

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0104.01 Bob Lackner x4350

HOUSE BILL 17-1091

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HOUSE SPONSORSHIP

Wilson,

SENATE SPONSORSHIP

(None),

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House Committees  
Business Affairs and Labor

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A CREDIT AGAINST THE STATE INCOME  
102 TAX TO PROMOTE EMPLOYER-ASSISTED HOUSING PROJECTS IN  
103 RURAL AREAS.

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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>.)*

For income tax years commencing on or after January 1, 2017, but prior to January 1, 2021, the bill allows a taxpayer making a donation to an employer-assisted housing project located in a rural area a credit against the taxpayer's state income tax obligations.

The bill defines "donation" to mean cash, securities, or real or

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.*

personal property that is donated to a not-for-profit sponsor that is used solely for costs associated with an employer-assisted housing project located within the state.

The bill defines "employer-assisted housing project" to mean down payment assistance, reduced-interest mortgages, mortgage guarantee programs, rental subsidies, or individual development account savings plans that are:

- ! Provided by an employer to employees to assist them in securing affordable housing near the workplace;
- ! Restricted to housing in geographic areas that are near such workplaces;
- ! Restricted to employees in households whose adjusted income is less than 120% of the median income of the geographic area of the household's employer-assisted housing project; and
- ! Restricted to housing that is located in a rural area of the state.

The bill specifies procedures by which a not-for-profit entity that is a sponsor of an employer-assisted housing project (sponsor) applies to either the Colorado housing and finance authority or a municipality or county finance authority for an award of a tax credit allowed under the bill. The bill also specifies procedures governing an agency's review of the application and the process by which the agency, if it approves the application, reserves tax credits for donations to the employer-assisted housing project. The amount of the tax credits reserved must be 50% of the approved amount of the donation or the actual donation, whichever is less.

The bill also specifies procedures by which the donation is documented and achieves proper certification.

For employer-assisted housing projects, the bill allows a sponsor to aggregate a number of donations from multiple employers into a single source of funds for use in assisting eligible employees to secure housing near their workplaces. The tax credits awarded may be divided among the donors of the individual donations as determined by the sponsor.

The bill specifies that the minimum amount of a donation is \$10,000; except that individual donations in an aggregated donation may be less than that amount.

The bill requires each agency that has allocated tax credits to report to the general assembly on a periodic basis on the overall economic activity, usage, and impact to the state from the employer-assisted housing projects for which it has allocated tax credits.

1           **SECTION 1.** In Colorado Revised Statutes, **add** 39-22-539 as  
2 follows:

3           **39-22-539. Credit for the donation of moneys or property to**  
4 **the sponsor of an employer-assisted housing project located in a rural**  
5 **area - report to general assembly - rules - legislative declaration -**  
6 **definitions - repeal.** (1) THE GENERAL ASSEMBLY FINDS, DETERMINES,  
7 AND DECLARES THAT:

8           (a) SINCE 2000, THE STATE'S NEED FOR AFFORDABLE HOUSING IN  
9 ALL GEOGRAPHIC REGIONS HAS GROWN EXPONENTIALLY. AMONG OTHER  
10 EFFECTS, THE IMMENSE DEMAND FOR AFFORDABLE HOUSING IS A HUGE  
11 IMPEDIMENT TO ECONOMIC GROWTH AND OPPORTUNITY WITHIN THE STATE  
12 AND THE ABILITY OF THE STATE TO PROVIDE A HIGH QUALITY OF LIFE FOR  
13 ALL ITS RESIDENTS AND TO DEVELOP, ATTRACT, AND MAINTAIN A HIGH  
14 QUALITY WORKFORCE.

15           (b) A SIGNIFICANT SEGMENT OF THE STATE'S POPULATION,  
16 INCLUDING MANY OF THE STATE'S TEACHERS, EMERGENCY RESPONDERS,  
17 HEALTH CARE PROFESSIONALS, AND SMALL BUSINESS OWNERS AND  
18 EMPLOYEES EARN TOO MUCH ON AN ANNUAL BASIS TO QUALIFY FOR MOST  
19 FEDERAL AND STATE HOUSING ASSISTANCE BUT DO NOT MAKE ENOUGH IN  
20 YEARLY INCOME TO BE ABLE TO AFFORD MARKET RATE HOUSING,  
21 PARTICULARLY HOUSING THAT MAY BE IN CLOSE PROXIMITY TO THEIR  
22 PLACE OF EMPLOYMENT.

