  
17 OF THE PERIOD PURSUANT TO SECTION 39-30.5-105 (1) (a) (II), (2) (a) (II),  
18 OR (3) (b).

19 (4) (a) A STATE INSTITUTION OF HIGHER EDUCATION INTENDING TO  
20 PARTICIPATE IN THE RURAL JUMP-START ZONE PROGRAM SHALL ADOPT A  
21 CONFLICT OF INTEREST POLICY. THE CONFLICT OF INTEREST POLICY MUST  
22 PROVIDE THAT:

23 (I) A REPRESENTATIVE OF THE STATE INSTITUTION OF HIGHER  
24 EDUCATION MAY NOT USE THE RELATIONSHIP BETWEEN THE STATE  
25 INSTITUTION OF HIGHER EDUCATION AND THE NEW BUSINESS AS A MEANS  
26 FOR INUREMENT OR PRIVATE BENEFIT TO THE REPRESENTATIVE OF THE  
27 STATE INSTITUTION OF HIGHER EDUCATION, ANY RELATIVE OF SUCH

1 REPRESENTATIVE, OR ANY BUSINESS INTERESTS OF SUCH REPRESENTATIVE;

2 (II) A PERSON WHO ENGAGES IN THE BUSINESS OF SELLING GOODS  
3 OR SERVICES TO A STATE INSTITUTION OF HIGHER EDUCATION, AN  
4 EMPLOYEE OF SUCH PERSON, OR A PERSON WITH A BUSINESS INTEREST IN  
5 SUCH PERSON'S BUSINESS SHALL NOT VOTE ON OR PARTICIPATE IN THE  
6 ADMINISTRATION BY THE STATE INSTITUTION OF HIGHER EDUCATION OF  
7 ANY TRANSACTION WITH SUCH BUSINESS; AND

8 (III) (A) UPON BECOMING AWARE OF AN ACTUAL OR POTENTIAL  
9 CONFLICT OF INTEREST, A REPRESENTATIVE OF THE STATE INSTITUTION OF  
10 HIGHER EDUCATION SHALL ADVISE THE CHIEF ACADEMIC OFFICERS OR  
11 EXECUTIVE DIRECTOR OF THE INSTITUTION OF THE CONFLICT.

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

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

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

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

22 (A) OWNS OR CONTROLS TEN PERCENT OR MORE OF THE STOCK OF  
23 THE ENTITY; OR

24 (B) SERVES AS AN OFFICER, DIRECTOR, OR PARTNER OF THE  
25 ENTITY.

26 (II) "RELATIVE" MEANS ANY PERSON LIVING IN THE SAME  
27 HOUSEHOLD AS THE REPRESENTATIVE OF THE STATE INSTITUTION OF

1 HIGHER EDUCATION, ANY PERSON WHO IS A DIRECT DESCENDANT OF THE  
2 REPRESENTATIVE'S GRANDPARENTS, OR THE SPOUSE OF SUCH  
3 REPRESENTATIVE.

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

7 (5) A NEW BUSINESS SHALL APPLY TO A STATE INSTITUTION OF  
8 HIGHER EDUCATION TO PARTICIPATE IN A RURAL JUMP-START ZONE  
9 PROGRAM. THE STATE INSTITUTION OF HIGHER EDUCATION SHALL REQUIRE  
10 THE NEW BUSINESS TO PROVIDE DOCUMENTATION THAT THE NEW BUSINESS  
11 MEETS THE DEFINITION OF NEW BUSINESS AS SPECIFIED IN SECTION  
12 39-30.5-103 (7), THAT THE \_\_\_\_\_ WILL MEET THE DEFINITION OF \_\_\_\_\_ AS  
13 SPECIFIED IN SECTION 39-30.5-103 (8), AND THAT THE NEW HIRES WILL  
14 MEET THE DEFINITION OF NEW HIRE AS SPECIFIED IN SECTION 39-30.5-103  
15 (9). IF THE STATE INSTITUTION OF HIGHER EDUCATION APPROVES THE NEW  
16 BUSINESS, THEN THE STATE INSTITUTION OF HIGHER EDUCATION SHALL  
17 APPLY TO THE COMMISSION FOR THE APPROVAL OF A RURAL JUMP-START  
18 ZONE AS SPECIFIED IN SUBSECTION (6) OF THIS SECTION AND APPROVAL OF  
19 THE NEW BUSINESS FOR THE RURAL JUMP-START ZONE PROGRAM BENEFITS  
20 AS SPECIFIED IN SUBSECTION (7) OF THIS SECTION.

