

Amendment to Council Bill 19-0803 concerning an ordinance an excise tax on electricity and natural gas for commercial and industrial customers to fund the office of climate action, sustainability, and resiliency, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state coordinated election on November 5, 2019.

Councilmember Clark

August 19, 2019

Councilmembers,

I move to amend **CB19-0803** as follows:

1. On page 2, strike lines 25 through 27 and substitute the following”

“(e) *Exemptions.* The following electricity or natural gas customers are not subject to the taxes levied in accordance with article IX:

- (1) The federal government, state government, municipal government, or kindergarten-through-twelfth grade educational institutions; and
- (2) A domestic customer whose meter serves a multi-family residential building or other residential common area.

2. On page 3, strike lines 19 through 34.

3. On page 4, strike lines 1 through 11 and substitute the following:

“SHALL CITY AND COUNTY OF DENVER TAXES BE INCREASED BY \$30,391,224 ANNUALLY, COMMENCING JULY 1, 2020, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY AUTHORIZING THE CITY AND COUNTY OF DENVER TO LEVY A CLIMATE ACTION, SUSTAINABILITY, AND RESILIENCY EXCISE TAX UPON COMMERCIAL AND INDUSTRIAL CUSTOMERS CONSUMING ELECTRICITY AND NATURAL GAS, WITH A FIRST YEAR ELECTRICITY TAX RATE OF \$0.0060 PER KILOWATT HOUR FOR BOTH COMMERCIAL AND INSUTRIAL CUSTOMERS, A FIRST YEAR NATURAL GAS TAX RATE OF \$0.030 PER THERM FOR COMMERCIAL CUSTOMERS, AND A FIRST YEAR RATE OF \$0.015 PER THERM FOR INDUSTRIAL CUSTOMERS. THE ELECTRICITY PORTION OF THE TAX EXPIRES WHEN XCEL ENERGY’S GRID REACHES 70% RENEWABLE ENERGY. THE NATURAL GAS PORTION OF THE

TAX DOES NOT EXPIRE, AND INCREASES 10% ANNUALLY AFTER JANUARY 1, 2025. THE EXCISE TAX IS FOR THE PURPOSE OF FUNDING THE OFFICE OF CLIMATE ACTION, SUSTAINABILITY, AND RESILIENCY. SHALL THE FULL PROCEEDS OF THE TAX AND ANYE ARNINGS THEREFROM BE COLLECTED AND SPENT WITHOUT ADDITIONAL LIMITATION OR CONDITION UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?"

PURPOSE OF THE AMENDMENT

The purpose of the amendment is to exempt the federal government, state government, municipal government, and K-12 education from the tax, and to ensure that the ballot title is clear and concise.

If the amendment passes, it will not require a republication of CB19-0803.