

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business Affairs & Labor.

HB25-1080 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, **add** 39-3-139 as
4 follows:

5 **39-3-139. Property tax relief for communication services**
6 **deployment - legislative declaration - definitions.** (1) THE GENERAL
7 ASSEMBLY FINDS AND DECLARES THAT:

8 (a) THE INTENDED PURPOSE OF THE TAX RELIEF CREATED IN THIS
9 SECTION IS TO ENCOURAGE THE DEPLOYMENT OF COMMUNICATION
10 SERVICES INFRASTRUCTURE THROUGHOUT THE STATE, PARTICULARLY IN
11 RURAL AND UNSERVED AREAS, AND TO CREATE INCENTIVES FOR
12 INVESTMENTS IN NEW COMMUNICATION SERVICES INFRASTRUCTURE IN
13 ADDITION TO INCENTIVES ALREADY CREATED BY OTHER STATE OR
14 FEDERAL LAW;

15 (b) FINANCIAL INCENTIVES IN THE FORM OF TAX RELIEF ARE
16 NECESSARY TO ATTRACT INVESTMENT AND FREE UP RESOURCES FOR
17 COMMUNICATION SERVICES DEPLOYMENT, PARTICULARLY IN AREAS THAT
18 HAVE BEEN DESIGNATED AS UNSERVED. THE INCENTIVES CAN BE
19 PARTICULARLY EFFECTIVE WHEN OFFERED AT THE LOCAL LEVEL BY
20 COUNTIES THAT HAVE THE AUTHORITY TO APPROVE THE RELIEF BASED ON
21 SPECIFIC CRITERIA.

22 (c) PROVIDING TAX RELIEF STIMULATES ECONOMIC DEVELOPMENT
23 IN THE STATE AND SUPPORTS THE EXPANSION OF ESSENTIAL
24 COMMUNICATION SERVICES TO UNSERVED AREAS; AND

25 (d) WIRELESS TELECOMMUNICATIONS TECHNOLOGIES, WHILE
26 SEEMINGLY INDEPENDENT, CRITICALLY RELY ON FORMS OF BROADBAND
27 LIKE FIBER AND LANDLINE NETWORKS FOR ESSENTIAL FUNCTIONS, SUCH AS
28 BACKHAUL, WHICH CONNECTS CELL TOWERS TO THE INTERNET BACKBONE
29 AND WHICH IS OFTEN PERFORMED BY NONWIRELESS PROVIDERS.
30 THEREFORE, THE POLICIES THAT IMPACT BROADBAND INFRASTRUCTURE
31 MUST CONSIDER THE INTERCONNECTEDNESS OF ALL TECHNOLOGIES,
32 INCLUDING THE DEPENDENCE OF WIRELESS TELECOMMUNICATIONS ON THE
33 BROADER ECOSYSTEM, TO ENSURE EFFECTIVE AND COMPREHENSIVE
34 WIRELESS AND BROADBAND ACCESS FOR ALL COLORADANS.

35 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
36 REQUIRES:

37 (a) "COUNTY" MEANS A COUNTY OR A CITY AND COUNTY.

38 (b) (I) "QUALIFIED COMMUNICATION SERVICES PROPERTY
39 FACILITY" MEANS ANY FACILITY, INFRASTRUCTURE, EQUIPMENT, OR OTHER
40 REAL OR PERSONAL PROPERTY USED IN THE PROVISION OF WIRELESS

1 TELECOMMUNICATIONS SERVICE AND FIXED BROADBAND OR MOBILE
2 BROADBAND INTERNET ACCESS SERVICE, AS DEFINED BY THE FEDERAL
3 COMMUNICATIONS COMMISSION, AND INCLUDES, BUT IS NOT LIMITED TO:

- 4 (A) ASYNCHRONOUS TRANSFER MODE SWITCHES;
- 5 (B) DIGITAL SUBSCRIBER LINE ACCESS MULTIPLEXERS;
- 6 (C) ROUTERS;
- 7 (D) SERVERS;
- 8 (E) MULTIPLEXERS;
- 9 (F) FIBER OPTICS; AND
- 10 (G) ANY RELATED EQUIPMENT.