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

27 (I) IDENTIFICATION OF THE STATE INSTITUTION OF HIGHER

1 EDUCATION AND IDENTIFICATION OF EITHER THE DISTRESSED COUNTY IN  
2 WHICH A CAMPUS IS LOCATED OR THE DISTRESSED COUNTY THAT IS  
3 INCLUDED IN THE COMMUNITY COLLEGE'S SERVICE AREA OR THE REGIONAL  
4 EDUCATION PROVIDER'S SERVICE AREA;

5 (II) IDENTIFICATION OF THE NEW BUSINESS AND DOCUMENTATION  
6 INDICATING THAT REQUIREMENTS FOR THE NEW BUSINESS HAVE BEEN MET,  
7 INCLUDING AN ESTIMATE OF THE NUMBER OF \_\_\_ THAT THE NEW BUSINESS  
8 ANTICIPATES IT WILL HIRE;

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

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

14 (B) THE MISSION AND ACTIVITIES OF THE NEW BUSINESS ALIGN  
15 WITH OR FURTHER THE ACADEMIC MISSION OF THE STATE INSTITUTION OF  
16 HIGHER EDUCATION.

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

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

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

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

25 (b) A STATE INSTITUTION OF HIGHER EDUCATION MAY ALSO  
26 SUBMIT A COMPLETE WRITTEN APPLICATION FOR APPROVAL FOR A RURAL  
27 JUMP-START ZONE TO THE COMMISSION BY THE DEADLINES ESTABLISHED

1 IN THE COMMISSION'S GUIDELINES WHEN SUCH STATE INSTITUTION OF  
2 HIGHER EDUCATION HAS NOT YET APPROVED A NEW BUSINESS AS  
3 SPECIFIED IN SUBSECTION (5) OF THIS SECTION. IN THIS CASE, THE  
4 APPLICATION MUST INCLUDE:

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

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

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

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

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

18 (7) (a) \_\_\_\_\_ THE COMMISSION SHALL, AT A PUBLIC MEETING  
19 PROPERLY NOTICED, REVIEW EACH APPLICATION FOR A RURAL JUMP-START  
20 ZONE SUBMITTED BY A STATE INSTITUTION OF HIGHER EDUCATION. BASED  
21 ON THE APPLICATION SUBMITTED AND THE COMMISSION'S GUIDELINES, THE  
22 COMMISSION MAY APPROVE THE RURAL JUMP-START ZONE AND MAY  
23 APPROVE THE NEW BUSINESS FOR THE RURAL JUMP-START ZONE PROGRAM  
24 BENEFITS SPECIFIED IN SECTION 39-30.5-105; EXCEPT THAT THE  
25 COMMISSION MAY NOT APPROVE MORE THAN THREE RURAL JUMP-START  
26 ZONES FOR THE 2016 CALENDAR YEAR AND MAY NOT APPROVE ANY RURAL  
27 JUMP-START ZONES OR APPROVE ANY NEW BUSINESSES FOR THE RURAL

1 JUMP-START ZONE PROGRAM BENEFITS ON AND AFTER JANUARY 1, 2021.  
2 THE COMMISSION MAY ONLY APPROVE A NEW BUSINESS FOR THE RURAL  
3 JUMP-START ZONE PROGRAM BENEFITS IF THE COMMISSION IS SATISFIED  
4 THAT THE NEW BUSINESS MEETS THE DEFINITION OF NEW BUSINESS AS  
5 SPECIFIED IN SECTION 39-30.5-103 (7), THAT THE \_\_\_\_\_ WILL MEET THE  
6 DEFINITION OF \_\_\_\_\_ AS SPECIFIED IN SECTION 39-30.5-103 (8), THAT THE NEW  
7 HIRES WILL MEET THE DEFINITION OF NEW HIRE AS SPECIFIED IN SECTION  
8 39-30.5-103 (9), AND THAT THE NEW BUSINESS WILL BE LOCATED IN THE  
9 RURAL JUMP-START ZONE FOR WHICH THE STATE INSTITUTION OF HIGHER  
10 EDUCATION SOUGHT APPROVAL.

