

South Metro Denver Chamber

[HB23-1277](#)

Reporting Adjustments To Taxable Income

Comment:

Position: **RECOMMENMONITOR**

Calendar Monday, April 10 2023

Notification: Finance
1:30 p.m. Room 0112
(6) in house calendar.

Short Title: Reporting Adjustments To Taxable Income

Sponsors: B. Marshall (D) | R. Taggart (R)

Summary: Under current law, partnerships and S corporations (pass-through entities) have 3 options for ensuring that the income taxes owed by nonresident owners will be paid. Pass-through entities may file a composite return on behalf of these owners, withhold an estimated tax payment, or collect and file an agreement that the owner will file a separate return. For income tax years beginning on and after January 1, 2024, **section 1** of the bill consolidates the composite return and withholding options and clarifies the calculation of the required payment. **Section 2** adopts the multistate tax commission's model statute for reporting adjustments to federal taxable income. When federal taxable income is adjusted by the internal revenue service, or by the taxpayer through an amended federal return, the taxpayer must also report that change to the state. Current law requires those changes to be reported within 30 days and does not address the new federal centralized partnership audit procedures. The bill provides additional time for reporting adjustments and allows pass-through entities to handle adjustments at the entity level on behalf of their owners. **Section 3** changes the due date for income tax returns by C corporations. Current law requires state income tax returns to be filed by C corporations by April 15, and prior to 2017, the federal income tax return deadline for C corporations was March 15. This meant that the state's April 15 due date and October 15 extension deadline was one month after the federal due date. In 2017, congress moved the federal due date for C corporations to April 15. Section 3 restores the one-month lag by changing the state due date to May 15, with a November 15 extension deadline. **Sections 4, 5, 6, 7, and 8** make conforming amendments.

(Note: This summary applies to this bill as introduced.)

Status: 3/30/2023 Introduced In House - Assigned to Finance

Fiscal Notes: [Fiscal Note](#)

[HB23-1279](#) **Allow Retail Marijuana Online Sales**

Comment:

Position: **RECOMMEND SUPPORT**

Calendar Monday, April 10 2023

Notification: Finance
1:30 p.m. Room 0112
(4) in house calendar.

Short Title: Allow Retail Marijuana Online Sales

Sponsors: W. Lindstedt (D) | S. Sharbini (D) / R. Rodriguez (D)

Summary: Current law prohibits a licensed retail marijuana store from selling retail marijuana or retail marijuana products over the internet or through delivery. The bill repeals the prohibition.

(Note: This summary applies to this bill as introduced.)

Status: 3/30/2023 Introduced In House - Assigned to Finance

Fiscal Notes: [Fiscal Note](#)

[HB23-1282](#) **Protect Consumers From Additional Entities**

Comment:

Position: **RECOMMEND OPPOSE**

Calendar Thursday, April 20 2023

Notification: Energy & Environment
1:30 p.m. Room LSB-A
(2) in house calendar.

Short Title: Protect Consumers From Additional Entities

Sponsors: C. Kipp (D) / K. Priola (D)

Summary: The bill adds a public utility to the definition of "person" in the "Colorado Consumer Protection Act" (Act). In doing so, the bill affords consumers protections against any public utility that violates the Act and subjects a public utility to enforcement actions instituted by the attorney general or district attorneys as authorized by the Act.

(Note: This summary applies to this bill as introduced.)

Status: 4/3/2023 Introduced In House - Assigned to Energy & Environment

Fiscal Notes:

[SB23-248](#)

**Attorney General Regulated Consumer Credit
Transactions**

Comment:

Position: **RECOMMEND MONITOR**

**Calendar
Notification:** Tuesday, April 11 2023
SENATE BUSINESS, LABOR, & TECHNOLOGY COMMITTEE
2:00 PM Old Supreme Court
(4) in senate calendar.

Short Title: Attorney General Regulated Consumer Credit Transactions

Sponsors: R. Rodriguez (D)

Summary: The bill amends the "Uniform Consumer Credit" (code) by:

- Updating the renewal dates for entities required to be licensed under the code from January 31 of each year to July 1 of each year;
- Creating the consumer credit unit cash fund, into which all fees collected under the code on and after July 1, 2024, must be deposited; and
- Repealing the uniform consumer credit code cash fund and the collection agency cash fund and transferring the balances remaining in the funds to the consumer credit unit cash fund.

The bill amends language in the "Colorado Fair Debt Collection Practices Act" relating to the duty of the code administrator to maintain confidentiality to align with the code and the "Colorado Student Loan Equity Act".

The bill amends the "Colorado Student Loan Equity Act" by:

- Requiring licensed entities to include an annual report upon application for license renewal;
- Amending the term "private education loan" to "private education credit" and updating corresponding terms accordingly;
- Defining the term "refinanced" and excluding student loans subject to refinancing from registration requirements; and
- Including a cosignor within the definition of "borrower".

(Note: This summary applies to this bill as introduced.)

Status: 3/24/2023 Introduced In Senate - Assigned to Business, Labor, & Technology

Fiscal Notes: [Fiscal Note](#)

[SB23-265](#)

Prohibit Professional Discipline For Marijuana

Comment:

Position: **RECOMMEND MONITOR**

Calendar Notification: Tuesday, April 18 2023
SENATE BUSINESS, LABOR, & TECHNOLOGY COMMITTEE
2:00 PM Old Supreme Court
(3) in senate calendar.

