

**Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 24-0715.01 Rebecca Bayetti x4348

**HOUSE BILL 24-1157**

**HOUSE SPONSORSHIP**

**Lindstedt and Vigil**, Amabile, Bird, Boesenecker, Clifford, Garcia, Hamrick, Hernandez, Herod, Jodeh, Kipp, Lieder, Lindsay, Lukens, Mabrey, Mauro, McCluskie, McLachlan, Ricks, Rutinel, Sirota, Snyder, Titone, Valdez, Weissman, Woodrow

**SENATE SPONSORSHIP**

**Bridges,**

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**House Committees**

Business Affairs & Labor  
Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING    SUPPORT FOR COLORADO EMPLOYEE-OWNED**  
102            **BUSINESSES, AND, IN CONNECTION THEREWITH, SUPPORT FOR**  
103            **BUSINESSES TRANSITIONING TO AND IN THE EARLY STAGES OF**  
104            **EMPLOYEE OWNERSHIP AND MAKING AN APPROPRIATION.**

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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://leg.colorado.gov>.)*

The bill creates the employee ownership office, which was originally created administratively by the governor in 2020, as a statutory entity within the office of economic development and international trade

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.

HOUSE  
Amended 3rd Reading  
April 26, 2024

HOUSE  
Amended 2nd Reading  
April 25, 2024

(OEDIT). The bill also creates an income tax credit for specified costs incurred by new employee-owned businesses, to be administered by the employee ownership office.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) The general assembly has demonstrated an ongoing  
5 commitment to ensuring that communities and local economies from  
6 across Colorado are provided with the opportunities and direct support  
7 they need to thrive, as well as recover from the COVID-19 pandemic;

8 (b) The office of economic development and international trade  
9 develops and manages a wide range of programs dedicated to supporting  
10 the economic growth and development of businesses of all sizes, local  
11 economies in every corner of Colorado, and Colorado's statewide  
12 economy;

13 (c) It is a priority of the general assembly to ensure that programs  
14 of the office of economic development and international trade are  
15 accessible and impactful in both rural and urban communities, ensuring  
16 that the entire state of Colorado can achieve and sustain a healthy  
17 economy that works for everyone and protects what makes Colorado the  
18 best state in the country in which to live, work, start a business, raise a  
19 family, and retire;

20 (d) In 2020, the governor administratively created the employee  
21 ownership office within the office of economic development and  
22 international trade to ensure that, as people reach retirement age and  
23 business owners consider what to do with their businesses, communities  
24 can retain homegrown economic opportunities through employee

1 ownership models;

2 (e) The employee ownership office allows Colorado to retain  
3 business development within communities instead of exporting  
4 entrepreneurship; and

5 (f) Since the formation of the employee ownership office under  
6 the business support division within the office of economic development  
7 and international trade, it has:

8 (I) Built critical individual connections with Colorado's small  
9 businesses and provided one-to-one consulting support and financial  
10 support of off-setting the costs associated with transitioning into an  
11 employee ownership model;

12 (II) Coordinated with other state and federal partners to provide  
13 a holistic approach to meeting community needs; and

14 (III) Provided feedback to improve internal programs and inform  
15 the development of new initiatives, high-level policy decisions, and  
16 legislation that influences rural economic development statewide.

17 **SECTION 2.** In Colorado Revised Statutes, **add** 24-48.5-135 as  
18 follows:

19 **24-48.5-135. Employee ownership office - creation - duties.**

20 (1) THE EMPLOYEE OWNERSHIP OFFICE IS CREATED WITHIN THE OFFICE OF  
21 ECONOMIC DEVELOPMENT. THE DIRECTOR OF THE OFFICE OF ECONOMIC  
22 DEVELOPMENT DESIGNATES AND SUPERVISES THE DIRECTOR OF THE  
23 EMPLOYEE OWNERSHIP OFFICE.

