

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 30, 2014
Date

Committee on Finance.

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

HB14-1389 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend the Business, Labor, Economic, & Workforce Development
2 Committee Report, dated April 29, 2014, page 4, line 14, strike "(b) AND
3 (c)" and substitute "(b), (c), AND (d)".

4 Page 4, after line 40 insert:

5 "(d) THE TOTAL AMOUNT OF EXEMPTIONS ALLOWED PURSUANT TO
6 THIS SUBSECTION (3) IN ANY YEAR SHALL NOT EXCEED ONE MILLION FIVE
7 HUNDRED THOUSAND DOLLARS. THE COLORADO OFFICE OF ECONOMIC
8 DEVELOPMENT SHALL DETERMINE A METHOD TO PRIORITIZE THE
9 EXEMPTIONS CLAIMED PURSUANT TO THIS SUBSECTION (3) TO ENSURE
10 THAT THE TOTAL AMOUNT CLAIMED IN ANY YEAR DOES NOT EXCEED SUCH
11 MAXIMUM AMOUNT."

12 Page 5, strike lines 19 and 20 and substitute "MAY REQUIRE THAT THE
13 OWNER OF A FACILITY".

14 Page 5, line 24, after "STATE." add "IF THE OWNER OF A FACILITY FAILS TO
15 PROVIDE THE INFORMATION REQUESTED BY THE OFFICE, THE OFFICE MAY
16 DENY CERTIFICATION AS A QUALIFIED DATA CENTER OR A QUALIFIED
17 REFURBISHED DATA CENTER."

18 Page 6, after line 23 insert:

1 "(c) DURING THE CERTIFICATION PROCESS PURSUANT TO THIS
2 SUBSECTION (5), THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT
3 MAY REQUIRE THAT A TAXPAYER THAT SEEKS TO OBTAIN CERTIFICATION
4 AS A QUALIFIED TENANT OF A FACILITY SUBMIT CERTAIN INFORMATION TO
5 THE OFFICE REGARDING THE IMPACT THAT THE EXEMPTION ALLOWED IN
6 THIS SECTION HAD ON THE TAXPAYER'S DECISION TO LOCATE OR EXPAND
7 A BUSINESS, MAKE INVESTMENTS, AND HIRE EMPLOYEES IN THE STATE. IF
8 THE TAXPAYER FAILS TO PROVIDE THE INFORMATION REQUESTED BY THE
9 OFFICE, THE OFFICE MAY DENY CERTIFICATION AS A QUALIFIED TENANT OF
10 A FACILITY."

11 Reletter succeeding paragraph accordingly.

12 Page 7, strike lines 8 through 13 and substitute:

13 "(b) ANY QUALIFIED DATA CENTER, QUALIFIED REFURBISHED DATA
14 CENTER, OR QUALIFIED TENANT OF A FACILITY SHALL SUBMIT TO THE
15 COLORADO OFFICE OF ECONOMIC DEVELOPMENT INFORMATION
16 REQUESTED BY THE OFFICE FOR THE PURPOSE OF TRACKING AND
17 MONITORING QUALIFIED DATA CENTERS, QUALIFIED REFURBISHED DATA
18 CENTERS, AND QUALIFIED TENANTS OF FACILITIES FOR THE PURPOSE OF
19 THE REPORT REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (8). IF A
20 QUALIFIED DATA CENTER, QUALIFIED REFURBISHED DATA CENTER, OR
21 QUALIFIED TENANT OF A FACILITY FAILS TO PROVIDE THE INFORMATION
22 REQUESTED BY THE OFFICE, THE OFFICE MAY REVOKE CERTIFICATION AS
23 A QUALIFIED DATA CENTER, QUALIFIED REFURBISHED DATA CENTER, OR
24 QUALIFIED TENANT OF A FACILITY, AS APPLICABLE."

25 (9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025."