

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

BILL A

LLS NO. 16-0340.01 Ed DeCecco x4216

HOUSE BILL

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HOUSE SPONSORSHIP

Singer, Pettersen

SENATE SPONSORSHIP

Merrifield and Kefalas,

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House Committees

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE START OF THE CHILD TAX CREDIT.

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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>.)*

**Early Childhood and School Readiness Legislative Commission.** In 2013, the general assembly created a child tax credit against state income taxes for a resident individual. But the credit, which is a percentage of the federal child tax credit based on the taxpayer's income, is only allowed after the United States congress enacts a version of the "Marketplace Fairness Act".

The bill repeals the contingent start of the tax credit and instead

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.*

allows the credit to be claimed for any income tax year beginning with the 2016 income tax year.

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-22-129, **amend**  
3 (3) (a); and **repeal** (4) as follows:

4 **39-22-129. Child tax credit - legislative declaration -**  
5 **definitions.** (3) (a) For ~~an income tax year specified in subsection (4) of~~  
6 ~~this section~~ YEARS COMMENCING ON OR AFTER JANUARY 1, 2016, a  
7 resident individual who claims a federal child tax credit for an eligible  
8 child on the individual's federal tax return is allowed a child tax credit  
9 against the income taxes due under this article for the same tax year.

10 ~~(4) No credit is allowed under this section until the United States~~  
11 ~~congress has enacted the "Marketplace Fairness Act of 2013", or any~~  
12 ~~other act with substantially similar requirements, and the general~~  
13 ~~assembly has enacted a law to implement the minimum simplification~~  
14 ~~requirements in the congressional act. The credit allowed under this~~  
15 ~~section may be claimed for any income tax year beginning with the~~  
16 ~~income tax year during which the last prerequisite bill under this~~  
17 ~~subsection (4) becomes law; except that, if the last bill becomes law after~~  
18 ~~October 1 of a given year, the credit is first available in the next income~~  
19 ~~tax year, and in no case may the credit be claimed prior to the 2014~~  
20 ~~income tax year.~~

21 **SECTION 2. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly (August  
24 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a  
25 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act  
2 within such period, then the act, item, section, or part will not take effect  
3 unless approved by the people at the general election to be held in  
4 November 2016 and, in such case, will take effect on the date of the  
5 official declaration of the vote thereon by the governor.