24 (2) THE EMPLOYEE OWNERSHIP OFFICE SHALL:

25 (a) SUPPORT THE DEVELOPMENT AND ADVANCEMENT OF  
26 EMPLOYEE-OWNED BUSINESSES, ESPECIALLY BY PROVIDING TECHNICAL  
27 SUPPORT TO SMALL BUSINESS OWNERS LOOKING TO TRANSITION INTO

1 EMPLOYEE OWNERSHIP MODELS THROUGH THE OFFICE OF ECONOMIC  
2 DEVELOPMENT;

3 (b) PROVIDE SUPPORT AND COORDINATION WITH OTHER STATE  
4 AGENCIES AND PROGRAMS THAT DEAL WITH EMPLOYEE OWNERSHIP  
5 MATTERS; AND

6 (c) MEASURE THE SUCCESS OF PROGRAM OUTREACH AND CONDUCT  
7 RESEARCH TO DETERMINE WHETHER COLORADO'S SMALL BUSINESS  
8 OWNERS EXPERIENCE INCREASED GROWTH, STABILITY, OR VIABILITY OF  
9 THEIR BUSINESSES AND ADDITIONAL EMPLOYEE ENGAGEMENT IN  
10 EMPLOYEE OWNERSHIP STRUCTURES AS A RESULT OF THE EFFORTS OF THE  
11 EMPLOYEE OWNERSHIP OFFICE.

12 **SECTION 3.** In Colorado Revised Statutes, **add** 39-22-542.5 as  
13 follows:

14 **39-22-542.5. Tax credit for new employee-owned businesses**  
15 **- employee ownership cash fund - tax preference performance**  
16 **statement - legislative declaration - definitions - repeal. (1) Tax**  
17 **preference performance statement.** (a) IN ACCORDANCE WITH SECTION  
18 39-21-304, WHICH REQUIRES EACH BILL THAT CREATES A NEW TAX  
19 EXPENDITURE TO INCLUDE A TAX PREFERENCE PERFORMANCE STATEMENT  
20 AS PART OF A STATUTORY LEGISLATIVE DECLARATION, THE GENERAL  
21 ASSEMBLY FINDS AND DECLARES THAT THE PURPOSES OF THE TAX CREDIT  
22 CREATED IN THIS SECTION ARE TO INDUCE CERTAIN DESIGNATED BEHAVIOR  
23 BY TAXPAYERS, TO CREATE OR RETAIN JOBS, AND TO PROVIDE INCOME TAX  
24 RELIEF FOR CERTAIN BUSINESSES OR INDIVIDUALS. SPECIFICALLY, THE TAX  
25 CREDIT FACILITATES EMPLOYEE OWNERSHIP AND THE RETENTION OF  
26 COMMUNITY INVESTMENT AND WEALTH BY BUSINESS OWNERS AND  
27 EMPLOYEES IN A COMMUNITY.

1           (b) THE GENERAL ASSEMBLY AND THE STATE AUDITOR SHALL  
2 MEASURE THE EFFECTIVENESS OF THE TAX CREDIT IN ACHIEVING THE  
3 PURPOSES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION BASED ON THE  
4 INFORMATION REQUIRED TO BE MAINTAINED BY AND REPORTED TO THE  
5 STATE AUDITOR BY THE EMPLOYEE OWNERSHIP OFFICE PURSUANT TO  
6 SUBSECTION (7)(b) OF THIS SECTION.

7           (2) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT  
8 OTHERWISE REQUIRES:

9           (a) "ALTERNATE EQUITY STRUCTURE" MEANS A MECHANISM  
10 UNDER WHICH AN EMPLOYER GRANTS TO EMPLOYEES A FORM OF  
11 EMPLOYEE OWNERSHIP, INCLUDING BUT NOT LIMITED TO AN EMPLOYEE  
12 STOCK PURCHASE PLAN, LLC MEMBERSHIP, PHANTOM STOCK, PROFIT  
13 INTEREST, RESTRICTED STOCK, STOCK APPRECIATION RIGHT, STOCK  
14 OPTION, OR SYNTHETIC EQUITY. THE OFFICE MAY DEVELOP GUIDELINES  
15 THAT CLARIFY THE TYPES OF EMPLOYEE OWNERSHIP GRANTS THAT  
16 QUALIFY AS AN ALTERNATE EQUITY STRUCTURE. AN ALTERNATE EQUITY  
17 STRUCTURE MUST AT A MINIMUM:

18           (I) GRANT RIGHTS TO OR BE OFFERED TO AT LEAST TWENTY  
19 PERCENT OF AN EMPLOYER'S ELIGIBLE WORKERS, OR GRANT RIGHTS TO OR  
20 BE OFFERED TO AT LEAST TWENTY PERCENT OF ELIGIBLE WORKERS OF AN  
21 EMPLOYER THAT IS OWNED BY OR OPERATED FOR THE BENEFIT OF ELIGIBLE  
22 WORKERS IN A BROAD-BASED EMPLOYEE OWNERSHIP TRANSITION. FOR  
23 PURPOSES OF THIS SUBSECTION (2)(a), "ELIGIBLE WORKERS" MEANS ALL  
24 FULL-TIME EMPLOYEES, REGULAR EMPLOYEES, NON-SEASONAL  
25 EMPLOYEES, NON-MANAGERIAL EMPLOYEES, AND CONTRACT LABOR.

26           (II) HAVE THE PARTICIPATION OF AT LEAST TWENTY PERCENT OF  
27 AN EMPLOYER'S ELIGIBLE WORKERS;

1 (III) ALLOCATE AT LEAST TWENTY PERCENT OF THE FULLY  
2 DILUTED SECURITIES OR RIGHTS TO A SYNTHETIC INTEREST IN SECURITIES  
3 TO PARTICIPATING ELIGIBLE WORKERS, OR ALLOCATE TWENTY PERCENT OF  
4 NET PROFIT FROM OPERATIONS TO PARTICIPATING ELIGIBLE WORKERS; AND

5 (IV) GRANT TO PARTICIPATING ELIGIBLE WORKERS  
6 INFORMATIONAL RIGHTS, DECISION-MAKING RIGHTS, AND NON-FINANCIAL  
7 RIGHTS THAT ARE EQUAL TO OR GREATER THAN THE RIGHTS THAT ARE  
8 GRANTED TO HOLDERS OF THE EMPLOYER'S COMMON STOCK OR HOLDERS  
9 OF THE EMPLOYER'S RESIDUAL MEMBERSHIP INTEREST.

10 (b) "DEPARTMENT" MEANS THE COLORADO DEPARTMENT OF  
11 REVENUE.

12 (c) "ELIGIBLE COSTS" MEANS COSTS INCURRED AS A RESULT OF  
13 BEING A NEW EMPLOYEE-OWNED BUSINESS, AS DETAILED IN THE  
14 GUIDELINES ISSUED BY THE OFFICE, INCLUDING COSTS ASSOCIATED WITH  
15 ACCOUNTING, LEGAL, BUSINESS ADVISORY, AND SIMILAR PROFESSIONAL  
16 SERVICES THAT ARE INCURRED AS A RESULT OF BEING A NEW  
17 EMPLOYEE-OWNED BUSINESS.

18 (d) "EMPLOYEE-OWNED BUSINESS" MEANS A TAXPAYER THAT IS  
19 SUBJECT TO TAX UNDER THIS ARTICLE 22, INCLUDING BUT NOT LIMITED TO  
20 A C CORPORATION, S CORPORATION, LIMITED LIABILITY COMPANY,  
21 PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, SOLE PROPRIETORSHIP, OR  
22 OTHER SIMILAR PASS-THROUGH ENTITY, THAT:

23 (I) IS OWNED IN WHOLE OR IN PART BY AN EMPLOYEE OWNERSHIP  
24 TRUST;

25 (II) HAS AN EMPLOYEE STOCK OWNERSHIP PLAN, IS BENEFICIALLY  
26 OWNED IN WHOLE OR IN PART BY A WORKER-OWNED COOPERATIVE, OR HAS  
27 AN ALTERNATE EQUITY STRUCTURE; AND

