

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 28, 2013

Date

Committee on Business, Labor, Economic, & Workforce Development.

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

HB13-1059 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill page 2, strike lines 12 through 14 and substitute  
2 "THAT IS USED DIRECTLY IN THE PROVISION OF BROADBAND  
3 COMMUNICATIONS SERVICE THAT IS CAPABLE OF SPEEDS THAT ARE  
4 GREATER THAN OR EQUAL TO FOUR MEGABITS PER SECOND FOR  
5 DOWNLOAD AND ONE MEGABIT PER SECOND FOR UPLOAD IS EXEMPT FROM  
6 TAXATION UNDER PART".

7 Page 2, strike line 19 and substitute "(d) (I) (K), (1) (d) (I) (L), and (10);  
8 and **add** (1) (d) (I) (M) as".

9 Page 3, line 21, after "EQUIPMENT" insert "THAT IS USED DIRECTLY IN THE  
10 PROVISION OF BROADBAND COMMUNICATIONS SERVICE" and strike  
11 "C.R.S.;" and substitute "C.R.S.".

12 Page 3, strike lines 22 through 27.

13 Page 4, strike lines 1 through 11 and substitute:

14 "(10) (a) Notwithstanding any provision of this section to the  
15 contrary, and except as provided in paragraph (b) of this subsection (10),  
16 a town, city, or county may exempt from its sales tax sales to a  
17 telecommunications provider of equipment used directly in the provision  
18 of telephone service, cable television service, ~~broadband communications~~  
19 ~~service~~, or mobile telecommunications service.

20 (b) A town, city, or county may not adopt a sales tax exemption

1 pursuant to the authority set forth in paragraph (a) of this subsection (10)  
2 unless the exemption applies in a uniform and nondiscriminatory manner  
3 to the telecommunications providers of telephone service, cable television  
4 service, ~~broadband communications service~~, and mobile  
5 telecommunications service."

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