11 (b) (I) A NEW BUSINESS THAT RECEIVES APPROVAL AS SPECIFIED  
12 IN PARAGRAPH (a) OF THIS SUBSECTION (7) FOR THE RURAL JUMP-START  
13 ZONE PROGRAM BENEFITS MUST SUBMIT A REQUEST FOR THE ISSUANCE OF  
14 A CREDIT CERTIFICATE BY THE DEADLINES ESTABLISHED IN THE  
15 COMMISSION'S GUIDELINES. THE REQUEST MUST INCLUDE AN ESTIMATED  
16 AMOUNT, AS CALCULATED BY THE NEW BUSINESS, OF THE INCOME TAX  
17 CREDITS FOR THE NEW BUSINESS AND ANY \_\_\_\_\_ NEW HIRES AND THE SALES  
18 AND USE TAX REFUNDS ALLOWED IN SECTION 39-30.5-105 AND AN  
19 ESTIMATED AMOUNT, AS CALCULATED BY THE NEW BUSINESS, OF  
20 INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS PROVIDED BY LOCAL  
21 GOVERNMENTS AS SPECIFIED IN SECTION 39-30.5-106.

22 (II) THE COMMISSION SHALL NOT ISSUE MORE THAN A TOTAL OF  
23 TWO HUNDRED CREDIT CERTIFICATES IN ONE INCOME TAX YEAR FOR ALL  
24 \_\_\_\_\_ NEW HIRES EMPLOYED BY ALL NEW BUSINESSES IN EACH RURAL  
25 JUMP-START ZONE THAT RECEIVE APPROVAL AS SPECIFIED IN PARAGRAPH  
26 (a) OF THIS SUBSECTION (7); EXCEPT THAT THE COMMISSION HAS THE  
27 DISCRETION TO INCREASE THIS LIMIT TO THREE HUNDRED CREDIT

1 CERTIFICATES IF THE NEW BUSINESS IS IN ONE OF THE FOURTEEN  
2 INDUSTRIES THAT THE COMMISSION TARGETS FOR ECONOMIC  
3 DEVELOPMENT IN THE STATE.

4 (III) IF THE BENEFIT IS FOR \_\_\_ NEW HIRES, THE COMMISSION SHALL  
5 PROVIDE THE CREDIT CERTIFICATES FOR SUCH \_\_\_ NEW HIRES DIRECTLY TO  
6 THE NEW BUSINESS, AND THE NEW BUSINESS SHALL PROVIDE A COPY OF  
7 THE CREDIT CERTIFICATE TO THE \_\_\_ NEW HIRE WITH THEIR FEDERAL FORM  
8 W-2.

9 (IV) IF THE COMMISSION DETERMINES THE NEW BUSINESS, NEW  
10 EMPLOYEE, OR NEW HIRE NO LONGER MEETS THE REQUIREMENTS SET  
11 FORTH IN THIS ARTICLE, THE COMMISSION SHALL NOT ISSUE CREDIT  
12 CERTIFICATES FOR THE INCOME TAX CREDITS ALLOWED IN SECTION  
13 39-30.5-105 (1) AND (2) AND SHALL NOT NOTIFY THE DEPARTMENT THAT  
14 THE NEW BUSINESS IS ELIGIBLE FOR THE SALES AND USE TAX REFUND  
15 ALLOWED IN SECTION 39-30.5-105 (3).

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

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

26 **39-30.5-105. Rural jump-start zone program benefits. (1) New**  
27 **business income tax credit. (a) (I) IF A NEW BUSINESS LOCATES IN A**

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

18 (II) A NEW BUSINESS MAY SEEK AN EXTENSION OF THE FOUR-YEAR  
19 BENEFITS PERIOD SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a)  
20 BY COMPLETING A WRITTEN APPLICATION TO THE COMMISSION. THE  
21 EXTENSION MAY NOT EXCEED AN ADDITIONAL FOUR YEARS. THE  
22 APPLICATION FOR EXTENSION MUST INCLUDE AN EXPLANATION OF THE  
23 NEW BUSINESS' NEED FOR THE EXTENSION AND ANY OTHER INFORMATION  
24 THE COMMISSION DEEMS NECESSARY. IN DECIDING WHETHER TO GRANT  
25 THE EXTENSION, THE COMMISSION MUST CONSIDER THE STATE OF THE  
26 ECONOMY IN THE RURAL JUMP-START ZONE, THE ESTIMATED DEMAND FOR  
27 TAX CREDITS ALLOWED IN THIS SECTION FOR OTHER NEW BUSINESSES, AND



1 THE IMPORTANCE OF THESE CREDITS IN INCENTIVIZING THE NEW BUSINESS.  
2 THE EXTENSION APPLICATION MUST BE CONSIDERED AT A REGULARLY  
3 SCHEDULED MEETING OF THE COMMISSION WHERE THE PUBLIC IS ALLOWED  
4 TO COMMENT. \_\_\_\_\_

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

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

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

1 YEAR THAT INCLUDES THE FOLLOWING INFORMATION:

2 (I) THE TAXPAYER'S NAME; AND

3 (II) THE TAXPAYER'S SOCIAL SECURITY NUMBER OR THE  
4 TAXPAYER'S COLORADO ACCOUNT NUMBER AND FEDERAL EMPLOYER  
5 IDENTIFICATION NUMBER.

