

Proposed Initiative Measure 2019-2020 #172 – ~~DRAFT submitted to Legislative Council~~ FINAL Draft for Title Board

~~PRIMARY VEHICLE USE LIMITATION DEDUCTION AGAINST GROSS INCOME~~

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Be it enacted by the People of the State of Colorado:

Colorado Secretary of State

SECTION 1. In Colorado Revised Statutes, add 39-22-543 as follows:

39-22-543. **Deduction from Colorado Gross Income for Economic Use of Primary Vehicle – legislative declaration - rules.** (1) DECLARATION OF THE PEOPLE OF COLORADO: ~~TRAFFIC~~ TRAFFIC ON COLORADO’S ROADS CONTINUES TO INCREASE. BECAUSE COLORADO IS COMMITTED TO REDUCING THE IMPACT OF VEHICLE EMISSIONS ON OUR ENVIRONMENT AND BECAUSE IT IS IMPORTANT TO MAKE ENVIRONMENTALLY RESPONSIBLE CHOICES ECONOMICALLY FEASIBLE FOR ALL COLORADANS, THE ~~STATE~~ STATE SHOULD ACT TO INCENTIVIZE RESPONSIBLE USE OF PERSONAL VEHICLES. ACCORDINGLY, ALL COLORADO RESIDENTS SHOULD BE PERMITTED TO CLAIM A DEDUCTION FROM COLORADO MODIFIED FEDERAL ADJUSTED GROSS INCOME IF THEY DRIVE THEIR PRIMARY VEHICLE ~~LESS THAN 12,000~~ TWELVE THOUSAND MILES PER CALENDAR YEAR.

(2)(a) FOR TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2021, BUT BEFORE JANUARY 1, 2031, THERE SHALL BE ALLOWED TO ANY RESIDENT INDIVIDUAL WHO OPERATES THEIR PRIMARY MOTOR VEHICLE ~~LESS THAN 9,000~~ NINE THOUSAND MILES OR LESS DURING THE TAX YEAR, A DEDUCTION FROM COLORADO MODIFIED FEDERAL ADJUSTED GROSS INCOME OF ~~\$10,000.00~~ FIVE THOUSAND DOLLARS.

(b) FOR TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2021, BUT BEFORE JANUARY 1, 2031, THERE SHALL BE ALLOWED TO ANY RESIDENT INDIVIDUAL WHO OPERATES THEIR PRIMARY MOTOR VEHICLE GREATER THAN ~~9,000~~ NINE THOUSAND MILES, BUT LESS THAN ~~12,000~~ TWELVE THOUSAND MILES DURING THE TAX YEAR, A DEDUCTION FROM COLORADO MODIFIED FEDERAL ADJUSTED GROSS INCOME OF ~~\$5,000.00~~ FIVE THOUSAND DOLLARS.

(3)(a) AS USED IN THIS ~~SECTION, “PRIMARY MOTOR VEHICLE~~ SECTION, “PRIMARY MOTOR VEHICLE” MEANS THE MOTOR VEHICLE, AS DEFINED AT ~~SECTION~~ SECTION 42-1-102(58), THAT IS;

(I) ~~OPERATED~~ OPERATED THE MOST MILES BY THE RESIDENT INDIVIDUAL IN THE TAX YEAR FOR WHICH A DEDUCTION TO COLORADO MODIFIED FEDERAL ADJUSTED GROSS INCOME UNDER THIS SECTION IS CLAIMED; AND

(II) ~~OPERATED~~ OPERATED BY THE RESIDENT INDIVIDUAL FOR OVER SIX MONTHS IN THE TAX FOR WHICH A DEDUCTION TO COLORADO MODIFIED FEDERAL ADJUSTED GROSS INCOME INCOME UNDER THIS SECTION IS CLAIMED.

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(b) ONLY ONE RESIDENT INDIVIDUAL MAY CLAIM A DEDUCTION TO COLORADO MODIFIED FEDERAL ADJUSTED GROSS INCOME UNDER THIS SECTION FOR ANY GIVEN MOTOR VEHICLE FOR ANY TAX YEAR.

(4) THE ~~EXECUTIVE DIRECTOR~~ EXECUTIVE DIRECTOR OF THE ~~DEPARTMENT~~ DEPARTMENT OF ~~REVENUE~~ REVENUE MAY PROMULGATE RULES FOR THE ADMINISTRATION OF THIS SECTION.

(5) THIS ~~SECTION~~ SECTION IS REPEALED EFFECTIVE ~~JANUARY 1, 2031~~ APRIL 16, 2035.

SECTION 2. Effective date - applicability. All Sections shall take effect on January 1, 2021.