

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 13-0287.01 Jason Gelender x4330

HOUSE BILL 13-1024

HOUSE SPONSORSHIP

Melton and Nordberg,

SENATE SPONSORSHIP

Todd,

House Committees

Finance
Appropriations

Senate Committees

Finance

A BILL FOR AN ACT

101 **CONCERNING A STATE INCOME TAX MODIFICATION FOR INCOME**
102 **RECEIVED FROM THE COLORADO MILITARY FAMILY RELIEF**
103 **FUND.**

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 military family relief fund (fund) provides grants to members of the Colorado National Guard or reservists, active duty military personnel stationed in Colorado, and their families in order to partly mitigate financial hardships that often occur when a Colorado National

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
3rd Reading Unamended
March 5, 2013

SENATE
2nd Reading Unamended
March 1, 2013

HOUSE
3rd Reading Unamended
February 11, 2013

HOUSE
2nd Reading Unamended
February 8, 2013

Guard member or reservist is called to active duty or an active duty member of the military is deployed to a zone in which he or she will encounter hostile fire. It is not entirely clear under federal tax law and guidance issued by the federal internal revenue service whether grants received from the fund are included in federal taxable income for purposes of determining a taxpayer's federal income tax liability. For income tax years commencing on or after January 1, 2014, the bill subtracts from the federal taxable income of a Colorado taxpayer, for purposes of determining the taxpayer's Colorado income tax liability, any amount of a grant received by the taxpayer from the fund that is included in the taxpayer's federal taxable income.

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-22-104, **add** (4)
3 (p) as follows:

4 **39-22-104. Income tax imposed on individuals, estates, and**
5 **trusts - single rate - definitions - repeal.** (4) There shall be subtracted
6 from federal taxable income:

7 (p) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY
8 1, 2014, ANY AMOUNT RECEIVED AS A GRANT FROM THE MILITARY FAMILY
9 RELIEF FUND CREATED IN SECTION 28-3-1502, C.R.S., TO THE EXTENT
10 THAT IT IS INCLUDED IN FEDERAL TAXABLE INCOME.

11 **SECTION 2. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in

- 1 November 2014 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.