6 (e) IF A NEW BUSINESS RECEIVING AN INCOME TAX CREDIT  
7 ALLOWED IN THIS SUBSECTION (1) IS A PARTNERSHIP, LIMITED LIABILITY  
8 COMPANY, S CORPORATION, OR SIMILAR PASS-THROUGH ENTITY, THE  
9 COMMISSION SHALL ISSUE CREDIT CERTIFICATES THAT ALLOCATE THE  
10 CREDIT AMONG THE NEW BUSINESS' PARTNERS, SHAREHOLDERS, MEMBERS,  
11 OR OTHER CONSTITUENT ENTITIES IN ACCORDANCE WITH THEIR OWNERSHIP  
12 INTERESTS. THE NEW BUSINESS SHALL CERTIFY TO THE COMMISSION, AND  
13 THE COMMISSION SHALL PROVIDE TO THE DEPARTMENT NO LATER THAN  
14 THE JANUARY 15 FOLLOWING EACH INCOME TAX YEAR FOR WHICH THE  
15 NEW BUSINESS IS CLAIMING A CREDIT, THE IDENTITY AND OWNERSHIP  
16 PERCENTAGE, INCLUDING SUCH IDENTIFYING INFORMATION AS THE  
17 DEPARTMENT MAY REQUIRE, OF EACH PARTNER, SHAREHOLDER, MEMBER,  
18 OR OTHER CONSTITUENT ENTITY OF THE NEW BUSINESS.

19 (2) New **hire income tax credit.** (a) (I) EXCEPT AS PROVIDED  
20 IN SECTION 39-30.5-104 (7) (b) (II) AND SUBPARAGRAPH (II) OF THIS  
21 PARAGRAPH (a), IF A NEW HIRE IS EMPLOYED BY A NEW BUSINESS, AND  
22 THE COMMISSION HAS APPROVED THE NEW BUSINESS FOR THE RURAL  
23 JUMP-START ZONE PROGRAM BENEFITS AS SPECIFIED IN SECTION  
24 39-30.5-104 (7) (a), FOR INCOME TAX YEARS COMMENCING ON OR AFTER  
25 JANUARY 1, 2016, BUT BEFORE JANUARY 1, 2021, NEW HIRES ARE  
26 ENTITLED TO RECEIVE AN INCOME TAX CREDIT IN AN AMOUNT EQUAL TO  
27 ONE HUNDRED PERCENT OF THE INCOME TAXES IMPOSED BY ARTICLE 22 OF

1 THIS TITLE ON THE \_\_\_ NEW HIRE'S WAGES PAID BY THE NEW BUSINESS FOR  
2 WORK PERFORMED IN THE RURAL JUMP-START ZONE FOR FOUR  
3 CONSECUTIVE INCOME TAX YEARS BEGINNING WITH THE FIRST INCOME TAX  
4 YEAR IN WHICH THE \_\_\_ NEW HIRE IS EMPLOYED BY THE NEW BUSINESS.  
5 THE COMMISSION SHALL CONDUCT AN ANNUAL REVIEW TO VERIFY THAT  
6 THE \_\_\_ NEW HIRE, AND THE NEW BUSINESS CONTINUE TO MEET THE  
7 REQUIREMENTS SET FORTH IN THIS ARTICLE AND SHALL ISSUE A CREDIT  
8 CERTIFICATE TO THE NEW BUSINESS FOR EACH \_\_\_ NEW HIRE FOR EVERY  
9 INCOME TAX YEAR DURING THE FOUR-YEAR PERIOD ONLY IF THE  
10 COMMISSION IS SATISFIED THE REQUIREMENTS ARE BEING MET.