23           (c) THE SHORTAGE OF AFFORDABLE HOUSING THAT IS CLOSE TO  
24 EMPLOYEES' PLACES OF EMPLOYMENT IS AN ESPECIALLY ACUTE PROBLEM  
25 FOR WORKERS IN MANY OF THE STATE'S RURAL AREAS.

26           (d) BY ENACTING THE TAX CREDIT CREATED IN THIS SECTION, THE  
27 GENERAL ASSEMBLY INTENDS TO PROVIDE CERTAIN FINANCIAL INCENTIVES

1 TO ENCOURAGE THE DEVELOPMENT AND GROWTH OF EMPLOYER-ASSISTED  
2 HOUSING PROJECTS THAT ARE LOCATED IN RURAL AREAS FOR THE PURPOSE  
3 OF EXPANDING THE SUPPLY OF HOUSING IN CLOSE PROXIMITY TO  
4 WORKPLACES FOR INDIVIDUALS IN MODERATE INCOME HOUSEHOLDS, AS  
5 DEFINED IN THIS SECTION, WHO LIVE AND WORK IN RURAL AREAS OF THE  
6 STATE.

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

9 (a) "AGENCY" MEANS THE COLORADO HOUSING AND FINANCE  
10 AUTHORITY CREATED IN SECTION 29-4-704 (1) OR ANY HOUSING  
11 AUTHORITY OPERATED BY ANY MUNICIPALITY OR COUNTY IN THE STATE.

12 (b) "ALLOCATION" MEANS AN AWARD BY AN AGENCY OF A TAX  
13 CREDIT ISSUED UNDER THIS SECTION IN CONNECTION WITH AN  
14 EMPLOYER-ASSISTED HOUSING PROJECT.

15 (c) "APPLICATION" MEANS AN APPLICATION TO AN AGENCY FOR A  
16 RESERVATION AND AN ALLOCATION SUBMITTED BY A SPONSOR, INCLUDING  
17 THE REQUIRED SUPPORTING DOCUMENTATION.

18 (d) "CERTIFICATE" IS A DOCUMENT ISSUED BY AN AGENCY  
19 EVIDENCING AN ALLOCATION. THE CERTIFICATE MUST STATE THE  
20 EFFECTIVE DATE OF THE ALLOCATION.

21 (e) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE OR ANY  
22 SUCCESSOR ENTITY.

23 (f) "DONATION" MEANS CASH, SECURITIES, OR REAL OR PERSONAL  
24 PROPERTY THAT IS DONATED TO A SPONSOR THAT IS USED SOLELY FOR  
25 COSTS ASSOCIATED WITH AN EMPLOYER-ASSISTED HOUSING PROJECT  
26 LOCATED WITHIN THE STATE.

27 (g) "EMPLOYER-ASSISTED HOUSING PROJECT" MEANS DOWN

1 PAYMENT ASSISTANCE, REDUCED-INTEREST MORTGAGES, MORTGAGE  
2 GUARANTEE PROGRAMS, RENTAL SUBSIDIES, OR INDIVIDUAL  
3 DEVELOPMENT ACCOUNT SAVINGS PLANS THAT ARE:

4 (I) PROVIDED BY AN EMPLOYER TO EMPLOYEES TO ASSIST THEM IN  
5 SECURING AFFORDABLE HOUSING NEAR THE WORKPLACE;

6 (II) RESTRICTED TO HOUSING IN GEOGRAPHIC AREAS THAT ARE  
7 NEAR SUCH WORKPLACES;

8 (III) RESTRICTED TO EMPLOYEES IN MODERATE INCOME  
9 HOUSEHOLDS; AND

10 (IV) RESTRICTED TO HOUSING THAT IS LOCATED IN A RURAL AREA  
11 OF THE STATE.