1 (III) HAS ITS CORPORATE HEADQUARTERS LOCATED IN THIS STATE.  
2 FOR PURPOSES OF THIS SUBSECTION (2)(d), "CORPORATE HEADQUARTERS"  
3 MEANS THE SOLE LOCATION WITHIN A REGIONAL OR NATIONAL AREA  
4 WHERE THE TAXPAYER'S STAFF MEMBERS OR EMPLOYEES ARE DOMICILED  
5 AND EMPLOYED, AND WHERE THE MAJORITY OF THE TAXPAYER'S  
6 FINANCIAL, PERSONNEL, LEGAL, PLANNING, OR OTHER BUSINESS  
7 FUNCTIONS ARE CONDUCTED ON A REGIONAL OR NATIONAL BASIS.

8 (e) "EMPLOYEE OWNERSHIP OFFICE" OR "OFFICE" MEANS THE  
9 EMPLOYEE OWNERSHIP OFFICE CREATED IN SECTION 24-48.5-135.

10 (f) "EMPLOYEE OWNERSHIP TRUST" MEANS AN INDIRECT FORM OF  
11 EMPLOYEE OWNERSHIP IN WHICH A TRUST HOLDS A CONTROLLING STAKE  
12 IN A BUSINESS AND BENEFITS ALL EMPLOYEES ON AN EQUAL BASIS AND  
13 OTHERWISE MEETS THE DEFINITION OF AN ALTERNATE EQUITY STRUCTURE.

14 (g) "EMPLOYEE STOCK OWNERSHIP PLAN" HAS THE SAME MEANING  
15 AS SET FORTH IN SECTION 4975 (e)(7) OF THE INTERNAL REVENUE CODE,  
16 AS AMENDED.

17 (h) "NEW EMPLOYEE-OWNED BUSINESS" MEANS AN  
18 EMPLOYEE-OWNED BUSINESS THAT HAS BEEN AN EMPLOYEE-OWNED  
19 BUSINESS FOR SEVEN YEARS OR FEWER.

20 (i) "QUALIFIED BUSINESS" MEANS A TAXPAYER THAT IS A NEW  
21 EMPLOYEE-OWNED BUSINESS.

22 (j) "SECURITIES" HAS THE SAME MEANING AS THE TERM  
23 "SECURITY" SET FORTH IN 15 U.S.C. SEC. 77b (a)(1).

24 (k) "TAX CREDIT" MEANS THE CREDIT AGAINST INCOME TAX  
25 CREATED IN THIS SECTION.

26 (l) "TAXPAYER" MEANS A PERSON SUBJECT TO TAX PURSUANT TO  
27 THIS ARTICLE 22.

1 (m) "WORKER-OWNED COOPERATIVE" HAS THE SAME MEANING AS  
2 SET FORTH IN SECTION 1042 (c)(2) OF THE INTERNAL REVENUE CODE, AS  
3 AMENDED.

4 (3) **Tax credit for new employee-owned businesses.**

5 (a) SUBJECT TO CERTIFICATION BY THE OFFICE PURSUANT TO THIS  
6 SECTION, FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY  
7 1, 2025, BUT BEFORE JANUARY 1, 2030, A QUALIFIED BUSINESS IS  
8 ALLOWED A CREDIT AGAINST THE INCOME TAXES IMPOSED BY THIS  
9 ARTICLE 22 IN AN AMOUNT EQUAL TO FIFTY PERCENT OF THE ELIGIBLE  
10 COSTS, NOT TO EXCEED FIFTY THOUSAND DOLLARS, INCURRED BY THE  
11 QUALIFIED BUSINESS.

12 (b) (I) A QUALIFIED BUSINESS MAY APPLY FOR AND CLAIM ONLY  
13 ONE TAX CREDIT ALLOWED IN THIS SUBSECTION (3) FOR THE ELIGIBLE  
14 COSTS INCURRED IN ANY TAX YEAR.