11 (II) "QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY"
12 INCLUDES ANY FACILITY INFRASTRUCTURE OR EQUIPMENT USED TO
13 PROVIDE WIRELESS TELECOMMUNICATIONS SERVICE, INCLUDING, BUT NOT
14 LIMITED TO, MACRO CELL TOWERS AND MICROCELL TOWERS.

15 (c) "UNSERVED AREA" MEANS A GEOGRAPHIC AREA IN WHICH
16 BROADBAND INTERNET ACCESS SERVICE IS NOT AVAILABLE FROM ANY
17 PROVIDER AT SPEEDS MEETING OR EXCEEDING THE MINIMUM BROADBAND
18 BENCHMARKS ESTABLISHED BY THE FEDERAL COMMUNICATIONS
19 COMMISSION FOR FIXED BROADBAND AND MOBILE BROADBAND. A COUNTY
20 MAY DETERMINE WHETHER AN AREA IS UNSERVED BY REFERENCE TO THE
21 MOST RECENTLY AVAILABLE FEDERAL COMMUNICATIONS COMMISSION
22 BROADBAND COVERAGE MAPS.

23 (d) "WIRELESS TELECOMMUNICATIONS SERVICE" MEANS
24 COMMERCIAL MOBILE RADIO SERVICE, AS DEFINED IN 47 CFR 20.3.

25 (3) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A
26 COUNTY MAY NEGOTIATE AN INCENTIVE PAYMENT OR CREDIT WITH A
27 TAXPAYER THAT ESTABLISHES OR EXPANDS A QUALIFIED COMMUNICATION
28 SERVICES PROPERTY FACILITY IN THE COUNTY IF THE FACILITY SERVES AN
29 UNSERVED AREA.

30 (b) THE BURDEN IS ON A TAXPAYER SEEKING TAX RELIEF TO
31 DEMONSTRATE, TO THE SATISFACTION OF THE COUNTY, THAT THE AREA TO
32 BE SERVED BY THE PROPOSED INVESTMENT IS AN UNSERVED AREA. THE
33 TAXPAYER MAY RELY ON THE MOST RECENTLY AVAILABLE FEDERAL
34 COMMUNICATIONS COMMISSION COVERAGE MAPS TO MAKE THE
35 DETERMINATION.

36 (c) A COUNTY SHALL NOT NEGOTIATE AN INCENTIVE PAYMENT OR
37 CREDIT THAT EXCEEDS THE AMOUNT OF THE TAXES LEVIED BY THE
38 COUNTY UPON THE TAXABLE REAL PROPERTY OR BUSINESS PERSONAL
39 PROPERTY LOCATED AT OR WITHIN THE QUALIFIED COMMUNICATION
40 SERVICES PROPERTY FACILITY FOR THE CURRENT PROPERTY TAX YEAR.

41 (4) A COUNTY SHALL EXERCISE THE AUTHORITY GRANTED UNDER
42 THIS SECTION IN A NONDISCRIMINATORY AND COMPETITIVELY NEUTRAL
43 MANNER.

44 (5) A COUNTY THAT NEGOTIATES AN AGREEMENT PURSUANT TO
45 THIS SECTION SHALL INFORM ANY MUNICIPALITY, SPECIAL DISTRICT AS

1 DEFINED IN SECTION 32-1-103, AND SCHOOL DISTRICT IN WHICH THE
2 QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY WILL BE
3 ESTABLISHED OR EXPANDED OF THE NEGOTIATIONS WITH THE TAXPAYER.

4 (6) A COUNTY MAY ADJUST THE AMOUNT OF ITS TAX LEVY
5 AUTHORIZED PURSUANT TO SECTION 29-1-301 OR PURSUANT TO A COUNTY
6 HOME RULE CHARTER, WHICHEVER IS APPLICABLE, BY AN ADDITIONAL
7 AMOUNT THAT DOES NOT EXCEED THE TOTAL AMOUNT OF ANNUAL
8 INCENTIVE PAYMENTS OR CREDITS THAT THE COUNTY MAKES.