12 (h) "GEOGRAPHIC AREA" MEANS A METROPOLITAN AREA OR  
13 COUNTY DESIGNATED AS AN AREA BY THE UNITED STATES DEPARTMENT  
14 OF HOUSING AND URBAN DEVELOPMENT UNDER SECTION 8 OF THE "UNITED  
15 STATES HOUSING ACT OF 1937", 42 U.S.C. SEC. 1437, FOR THE PURPOSE  
16 OF DETERMINING FAIR MARKET RENTAL RATES.

17 (i) "MODERATE INCOME HOUSEHOLD" MEANS A HOUSEHOLD  
18 WHOSE ADJUSTED INCOME IS LESS THAN ONE HUNDRED TWENTY PERCENT  
19 OF THE MEDIAN INCOME WITHIN THE GEOGRAPHIC AREA OF THE  
20 HOUSEHOLD'S EMPLOYER-ASSISTED HOUSING PROJECT, ADJUSTED FOR  
21 FAMILY SIZE, AS SUCH ADJUSTED INCOME AND MEDIAN INCOME FOR THE  
22 GEOGRAPHIC AREA ARE DETERMINED FROM TIME TO TIME BY THE UNITED  
23 STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR  
24 PURPOSES OF SECTION 8 OF THE "UNITED STATES HOUSING ACT OF 1937",  
25 42 U.S.C. SEC. 1437.

26 (j) "RESERVATION" MEANS AN AGENCY'S CONDITIONAL  
27 RESERVATION OF TAX CREDITS MADE AVAILABLE TO A SPONSOR UNDER

1 THIS SECTION.

2 (k) "RESERVATION LETTER" MEANS A LETTER FROM AN AGENCY TO  
3 A SPONSOR CONDITIONALLY RESERVING TAX CREDITS MADE AVAILABLE  
4 UNDER THIS SECTION.

5 (l) "RURAL AREA" MEANS A COUNTY THAT IS LOCATED IN A  
6 NONMETROPOLITAN AREA IN THE STATE THAT EITHER HAS NO  
7 MUNICIPALITY WITHIN ITS TERRITORIAL BOUNDARIES WITH FIFTY  
8 THOUSAND OR MORE PERMANENT RESIDENTS, BASED UPON THE MOST  
9 RECENT POPULATION ESTIMATES PUBLISHED BY THE UNITED STATES  
10 CENSUS BUREAU, OR THAT SATISFIES ALTERNATE CRITERIA FOR THE  
11 DESIGNATION OF A RURAL AREA AS MAY BE PROMULGATED BY THE  
12 FEDERAL OFFICE OF MANAGEMENT AND BUDGET.

13 (m) "SPONSOR" MEANS A NOT-FOR-PROFIT ORGANIZATION THAT IS:

14 (I) ORGANIZED UNDER THE LAWS OF THIS OR ANOTHER STATE FOR  
15 THE PURPOSE OF CONSTRUCTING OR REHABILITATING AFFORDABLE  
16 HOUSING UNITS WITHIN THE STATE;

17 (II) ORGANIZED FOR THE PURPOSE OF CONSTRUCTING OR  
18 REHABILITATING AFFORDABLE HOUSING UNITS AND IS EXEMPT FROM  
19 TAXATION UNDER THE PROVISIONS OF THE "INTERNAL REVENUE CODE OF  
20 1986", 26 U.S.C. SEC. 1 ET SEQ.; OR

21 (III) DESIGNATED AS A COMMUNITY DEVELOPMENT CORPORATION  
22 UNDER TITLE VII OF THE FEDERAL "ECONOMIC OPPORTUNITY ACT OF  
23 1964", 42 U.S.C. SEC. 2701 ET SEQ.

24 (n) "TAXPAYER" MEANS A PERSON MAKING A DONATION WHO FILES  
25 AN INCOME TAX RETURN UNDER THIS ARTICLE 39.

26 (3) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY  
27 1, 2017, BUT PRIOR TO JANUARY 1, 2021, A TAXPAYER WHO MAKES A

1 DONATION TO AN EMPLOYER-ASSISTED HOUSING PROJECT AND RECEIVES  
2 A CERTIFICATE AS DESCRIBED IN SUBSECTION (9) OF THIS SECTION IS  
3 ALLOWED A TAX CREDIT AGAINST THE INCOME TAXES IMPOSED BY THIS  
4 ARTICLE 22 IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION.