15 (II) IN THE CASE OF A QUALIFIED BUSINESS THAT IS A C  
16 CORPORATION, THE TAX CREDIT IS ALLOWED TO THE QUALIFIED BUSINESS.

17 (III) IN THE CASE OF A QUALIFIED BUSINESS THAT IS A  
18 PARTNERSHIP OR AN S CORPORATION, THE TAX CREDIT IS ALLOWED TO THE  
19 OWNERS OF THE QUALIFIED BUSINESS.

20 (IV) IN THE CASE OF A QUALIFIED BUSINESS THAT IS TAXED  
21 PURSUANT TO SUBCHAPTER T OF THE INTERNAL REVENUE CODE, 26 U.S.C.  
22 SEC. 1381 ET SEQ., AS AMENDED, THE TAX CREDIT IS ALLOWED EITHER TO  
23 THE QUALIFIED BUSINESS OR TO THE OWNERS OF THE QUALIFIED BUSINESS  
24 AS PERMITTED UNDER SUBCHAPTER T OF THE INTERNAL REVENUE CODE.

25 (4) **Tax credit certificate.** (a) A QUALIFIED BUSINESS SHALL  
26 SUBMIT AN APPLICATION TO THE OFFICE FOR THE CERTIFICATION AND  
27 ISSUANCE OF A TAX CREDIT CERTIFICATE FOR THE TAX CREDIT ALLOWED

1 IN SUBSECTION (3) OF THIS SECTION BY THE DEADLINES ESTABLISHED IN  
2 THE OFFICE'S GUIDELINES. THE APPLICATION MUST INCLUDE THE  
3 INFORMATION SET FORTH IN THE OFFICE'S GUIDELINES. THE OFFICE MAY  
4 IMPOSE A REASONABLE APPLICATION FEE NOT TO EXCEED TWO HUNDRED  
5 AND FIFTY DOLLARS. THE OFFICE SHALL TRANSMIT ALL FEES COLLECTED  
6 TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE  
7 EMPLOYEE OWNERSHIP CASH FUND CREATED IN SUBSECTION (8) OF THIS  
8 SECTION.

9 (b) TO CLAIM THE TAX CREDIT ALLOWED IN SUBSECTION (3) OF  
10 THIS SECTION, A QUALIFIED BUSINESS MUST ANNUALLY APPLY FOR AND  
11 RECEIVE A TAX CREDIT CERTIFICATE FROM THE OFFICE PURSUANT TO THIS  
12 SUBSECTION (4). THE SUBMISSION OF AN APPLICATION DOES NOT ENTITLE  
13 THE QUALIFIED BUSINESS TO THE ISSUANCE OF A TAX CREDIT CERTIFICATE.

14 (c) THE OFFICE SHALL DOCUMENT THE DATE AND TIME THAT A  
15 COMPLETE APPLICATION WAS RECEIVED AND SHALL REVIEW COMPLETE  
16 APPLICATIONS IN THE ORDER IN WHICH THEY ARE RECEIVED. IF THE OFFICE  
17 DETERMINES THAT AN APPLICANT IS NOT ENTITLED TO A TAX CREDIT  
18 CERTIFICATE, THE OFFICE SHALL NOTIFY THE APPLICANT OF ITS  
19 DISAPPROVAL IN WRITING.

20 (d) IF THE OFFICE IS SATISFIED THAT THE REQUIREMENTS OF THIS  
21 SECTION AND THE OFFICE'S GUIDELINES FOR THE TAX CREDIT ARE MET,  
22 THEN THE OFFICE SHALL ISSUE TO THE QUALIFIED BUSINESS A TAX CREDIT  
23 CERTIFICATE THAT EVIDENCES THE QUALIFIED BUSINESS'S RIGHT TO CLAIM  
24 THE TAX CREDIT ALLOWED IN SUBSECTION (3) OF THIS SECTION. THE  
25 OFFICE SHALL NOT ISSUE TAX CREDIT CERTIFICATES IN EXCESS OF THE  
26 MAXIMUM AGGREGATE AMOUNT FOR ANY SINGLE INCOME TAX YEAR  
27 SPECIFIED IN SUBSECTION (4)(e) OF THIS SECTION.