11 (II) A NEW BUSINESS MAY SEEK AN EXTENSION OF THE FOUR-YEAR  
12 BENEFITS PERIOD SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a)  
13 BY COMPLETING A WRITTEN APPLICATION TO THE COMMISSION. THE  
14 EXTENSION MAY NOT EXCEED AN ADDITIONAL FOUR YEARS. THE  
15 APPLICATION FOR EXTENSION MUST INCLUDE AN EXPLANATION OF THE  
16 NEW BUSINESS' NEED FOR THE EXTENSION AND ANY OTHER INFORMATION  
17 THE COMMISSION DEEMS NECESSARY. IN DECIDING WHETHER TO GRANT  
18 THE EXTENSION, THE COMMISSION MUST CONSIDER THE STATE OF THE  
19 ECONOMY IN THE RURAL JUMP-START ZONE, THE ESTIMATED DEMAND FOR  
20 TAX CREDITS ALLOWED IN THIS SECTION FOR OTHER NEW BUSINESSES, AND  
21 THE IMPORTANCE OF THESE CREDITS IN INCENTIVIZING THE NEW BUSINESS.  
22 THE EXTENSION APPLICATION MUST BE CONSIDERED AT A REGULARLY  
23 SCHEDULED MEETING OF THE COMMISSION WHERE THE PUBLIC IS ALLOWED  
24 TO COMMENT.

25 (b) TO CLAIM THE INCOME TAX CREDIT ALLOWED IN THIS SECTION,  
26 THE \_\_\_ NEW HIRE SHALL ATTACH A COPY OF THE CREDIT CERTIFICATE TO  
27 THE \_\_\_ NEW HIRE'S STATE INCOME TAX RETURN. NO TAX CREDIT IS

1 ALLOWED UNDER THIS SECTION UNLESS THE \_\_\_ NEW HIRE PROVIDES THE  
2 COPY OF THE CREDIT CERTIFICATE WITH HIS OR HER FILED STATE INCOME  
3 TAX RETURN.

4 (c) THE COMMISSION SHALL, IN A SUFFICIENTLY TIMELY MANNER  
5 TO ALLOW THE DEPARTMENT TO PROCESS RETURNS CLAIMING THE CREDIT  
6 ALLOWED BY THIS SECTION, PROVIDE THE DEPARTMENT WITH AN  
7 ELECTRONIC REPORT OF EACH \_\_\_\_\_ NEW HIRE RECEIVING A CREDIT  
8 CERTIFICATE AS ALLOWED IN THIS SECTION FOR THE PRECEDING CALENDAR  
9 YEAR THAT INCLUDES THE FOLLOWING INFORMATION:

10 (I) THE \_\_\_ NEW HIRE'S NAME; AND

11 (II) THE \_\_\_ NEW HIRE'S SOCIAL SECURITY NUMBER.

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

22 (b) A NEW BUSINESS MAY SEEK AN EXTENSION OF THE FOUR-YEAR  
23 PERIOD SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (3) BY  
24 COMPLETING A WRITTEN APPLICATION TO THE COMMISSION. THE  
25 EXTENSION MAY NOT EXCEED AN ADDITIONAL FOUR YEARS. THE  
26 APPLICATION FOR EXTENSION MUST INCLUDE AN EXPLANATION OF THE  
27 NEW BUSINESS' NEED FOR THE EXTENSION AND ANY OTHER INFORMATION

1 THE COMMISSION DEEMS NECESSARY. IN DECIDING WHETHER TO GRANT  
2 THE EXTENSION, THE COMMISSION MUST CONSIDER THE STATE OF THE  
3 ECONOMY IN THE RURAL JUMP-START ZONE, THE ESTIMATED DEMAND FOR  
4 SALES AND USE TAX REFUNDS ALLOWED IN THIS SECTION FOR OTHER NEW  
5 BUSINESSES, AND THE IMPORTANCE OF THE REFUND IN INCENTIVIZING THE  
6 NEW BUSINESS. THE EXTENSION APPLICATION MUST BE CONSIDERED AT A  
7 REGULARLY SCHEDULED MEETING OF THE COMMISSION WHERE THE PUBLIC  
8 IS ALLOWED TO COMMENT.

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

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

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

23 (a)      AN INTERESTED DISTRESSED COUNTY MUST ADOPT A  
24 RESOLUTION AFFIRMING THAT IT WILL PROVIDE INCENTIVE PAYMENTS,  
25 EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO NEW BUSINESSES TO  
26 ELIMINATE THE BUSINESS PERSONAL PROPERTY TAX IMPOSED ON ALL NEW  
27 BUSINESSES BY THE DISTRESSED COUNTY. THE DISTRESSED COUNTY MAY

1 ADOPT AN ADDITIONAL RESOLUTION AFFIRMING THAT IT CHOOSES TO  
2 PROVIDE INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS, AS  
3 APPROPRIATE, TO ALL NEW BUSINESSES TO ELIMINATE ANY OTHER TAX  
4 IMPOSED ON OR PAID BY SUCH NEW BUSINESSES IN THE DISTRESSED  
5 COUNTY.

