

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0918.01 Jed Franklin x5484

SENATE BILL 25-272

SENATE SPONSORSHIP

Winter F. and Catlin,

HOUSE SPONSORSHIP

(None),

Senate Committees

Transportation & Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A SALES AND USE TAX EXEMPTION FOR CONSTRUCTION**
102 **MATERIALS USED IN CREATING HOUSING FOR A REGIONAL**
103 **TRANSPORTATION AUTHORITY'S STAFF.**

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://leg.colorado.gov>.)

The bill establishes a sales tax exemption for contractors and subcontractors that purchase construction and building materials for use in the building, erection, alteration, or repair of structures owned and used by a regional transportation authority (authority) to house authority employees or contractors. The bill also establishes a use tax exemption

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

for the storage, use, or consumption by a contractor or subcontractor of construction and building materials for use in the building, erection, alteration, or repair of such structures. The bill authorizes an authority or an authority's board to build, erect, alter, or repair such structures for the purpose of housing employees or contractors of a regional transportation authority.

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-26-708, **amend**
3 (1) introductory portion, (1)(a), (2) introductory portion, and (2)(a) as
4 follows:

5 **39-26-708. Construction and building materials - legislative**
6 **declaration - definition.** (1) There shall be exempt from taxation under
7 ~~the provisions of part 1 of this article~~ ARTICLE 26 all sales of construction
8 and building materials to contractors and subcontractors for use in the
9 building, erection, alteration, or repair of structures, highways, roads,
10 streets, and other public works owned and used by:

11 (a) (I) The United States government, the state of Colorado, its
12 departments and institutions, and ~~the~~ ITS political subdivisions ~~thereof~~ in
13 their governmental capacities only;

14 (II) AS USED IN THIS SUBSECTION (1)(a), "GOVERNMENTAL
15 CAPACITIES" INCLUDES THE BUILDING, ERECTION, ALTERATION, OR REPAIR
16 OF STRUCTURES TO HOUSE EMPLOYEES OR CONTRACTORS OF A REGIONAL
17 TRANSPORTATION AUTHORITY, AS ALLOWED BY SECTIONS 43-4-604 (3)(j)
18 AND 43-4-605 (1)(l), AND AS AN IMPLIED AND NECESSARY POWER WITHIN
19 SECTION 43-4-605 (1)(k);

20 (2) There shall be exempt from taxation under ~~the provisions of~~
21 part 2 of this ~~article~~ ARTICLE 26 the storage, use, or consumption by a
22 contractor or subcontractor of construction and building materials for use

1 in the building, erection, alteration, or repair of structures, highways,
2 roads, streets, and other public works owned and used by:

3 (a) (I) The United States government, the state of Colorado, its
4 departments and institutions, and ~~the~~ ITS political subdivisions ~~thereof~~ in
5 their governmental capacities only;

6 (II) AS USED IN THIS SUBSECTION (2)(a), "GOVERNMENTAL
7 CAPACITIES" INCLUDES THE BUILDING, ERECTION, ALTERATION, OR REPAIR
8 OF STRUCTURES TO HOUSE EMPLOYEES OR CONTRACTORS OF A REGIONAL
9 TRANSPORTATION AUTHORITY, AS ALLOWED BY SECTIONS 43-4-604 (3)(j)
10 AND 43-4-605 (1)(l), AND AS AN IMPLIED AND NECESSARY POWER WITHIN
11 SECTION 43-4-605 (1)(k);

12 **SECTION 2.** In Colorado Revised Statutes, 43-4-604, **amend**
13 (3)(h) and (3)(i); and **add** (3)(j) as follows:

14 **43-4-604. Board of directors.** (3) The board, in addition to all
15 other powers conferred by this part 6, has the following powers:

16 (h) To appoint advisory committees and define the duties thereof;
17 **and**

18 (i) As applicable, to amend the contract that created the authority
19 to the extent that any amendment procedures specified in the contract
20 pursuant to section 43-4-603 (2)(f) authorize the board, rather than the
21 members of the combination that are parties to the contract, to amend the
22 contract or to amend or replace the resolution authorizing the
23 transportation planning organization to exercise the powers of an
24 authority adopted as authorized by section 43-4-622; AND

25 (j) TO BUILD, ERECT, ALTER, OR REPAIR STRUCTURES FOR THE
26 PURPOSE OF HOUSING EMPLOYEES OR CONTRACTORS OF AN AUTHORITY.

27 **SECTION 3.** In Colorado Revised Statutes, 43-4-605, **add** (1)(l)

1 as follows:

2 **43-4-605. Powers of the authority - inclusion or exclusion of**
3 **property - determination of regional transportation system alignment**
4 **- fund created - repeal.** (1) In addition to any other powers granted to
5 an authority pursuant to this part 6, an authority has the following powers:

6 (1) TO BUILD, ERECT, ALTER, OR REPAIR STRUCTURES FOR THE
7 PURPOSE OF HOUSING EMPLOYEES OR CONTRACTORS OF AN AUTHORITY.

8 **SECTION 4. Safety clause.** The general assembly finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety or for appropriations for
11 the support and maintenance of the departments of the state and state
12 institutions.