9 **SECTION 2.** In Colorado Revised Statutes, **add** 32-1-1703 as
10 follows:

11 **32-1-1703. Property tax relief for communication services**
12 **deployment - legislative declaration - definitions.** (1) THE GENERAL
13 ASSEMBLY FINDS AND DECLARES THAT:

14 (a) THE INTENDED PURPOSE OF THE TAX RELIEF CREATED IN THIS
15 SECTION IS TO ENCOURAGE THE DEPLOYMENT OF COMMUNICATION
16 SERVICES INFRASTRUCTURE THROUGHOUT THE STATE, PARTICULARLY IN
17 RURAL AND UNSERVED AREAS, AND TO CREATE INCENTIVES FOR
18 INVESTMENTS IN NEW COMMUNICATION SERVICES INFRASTRUCTURE IN
19 ADDITION TO INCENTIVES ALREADY CREATED BY OTHER STATE OR
20 FEDERAL LAW;

21 (b) FINANCIAL INCENTIVES IN THE FORM OF TAX RELIEF ARE
22 NECESSARY TO ATTRACT INVESTMENT AND FREE UP RESOURCES FOR
23 COMMUNICATION SERVICES DEPLOYMENT, PARTICULARLY IN AREAS THAT
24 HAVE BEEN DESIGNATED AS UNSERVED. THE INCENTIVES CAN BE
25 PARTICULARLY EFFECTIVE WHEN OFFERED AT THE LOCAL LEVEL BY
26 SPECIAL DISTRICTS THAT HAVE THE AUTHORITY TO APPROVE THE RELIEF
27 BASED ON SPECIFIC CRITERIA.

28 (c) PROVIDING TAX RELIEF STIMULATES ECONOMIC DEVELOPMENT
29 IN THE STATE AND SUPPORTS THE EXPANSION OF ESSENTIAL
30 COMMUNICATION SERVICES TO UNSERVED AREAS; AND

31 (d) WIRELESS TELECOMMUNICATIONS TECHNOLOGIES, WHILE
32 SEEMINGLY INDEPENDENT, CRITICALLY RELY ON FORMS OF BROADBAND
33 LIKE FIBER AND LANDLINE NETWORKS FOR ESSENTIAL FUNCTIONS, SUCH AS
34 BACKHAUL, WHICH CONNECTS CELL TOWERS TO THE INTERNET BACKBONE
35 AND WHICH IS OFTEN PERFORMED BY NONWIRELESS PROVIDERS.
36 THEREFORE, THE POLICIES THAT IMPACT BROADBAND INFRASTRUCTURE
37 MUST CONSIDER THE INTERCONNECTEDNESS OF ALL TECHNOLOGIES,
38 INCLUDING THE DEPENDENCE OF WIRELESS TELECOMMUNICATIONS ON THE
39 BROADER ECOSYSTEM, TO ENSURE EFFECTIVE AND COMPREHENSIVE
40 WIRELESS AND BROADBAND ACCESS FOR ALL COLORADANS.

41 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
42 REQUIRES:

43 (a) "QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY"
44 HAS THE MEANING SET FORTH IN SECTION 39-3-139 (2)(b).

45 (b) "UNSERVED AREA" HAS THE MEANING SET FORTH IN SECTION

1 39-3-139 (2)(c).

2 (c) "WIRELESS TELECOMMUNICATIONS SERVICE" MEANS
3 COMMERCIAL MOBILE RADIO SERVICE, AS DEFINED IN 47 CFR 20.3.

4 (3)(a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A SPECIAL
5 DISTRICT MAY NEGOTIATE AN INCENTIVE PAYMENT OR CREDIT WITH A
6 TAXPAYER THAT ESTABLISHES OR EXPANDS A QUALIFIED COMMUNICATION
7 SERVICES PROPERTY FACILITY IN THE SPECIAL DISTRICT IF THE FACILITY
8 SERVES AN UNSERVED AREA.

9 (b) THE BURDEN IS ON A TAXPAYER SEEKING TAX RELIEF TO
10 DEMONSTRATE, TO THE SATISFACTION OF THE SPECIAL DISTRICT, THAT THE
11 AREA TO BE SERVED BY THE PROPOSED INVESTMENT IS AN UNSERVED
12 AREA. THE TAXPAYER MAY RELY ON THE MOST RECENTLY AVAILABLE
13 FEDERAL COMMUNICATIONS COMMISSION COVERAGE MAPS TO MAKE THE
14 DETERMINATION.