5 (4) IF THE AMOUNT OF THE CREDIT ALLOWED PURSUANT TO THIS  
6 SECTION EXCEEDS THE AMOUNT OF THE INCOME TAX OTHERWISE DUE ON  
7 THE TAXPAYER'S INCOME IN THE INCOME TAX YEAR FOR WHICH THE  
8 CREDIT IS BEING CLAIMED, THE AMOUNT OF THE CREDIT NOT USED AS AN  
9 OFFSET AGAINST INCOME TAXES IN SUCH INCOME TAX YEAR IS NOT  
10 ALLOWED AS A REFUND BUT MAY BE CARRIED FORWARD AND APPLIED  
11 AGAINST THE INCOME TAX DUE IN EACH OF THE FIVE SUCCEEDING INCOME  
12 TAX YEARS, BUT MUST FIRST BE APPLIED AGAINST THE INCOME TAX DUE  
13 FOR THE EARLIEST OF THE INCOME TAX YEARS POSSIBLE.

14 (5) A TAXPAYER CLAIMING THE CREDIT ALLOWED BY THIS SECTION  
15 MUST MAINTAIN AND RECORD ANY INFORMATION THAT THE DEPARTMENT  
16 MAY REQUIRE BY RULE REGARDING THE EMPLOYER-ASSISTED HOUSING  
17 PROJECT FOR WHICH THE CREDIT IS CLAIMED. WHEN CLAIMING THE  
18 CREDIT, THE TAXPAYER MUST PROVIDE INFORMATION REGARDING THE  
19 TAXPAYER'S DONATION TO THE EMPLOYER-ASSISTED HOUSING PROJECT,  
20 INCLUDING THE CERTIFICATE ISSUED TO THE TAXPAYER PURSUANT TO THIS  
21 SUBSECTION (9) OF THIS SECTION.

22 (6) IN CONNECTION WITH AN APPLICATION, AN AGENCY MAY  
23 COLLECT A FEE FROM A PROSPECTIVE SPONSOR IN AN AMOUNT NOT TO  
24 EXCEED FIVE HUNDRED DOLLARS, PAYABLE WHEN THE APPLICATION IS  
25 SUBMITTED. IN CONNECTION WITH A RESERVATION, AN AGENCY MAY  
26 COLLECT A FEE FROM THE A PROSPECTIVE SPONSOR IN AN AMOUNT NOT TO  
27 EXCEED THREE PERCENT OF THE RESERVATION, PAYABLE BY THE DATE

1 SPECIFIED IN THE RESERVATION LETTER.

2 (7) (a) THE SPONSOR MUST APPLY FOR AN ALLOCATION ON FORMS  
3 PRESCRIBED BY AN AGENCY THAT MAY REQUIRE THE FOLLOWING  
4 INFORMATION:

5 (I) THE NAME AND LOCATION OF THE PROPOSED  
6 EMPLOYER-ASSISTED HOUSING PROJECT;

7 (II) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE  
8 SPONSOR OF THE EMPLOYER-ASSISTED HOUSING PROJECT;

9 (III) A HISTORY OF THE SPONSOR'S EXPERIENCE IN DEVELOPING  
10 HOUSING AND, IN PARTICULAR, HOUSING FOR MODERATE INCOME  
11 HOUSEHOLDS;

12 (IV) A COMPLETE DESCRIPTION OF THE PROPOSED  
13 EMPLOYER-ASSISTED HOUSING PROJECT;

14 (V) THE AMOUNT OF THE PROPOSED FINANCING FOR THE  
15 EMPLOYER-ASSISTED HOUSING PROJECT, INCLUDING LETTERS OF INTEREST  
16 OR COMMITMENTS FROM PROPOSED LENDERS;

17 (VI) THE NATURE AND AMOUNT OF ANY PROPOSED OR  
18 ANTICIPATED DONATIONS;

19 (VII) THE ESTIMATED TOTAL COST OF THE PROPOSED  
20 EMPLOYER-ASSISTED HOUSING PROJECT;

21 (VIII) THE AMOUNT OF TAX CREDITS MADE AVAILABLE UNDER  
22 THIS SECTION THAT THE SPONSOR IS REQUESTING; AND

23 (IX) SUCH ADDITIONAL DOCUMENTATION AS THE AGENCY MAY  
24 REQUIRE IN ORDER TO COMPLETE ITS REVIEW OF THE APPLICATION.