6 (b) INTERESTED MUNICIPALITIES WITHIN AN INTERESTED  
7 DISTRESSED COUNTY MUST ADOPT EITHER:

8 (I) A GENERAL RESOLUTION AFFIRMING THAT IT WILL PROVIDE  
9 INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO  
10 ALL NEW BUSINESSES TO ELIMINATE THE BUSINESS PERSONAL PROPERTY  
11 TAX IMPOSED ON NEW BUSINESSES BY THE INTERESTED MUNICIPALITY.  
12 THE INTERESTED MUNICIPALITY MAY ADOPT AN ADDITIONAL RESOLUTION  
13 AFFIRMING THAT IT CHOOSES TO PROVIDE INCENTIVE PAYMENTS,  
14 EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO ALL NEW BUSINESSES TO  
15 ELIMINATE ANY OTHER TAX IMPOSED ON OR PAID BY SUCH NEW  
16 BUSINESSES IN THE INTERESTED MUNICIPALITY.

17 (II) A LIMITED RESOLUTION AFFIRMING THAT IT WILL PROVIDE  
18 INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO A  
19 SPECIFIC NEW BUSINESS TO ELIMINATE THE BUSINESS PERSONAL PROPERTY  
20 TAX IMPOSED ON THE SPECIFIC NEW BUSINESS BY THE INTERESTED  
21 MUNICIPALITY. THE INTERESTED MUNICIPALITY MAY ADOPT AN  
22 ADDITIONAL RESOLUTION AFFIRMING THAT IT CHOOSES TO PROVIDE  
23 INCENTIVE PAYMENTS, EXEMPTIONS, OR REFUNDS, AS APPROPRIATE, TO  
24 THE SPECIFIC BUSINESS TO ELIMINATE ANY OTHER TAX IMPOSED ON OR  
25 PAID BY THE SPECIFIC BUSINESS IN THE INTERESTED MUNICIPALITY.

26 **39-30.5-107. Rural jump-start zone reporting requirements.**

27 (1) THE COMMISSION SHALL ANNUALLY POST ON THE COLORADO OFFICE

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

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

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

10 (c) THE NAME OF THE NEW BUSINESS;

11 (d) THE TYPE OF NEW BUSINESS;

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

14 (f) THE NUMBER OF NEW HIRES \_\_\_ HIRED;

15 (g) THE AVERAGE SALARY OR HOURLY WAGE OF EACH \_\_\_ NEW  
16 HIRE;

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

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

26 (2) ANY NEW BUSINESS LOCATED IN A RURAL JUMP-START ZONE  
27 MUST SUBMIT AN ANNUAL REPORT TO THE COMMISSION IN A FORM AND AT

1 SUCH TIME AND WITH SUCH INFORMATION AS PRESCRIBED BY THE  
2 COMMISSION IN ITS GUIDELINES. SUCH INFORMATION SHALL BE SUFFICIENT  
3 FOR THE COMMISSION TO MONITOR THE CONTINUED ELIGIBILITY OF THE  
4 NEW BUSINESS \_\_\_ AND THE NEW HIRES TO CONTINUE TO PARTICIPATE IN  
5 THE RURAL JUMP-START ZONE PROGRAM AND TO RECEIVE THE RURAL  
6 JUMP-START ZONE PROGRAM BENEFITS.

7 **39-30.5-108. Severability.** IF ANY PROVISION OF THIS ARTICLE OR  
8 THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD  
9 INVALID, SUCH INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR  
10 APPLICATIONS OF THIS ARTICLE THAT CAN BE GIVEN EFFECT WITHOUT THE  
11 INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF  
12 THIS ARTICLE ARE DECLARED TO BE SEVERABLE.

13 **SECTION 2. Appropriation.** For the 2015-16 state fiscal year,  
14 \$125,983 is appropriated to the office of the governor. This appropriation  
15 is from the general fund and is based on an assumption that the office will  
16 require an additional 1.0 FTE. To implement this act, the office may use  
17 this appropriation to support the Colorado economic development  
18 commission in implementing the rural jump-start zone program.

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