15 (c) A SPECIAL DISTRICT SHALL NOT NEGOTIATE AN INCENTIVE
16 PAYMENT OR CREDIT THAT EXCEEDS THE AMOUNT OF THE TAXES LEVIED
17 BY THE SPECIAL DISTRICT UPON THE TAXABLE REAL PROPERTY OR
18 BUSINESS PERSONAL PROPERTY LOCATED AT OR WITHIN THE QUALIFIED
19 COMMUNICATION SERVICES PROPERTY FACILITY FOR THE CURRENT
20 PROPERTY TAX YEAR.

21 (4) A SPECIAL DISTRICT SHALL EXERCISE THE AUTHORITY GRANTED
22 UNDER THIS SECTION IN A NONDISCRIMINATORY AND COMPETITIVELY
23 NEUTRAL MANNER.

24 (5) A SPECIAL DISTRICT THAT NEGOTIATES AN AGREEMENT
25 PURSUANT TO THIS SECTION SHALL INFORM ANY MUNICIPALITY AND
26 COUNTY IN WHICH THE QUALIFIED COMMUNICATION SERVICES PROPERTY
27 FACILITY WILL BE ESTABLISHED OR EXPANDED OF THE NEGOTIATIONS WITH
28 THE TAXPAYER.

29 (6) A SPECIAL DISTRICT MAY ADJUST THE AMOUNT OF ITS TAX
30 LEVY AUTHORIZED PURSUANT TO SECTION 29-1-301 BY AN ADDITIONAL
31 AMOUNT THAT DOES NOT EXCEED THE TOTAL AMOUNT OF ANNUAL
32 INCENTIVE PAYMENTS OR CREDITS THAT THE SPECIAL DISTRICT MAKES.

33 **SECTION 3.** In Colorado Revised Statutes, **add 22-40-111** as
34 follows:

35 **22-40-111. Property tax relief for communication services**
36 **deployment - legislative declaration - definitions.** (1) THE GENERAL
37 ASSEMBLY FINDS AND DECLARES THAT:

38 (a) THE INTENDED PURPOSE OF THE TAX RELIEF CREATED IN THIS
39 SECTION IS TO ENCOURAGE THE DEPLOYMENT OF COMMUNICATION
40 SERVICES INFRASTRUCTURE THROUGHOUT THE STATE, PARTICULARLY IN
41 RURAL AND UNSERVED AREAS, AND TO CREATE INCENTIVES FOR
42 INVESTMENTS IN NEW COMMUNICATION SERVICES INFRASTRUCTURE IN
43 ADDITION TO INCENTIVES ALREADY CREATED BY OTHER STATE OR
44 FEDERAL LAW;

45 (b) FINANCIAL INCENTIVES IN THE FORM OF TAX RELIEF ARE

1 NECESSARY TO ATTRACT INVESTMENT AND FREE UP RESOURCES FOR
2 COMMUNICATION SERVICES DEPLOYMENT, PARTICULARLY IN AREAS THAT
3 HAVE BEEN DESIGNATED AS UNSERVED. THE INCENTIVES CAN BE
4 PARTICULARLY EFFECTIVE WHEN OFFERED AT THE LOCAL LEVEL BY
5 SCHOOL DISTRICTS THAT HAVE THE AUTHORITY TO APPROVE THE RELIEF
6 BASED ON SPECIFIC CRITERIA.