Short Title: Prohibit Professional Discipline For Marijuana

Sponsors: K. Van Winkle (R) / M. Snyder (D)

Summary:

The bill protects an individual applying for licensure, certification, or registration in a profession or occupation in Colorado (applicant), as well as a professional who is currently licensed, certified, or registered in a profession or occupation in Colorado (licensee), from having the license, certification, or registration denied to the applicant, or from discipline being imposed against the licensee, based solely on:

- A civil or criminal judgment against the applicant or licensee regarding the consumption, possession, cultivation, or processing of marijuana, if the underlying actions were lawful and consistent with professional conduct and standards of care within Colorado and did not otherwise violate Colorado law; or
- Previous professional disciplinary action concerning an applicant's or a licensee's professional licensure in this or any other state or U.S. territory, if the professional disciplinary action was based solely on the applicant's or licensee's consumption, possession, cultivation, or processing of marijuana and the applicant or licensee did not otherwise violate Colorado law.

(Note: This summary applies to this bill as introduced.)

Status:

4/3/2023 Introduced In Senate - Assigned to Business, Labor, & Technology

Fiscal Notes:

Informational Only

Staff Note: These bills were part of the budget package of bills that have already been passed through the process. We don't need to take a position but we have included them for informational purposes.

[SB23-226](#)**Extending Transitional Jobs Program**

Comment:

Position:

Calendar Notification: NOT ON CALENDAR

Short Title: Extending Transitional Jobs Program

Sponsors: J. Bridges (D) | B. Kirkmeyer (R) / E. Sirota (D) | R. Bockenfeld (R)

Summary: **Joint Budget Committee.** The bill extends the time period to offer eligible individuals the opportunity to work in transitional jobs for 5 additional years.
The bill extends the repeal date of the transitional jobs program from July 1, 2025, to July 1, 2030.

(Note: This summary applies to the reengrossed version of this bill as introduced in the second house.)

Status: 4/6/2023 House Third Reading Passed - No Amendments

Fiscal Notes: [Fiscal Note](#)

[SB23-231](#)**Amend Fund To Allow Payment Overdue Wage Claims**

Comment:

Position:

Calendar Notification: NOT ON CALENDAR

Short Title: Amend Fund To Allow Payment Overdue Wage Claims

Sponsors: J. Bridges (D) | R. Zenzinger (D) / E. Sirota (D) | R. Bockenfeld (R)

Summary: **Joint Budget Committee.** The bill amends the wage theft enforcement fund (fund) to allow the division of labor standards and statistics (division) in the department of labor and employment (department) to use money in the fund to pay employees who are owed money from their employers due to obligations and liabilities related to the payment of wages or other compensation. If an employer fails to fulfill the order to pay an employee that results from a wage claim or an investigation within 6 months after the division issues a citation and notice of assessment to the employer or, if the employer requests a hearing, within 6 months after the hearing officer issues a decision, the bill allows the division to pay the employee, from the fund, the amount of money owed by the employer. The bill specifies that after the division pays the employee, the employee cannot recover that payment amount from the employer, the division shall continue to pursue payment from the employer, and any money recovered from the employer by the division will be credited to the fund.

The bill requires the division to promulgate rules specifying procedures for employees to request payments and criteria for the division to make determinations on employee requests.

The bill also continuously appropriates money in the fund to the division for the purpose of making payments to employees and excludes the fund from the limit on cash fund reserves.

For the 2023-24 state fiscal year, the bill appropriates \$12,657 from the fund to the department for use by the executive director's office for personal services.

(Note: This summary applies to the reengrossed version of this bill as introduced in the second house.)

Status: 4/6/2023 House Third Reading Passed - No Amendments

Fiscal Notes: [Fiscal Note](#)

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| SB23-232 | Unemployment Insurance Premiums Allocation Federal Law Compliance |
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Comment:

Position:

Calendar Notification: NOT ON CALENDAR

Short Title: Unemployment Insurance Premiums Allocation Federal Law Compliance

Sponsors: R. Zenzinger (D) | B. Kirkmeyer (R) / S. Bird (D) | E. Sirota (D)

Summary:

Joint Budget Committee. For purposes of complying with requirements of the "Federal Unemployment Tax Act", the bill reduces employer premium rates by 10% across all rates in the standard premium rate schedule. Additionally, the bill creates a schedule for the support surcharge rate (schedule), which is used to establish contributions to the employment support fund, to the employment and training technology fund, and to the benefit recovery fund. The new schedule uses the same methodology as is used in calculating an employer's percent of excess, which is the percentage resulting from the calculation of an employer's excess of premiums paid over benefits charged, divided by the average chargeable payroll.

The bill changes the cap on the amount of money in the employment support fund at the end of any state fiscal year, from an amount calculated based on a portion of the employer premium plus \$17 million, to a total of \$32.5 million for the next state fiscal year, which amount is adjusted annually based on changes in average weekly earnings. *Additionally, the bill repeals, effective June 30, 2025, the ability of the department of labor and employment (department) to use money in the employment support fund to provide funding for labor standards, labor relations, and Colorado works grievance procedures.*

The bill expands the authorized use of money in the Title XII repayment fund to allow the division of unemployment insurance (division) in the department of labor and employment (department) to use the money for costs associated with bonds or notes issued by the division, including interest on the bonds or notes, *to the extent permitted by federal law.*

The bill eliminates the requirement for employers to submit premium reports to the division and instead requires employers to submit wage reports.

~~The bill adjusts the appropriations in the annual general appropriation act for the 2023-24 state fiscal year to the department for use by the division as follows:~~

- ~~• Decreases the general fund appropriation for program costs related to labor standards by \$899,537; and~~
- ~~• Increases the cash funds appropriation from the employment support fund for program costs related to labor standards by \$899,537.~~

(Note: Italicized words indicate new material added to the original summary; dashes through words indicate deletions from the original summary.)

(Note: This summary applies to the reengrossed version of this bill as introduced in the second house.)

Colorado Legislative Strategies April 10, 2023

Status: 4/5/2023 Introduced In House - Assigned to Appropriations

Fiscal Notes: [Fiscal Note](#)