25 (b) THE SPONSOR MUST ALSO CERTIFY IN WRITING THAT ALL  
26 INFORMATION CONTAINED IN THE APPLICATION, AND ALL ACCOMPANYING  
27 INFORMATION, IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF THE

1 SPONSOR'S KNOWLEDGE.

2 (8) (a) THE AGENCY SHALL REVIEW EACH COMPLETE APPLICATION  
3 AND APPROVE OR REJECT IT. THE AGENCY'S REVIEW OF AN APPLICATION  
4 MUST INCLUDE, WITHOUT LIMITATION, CONSIDERATION OF THE ABILITY OF  
5 THE EMPLOYER-ASSISTED HOUSING PROJECT TO SATISFY THE  
6 REQUIREMENTS OF THIS SECTION, THE ABILITY OF THE SPONSOR TO  
7 IMPLEMENT THE EMPLOYER-ASSISTED HOUSING PROJECT, THE AMOUNT OF  
8 THE PROPOSED OR ANTICIPATED DONATIONS AND THE SPONSOR'S PLAN FOR  
9 OBTAINING SUCH DONATIONS, AND THE LIKELIHOOD THAT THE  
10 EMPLOYER-ASSISTED HOUSING PROJECT WILL INCREASE THE QUALITY AND  
11 QUANTITY OF HOUSING UNITS FOR THOSE IN MODERATE INCOME  
12 HOUSEHOLDS IN THE GEOGRAPHIC AREA IN WHICH THE  
13 EMPLOYER-ASSISTED HOUSING PROJECT WILL BE LOCATED.

14 (b) UPON AN AGENCY'S COMPLETION OF ITS REVIEW OF THE  
15 APPLICATION, THE AGENCY SHALL NOTIFY THE SPONSOR IN WRITING OF ITS  
16 APPROVAL OR REJECTION OF THE APPLICATION. UPON THE APPROVAL OF  
17 THE APPLICATION, THE AGENCY SHALL ISSUE A RESERVATION LETTER  
18 CONDITIONALLY RESERVING TAX CREDITS FOR DONATIONS TO THE  
19 EMPLOYER-ASSISTED HOUSING PROJECT. THE AMOUNT OF THE TAX  
20 CREDITS RESERVED MUST BE FIFTY PERCENT OF THE APPROVED AMOUNT  
21 OF THE DONATION OR THE ACTUAL DONATION, WHICHEVER IS LESS. THE  
22 RESERVATION LETTER MUST SET FORTH THE TERMS AND CONDITIONS UPON  
23 WHICH THE TAX CREDITS WILL BE ALLOCATED TO THE SPONSOR FOR THE  
24 EMPLOYER-ASSISTED HOUSING PROJECT. A RESERVATION IS VALID FOR A  
25 PERIOD NO LONGER THAN TWENTY-FOUR MONTHS FROM THE DATE OF THE  
26 RESERVATION LETTER. IF THE TAX CREDITS SO RESERVED HAVE NOT BEEN  
27 ALLOCATED TO THE SPONSOR WITHIN THE TWENTY-FOUR MONTH PERIOD,

1 THE RESERVATION LETTER IS EXPIRED AND SHALL NOT BE RENEWED.

2 (c) THE SPONSOR HAS TWELVE MONTHS FROM THE DATE OF THE  
3 RESERVATION LETTER TO OBTAIN ONE OR MORE DONATIONS TO THE  
4 EMPLOYER-ASSISTED HOUSING PROJECT. THE SPONSOR MAY SUBMIT A  
5 WRITTEN REQUEST FOR AN EXTENSION OF THE DONATION PERIOD FOR AN  
6 ADDITIONAL TWELVE MONTHS AS APPROVED BY THE AGENCY.