1           (e) [REDACTED] THE MAXIMUM AGGREGATE AMOUNT OF ALL TAX CREDIT  
2     CERTIFICATES THAT THE OFFICE MAY ISSUE PURSUANT TO THIS SECTION IN  
3     ANY SINGLE INCOME TAX YEAR IS ONE MILLION FIVE HUNDRED THOUSAND  
4     DOLLARS.

5           [REDACTED]  
6           (5) **Claiming tax credit.** TO CLAIM THE TAX CREDIT ALLOWED IN  
7     SUBSECTION (3) OF THIS SECTION, THE QUALIFIED BUSINESS SHALL FILE  
8     THE TAX CREDIT CERTIFICATE WITH THE QUALIFIED BUSINESS'S STATE  
9     INCOME TAX RETURN. THE AMOUNT OF THE TAX CREDIT THAT THE  
10    QUALIFIED BUSINESS MAY CLAIM UNDER THIS SECTION IS THE AMOUNT  
11    STATED ON THE TAX CREDIT CERTIFICATE ISSUED PURSUANT TO  
12    SUBSECTION (4) OF THIS SECTION.

13          (6) **Tax credit refundable.** IF THE AMOUNT OF THE TAX CREDIT  
14    EXCEEDS THE TAXES DUE ON THE INCOME OF THE QUALIFIED BUSINESS FOR  
15    THE TAXABLE YEAR FOR WHICH THE TAX CREDIT IS CLAIMED, THE AMOUNT  
16    OF THE TAX CREDIT NOT USED TO OFFSET INCOME TAXES MUST BE  
17    REFUNDED TO THE QUALIFIED BUSINESS.

18          (7) **Guidelines and reporting requirements.** (a) THE OFFICE  
19    SHALL DEVELOP GUIDELINES FOR THE ADMINISTRATION OF THIS SECTION  
20    AND POST THE GUIDELINES ON THE WEBSITE OF THE OFFICE OF ECONOMIC  
21    DEVELOPMENT AND INTERNATIONAL TRADE. THE GUIDELINES MUST  
22    INCLUDE:

- 23           (I) APPLICATION REQUIREMENTS;  
24           (II) GUIDELINES FOR ISSUING TAX CREDIT CERTIFICATES;  
25           (III) GUIDELINES REGARDING ELIGIBLE COSTS; AND  
26           (IV) GUIDELINES FOR APPROVING A BUSINESS AS A QUALIFIED  
27    BUSINESS.

1           (b) THE OFFICE SHALL MAINTAIN A DATABASE OF ANY  
2 INFORMATION DETERMINED NECESSARY BY THE OFFICE TO EVALUATE THE  
3 EFFECTIVENESS OF THE TAX CREDIT ALLOWED IN THIS SECTION IN  
4 ACHIEVING THE PURPOSES SET FORTH IN SUBSECTION (1)(a) OF THIS  
5 SECTION AND SHALL PROVIDE THIS INFORMATION, AND ANY OTHER  
6 INFORMATION THAT MAY BE NEEDED, TO THE STATE AUDITOR AS PART OF  
7 THE STATE AUDITOR'S EVALUATION OF TAX EXPENDITURES UNDER SECTION  
8 39-21-305.

9           (c) THE OFFICE SHALL REVIEW THE EFFECTIVENESS OF THE TAX  
10 CREDIT AND INCLUDE THE RESULTS OF THE REVIEW IN THE ANNUAL  
11 REPORT SUBMITTED TO THE GENERAL ASSEMBLY BY THE OFFICE OF  
12 ECONOMIC DEVELOPMENT. NOTWITHSTANDING THE REQUIREMENT IN  
13 SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT  
14 REQUIRED IN THIS SUBSECTION (7)(c) CONTINUES UNTIL THE ANNUAL  
15 REPORT FOLLOWING THE INCOME TAX YEAR COMMENCING JANUARY 1,  
16 2030.

