

ORDINANCE/RESOLUTION REQUEST

**Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by NOON on Tuesday.**

**All fields must be completed.*
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: August 9, 2010_____

Please mark one: **Bill Request** or **Resolution Request**

1. Has your agency submitted this request in the last 12 months?

Yes **No**

If yes, please explain:

2. Title: *(Include a concise, one sentence description - include name of company or contractor and contract control number - that clearly indicates the type of request: grant acceptance, contract execution, amendment, municipal code change, supplemental request, etc.)*

This request is a municipal code change to amend Chapter 53 of the Revised Municipal Code. During the 2010 legislative session the Colorado legislature passed SB10-142 which dictates taxpayers shall have 30 days from the date of the notice of a sales or use tax deficiency from a local government to protest the notice. Currently, the DRMC only provides a 20 day protest period.

3. Requesting Agency: Treasury Division

4. Contact Person: *(with actual knowledge of proposed ordinance)*

- **Name:** Steve Ellington
- **Phone:** 720-913-9384
- **Email:** steve.ellington@denvergov.org

5. Contact Person: *(with actual knowledge of proposed ordinance who will present the item at Mayor-Council and who will be available for first and second reading, if necessary)*

- **Name:** Steve Ellington
- **Phone:** 720-913-9384
- **Email:** steve.ellington@denvergov.org

6. General description of proposed ordinance including contract scope of work if applicable:

In an effort to create consistency among all municipalities related to the time limit for taxpayers to file a protest related to sales and use taxes after a notice has been issued by the municipality the Colorado legislature passed SB10-142 during the 2010 legislative session. SB10-142 provides that any protest to sales and use tax deficiency notice shall be filed with the local government within 30 days after the date of the notice. Currently, the Denver Revised Municipal Code provides a 20 day protest period from the date of the notice. Therefore, it is necessary for the City and County of Denver to change the DRMC to provide a 30 protest period. For consistency within the DRMC, the Dept. of Finance is also requesting that the protest period for lodger's, OPT, FDA and Telecommunications Business Tax also be changed to 30 days from the date of notice.

Please include the following:

- a. Duration:** *Permanent*
- b. Location:**
- c. Affected Council District:** *All*
- d. Benefits:** *Aids the business community by instituting a consistent protest time period for sales and use tax deficiency notices.*

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e. **Costs:** *None*

7. Is there any controversy surrounding this ordinance? (groups or individuals who may have concerns about it?) **Please explain.**

The Department of Finance is not aware of any controversy regarding this ordinance request. During the summer of 2009 Denver's Department of Finance attended a meeting with CML, CACI representatives, and several front range municipal finance departments to discuss issues related to protesting sales and use tax deficiency notices. The uniform 30 day protest period came out of that meeting.

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