7 (d) AN AGENCY SHALL MAKE ALLOCATIONS FOR AN  
8 EMPLOYER-ASSISTED HOUSING PROJECT AFTER THE AGENCY HAS RECEIVED  
9 DOCUMENTATION, IN A FORMAT ACCEPTABLE TO THE AGENCY, THAT THE  
10 SPONSOR IS IN COMPLIANCE WITH ALL OF THE REQUIREMENTS OF THIS  
11 SECTION AND HAS THE ABILITY TO IMPLEMENT THE EMPLOYER-ASSISTED  
12 HOUSING PROJECT. THE DATE OF THE ALLOCATION IS THE DATE OF THE  
13 SATISFACTION OF THESE REQUIREMENTS.

14 (9) ONCE THE AGENCY HAS DETERMINED THAT A QUALIFYING  
15 DONATION HAS BEEN GIVEN TO A SPONSOR BY A TAXPAYER IN  
16 FULFILLMENT OF THE REQUIREMENTS OF THIS SECTION, THE AGENCY SHALL  
17 ISSUE A CERTIFICATE TO THE TAXPAYER. THE SPONSOR MUST EXECUTE  
18 AND ATTACH A CERTIFICATION OF DONATION TO THE CERTIFICATE.

19 (10) (a) A DONATION TO A SPONSOR MUST BE MADE IN THE FORM  
20 OF CASH, SECURITIES, OR REAL OR PERSONAL PROPERTY. THE PROVISION  
21 OF SERVICES OF ANY KIND DOES NOT CONSTITUTE A DONATION. UPON  
22 RECEIPT OF A DONATION, A SPONSOR SHALL NOTIFY THE AGENCY AND  
23 PROVIDE TO THE AGENCY DOCUMENTATION EVIDENCING BOTH THE  
24 DONATION AND ITS VALUE.

25 (b) FOR EMPLOYER-ASSISTED HOUSING PROJECTS, A SPONSOR MAY  
26 AGGREGATE A NUMBER OF DONATIONS FROM MULTIPLE DONORS INTO A  
27 SINGLE SOURCE OF FUNDS FOR USE IN ASSISTING ELIGIBLE EMPLOYEES TO

1 SECURE HOUSING NEAR THEIR WORKPLACES, WHICH MUST BE  
2 DETERMINABLE AS OF THE DATE OF THE DONATION. THE CERTIFICATE  
3 ISSUED IN CONNECTION WITH THE ALLOCATION MUST STATE THE  
4 AGGREGATE AMOUNT OF THE DONATION; EXCEPT THAT THE TAX CREDITS  
5 AWARDED UNDER THIS SECTION MAY BE DIVIDED AMONG THE DONORS OF  
6 THE INDIVIDUAL DONATIONS AS DETERMINED BY THE SPONSOR.

7 (c) THE MINIMUM AMOUNT OF A DONATION IS TEN THOUSAND  
8 DOLLARS. INDIVIDUAL DONATIONS IN AN AGGREGATED DONATION MAY BE  
9 LESS THAN TEN THOUSAND DOLLARS.

10 (11)(a) EACH AGENCY THAT HAS ALLOCATED TAX CREDITS UNDER  
11 THIS SECTION SHALL REPORT TO THE GENERAL ASSEMBLY BY MARCH 1,  
12 2019, AND BY MARCH 1 OF EACH YEAR THEREAFTER, THROUGH AND  
13 INCLUDING MARCH 1, 2022, ON THE OVERALL ECONOMIC ACTIVITY,  
14 USAGE, AND IMPACT TO THE STATE FROM THE EMPLOYER-ASSISTED  
15 HOUSING PROJECTS FOR WHICH IT HAS ALLOCATED TAX CREDITS UNDER  
16 THIS SECTION.

17 (b) THE DEPARTMENT SHALL PROMULGATE RULES NECESSARY TO  
18 FURTHER THE IMPLEMENTATION THIS SECTION IN ACCORDANCE WITH  
19 ARTICLE 4 OF TITLE 24.

20 (12) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2031.

21 **SECTION 2. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly (August  
24 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
25 referendum petition is filed pursuant to section 1 (3) of article V of the  
26 state constitution against this act or an item, section, or part of this act  
27 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in  
2 November 2018 and, in such case, will take effect on the date of the  
3 official declaration of the vote thereon by the governor.