17           (d) THE OFFICE SHALL PROVIDE THE DEPARTMENT WITH AN  
18 ELECTRONIC REPORT OF EACH QUALIFIED BUSINESS AND OWNER OF A  
19 QUALIFIED BUSINESS TO WHICH THE OFFICE ISSUED A TAX CREDIT  
20 CERTIFICATE FOR THE PRECEDING CALENDAR YEAR. THE OFFICE SHALL  
21 PROVIDE THIS REPORT IN A SUFFICIENTLY TIMELY MANNER TO ALLOW THE  
22 DEPARTMENT TO PROCESS RETURNS CLAIMING THE INCOME TAX CREDIT  
23 ALLOWED IN THIS SECTION. THIS REPORT MUST INCLUDE:

24           (I) THE TAXPAYER'S NAME;

25           (II) THE TAX IDENTIFICATION NUMBER OF THE TAXPAYER TO  
26 WHOM THE TAX CREDIT CERTIFICATE IS ISSUED; AND

27           (III) THE AMOUNT OF THE TAX CREDIT CERTIFICATE.

1           **(8) Employee ownership cash fund.** (a) THE EMPLOYEE  
2 OWNERSHIP CASH FUND IS CREATED IN THE STATE TREASURY. THE FUND  
3 CONSISTS OF MONEY FROM FEES COLLECTED AND CREDITED TO THE FUND  
4 PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION AND ANY OTHER  
5 MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE, TRANSFER, OR  
6 REQUIRE BY LAW TO BE CREDITED TO THE FUND.

7           (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
8 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
9 EMPLOYEE OWNERSHIP CASH FUND TO THE FUND.

10          (c) MONEY IN THE EMPLOYEE OWNERSHIP CASH FUND IS  
11 CONTINUOUSLY APPROPRIATED TO THE OFFICE FOR THE PURPOSE OF  
12 ADMINISTERING THIS SECTION.

13          (d) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED  
14 AND UNENCUMBERED MONEY IN THE FUND ON DECEMBER 31, 2034, TO  
15 THE GENERAL FUND.

16          **(9) Repeal.** THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1,  
17 2035.

18          **SECTION 4.** In Colorado Revised Statutes, 24-75-402, **amend**  
19 (5)(ccc) and (5)(ddd); and **add** (5)(eee) as follows:

20          **24-75-402. Cash funds - limit on uncommitted reserves -**  
21 **reduction in the amount of fees - exclusions - repeal.**

22          (5) Notwithstanding any provision of this section to the contrary, the  
23 following cash funds are excluded from the limitations specified in this  
24 section:

25          (ccc) The wildfire resiliency code board cash fund created in  
26 section 24-33.5-1236 (8); and

27          (ddd) The closed landfill remediation grant program fund created

1 in section 30-20-124 (8); AND  
2 (eee) THE EMPLOYEE OWNERSHIP CASH FUND CREATED IN SECTION  
3 39-22-542.5 (8).

4 **SECTION 5. Appropriation.** For the 2024-25 state fiscal year,  
5 \$145,847 is appropriated to the office of the governor for use by  
6 economic development programs. This appropriation is from the general  
7 fund and is based on an assumption that the office will require an  
8 additional 1.0 FTE. To implement this act, the office may use this  
9 appropriation for the employee-owned business office.

10 **SECTION 6. Act subject to petition - effective date.** This act  
11 takes effect at 12:01 a.m. on the day following the expiration of the  
12 ninety-day period after final adjournment of the general assembly; except  
13 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
14 of the state constitution against this act or an item, section, or part of this  
15 act within such period, then the act, item, section, or part will not take  
16 effect unless approved by the people at the general election to be held in  
17 November 2024 and, in such case, will take effect on the date of the  
18 official declaration of the vote thereon by the governor.