7 (c) PROVIDING TAX RELIEF STIMULATES ECONOMIC DEVELOPMENT
8 IN THE STATE AND SUPPORTS THE EXPANSION OF ESSENTIAL
9 COMMUNICATION SERVICES TO UNSERVED AREAS; AND

10 (d) WIRELESS TELECOMMUNICATIONS TECHNOLOGIES, WHILE
11 SEEMINGLY INDEPENDENT, CRITICALLY RELY ON FORMS OF BROADBAND
12 LIKE FIBER AND LANDLINE NETWORKS FOR ESSENTIAL FUNCTIONS, SUCH AS
13 BACKHAUL, WHICH CONNECTS CELL TOWERS TO THE INTERNET BACKBONE
14 AND WHICH IS OFTEN PERFORMED BY NONWIRELESS PROVIDERS.
15 THEREFORE, THE POLICIES THAT IMPACT BROADBAND INFRASTRUCTURE
16 MUST CONSIDER THE INTERCONNECTEDNESS OF ALL TECHNOLOGIES,
17 INCLUDING THE DEPENDENCE OF WIRELESS TELECOMMUNICATIONS ON THE
18 BROADER ECOSYSTEM, TO ENSURE EFFECTIVE AND COMPREHENSIVE
19 WIRELESS AND BROADBAND ACCESS FOR ALL COLORADANS.

20 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
21 REQUIRES:

22 (a) "QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY"
23 HAS THE MEANING SET FORTH IN SECTION 39-3-139 (2)(b).

24 (b) "UNSERVED AREA" HAS THE MEANING SET FORTH IN SECTION
25 39-3-139 (2)(c).

26 (c) "WIRELESS TELECOMMUNICATIONS SERVICE" MEANS
27 COMMERCIAL MOBILE RADIO SERVICE, AS DEFINED IN 47 CFR 20.3.

28 (3) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE
29 BOARD OF EDUCATION OF A SCHOOL DISTRICT MAY NEGOTIATE AN
30 INCENTIVE PAYMENT OR CREDIT WITH A TAXPAYER THAT ESTABLISHES OR
31 EXPANDS A QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY IN
32 THE SCHOOL DISTRICT IF THE FACILITY SERVES AN UNSERVED AREA.

33 (b) THE BURDEN IS ON A TAXPAYER SEEKING TAX RELIEF TO
34 DEMONSTRATE, TO THE SATISFACTION OF THE BOARD OF EDUCATION OF
35 THE SCHOOL DISTRICT, THAT THE AREA TO BE SERVED BY THE PROPOSED
36 INVESTMENT IS AN UNSERVED AREA. THE TAXPAYER MAY RELY ON THE
37 MOST RECENTLY AVAILABLE FEDERAL COMMUNICATIONS COMMISSION
38 COVERAGE MAPS TO MAKE THE DETERMINATION.

39 (c) THE BOARD OF EDUCATION OF A SCHOOL DISTRICT SHALL NOT
40 NEGOTIATE AN INCENTIVE PAYMENT OR CREDIT THAT EXCEEDS THE
41 AMOUNT OF THE TAXES LEVIED BY THE SCHOOL DISTRICT UPON THE
42 TAXABLE REAL PROPERTY OR BUSINESS PERSONAL PROPERTY LOCATED AT
43 OR WITHIN THE QUALIFIED COMMUNICATION SERVICES PROPERTY FACILITY
44 FOR THE CURRENT PROPERTY TAX YEAR.

45 (4) THE BOARD OF EDUCATION OF A SCHOOL DISTRICT SHALL

1 EXERCISE THE AUTHORITY GRANTED UNDER THIS SECTION IN A
2 NONDISCRIMINATORY AND COMPETITIVELY NEUTRAL MANNER.

3 (5) THE BOARD OF EDUCATION OF A SCHOOL DISTRICT THAT
4 NEGOTIATES AN AGREEMENT PURSUANT TO THIS SECTION SHALL INFORM
5 ANY MUNICIPALITY AND COUNTY IN WHICH THE QUALIFIED
6 COMMUNICATION SERVICES PROPERTY FACILITY WILL BE ESTABLISHED OR
7 EXPANDED OF THE NEGOTIATIONS WITH THE TAXPAYER.

8 (6) THE BOARD OF EDUCATION OF A SCHOOL DISTRICT MAY ADJUST
9 THE AMOUNT OF ITS TAX LEVY AUTHORIZED PURSUANT TO SECTION
10 29-1-301 BY AN ADDITIONAL AMOUNT THAT DOES NOT EXCEED THE TOTAL
11 AMOUNT OF ANNUAL INCENTIVE PAYMENTS OR CREDITS THAT THE SCHOOL
12 DISTRICT MAKES.

13 **SECTION 4.** In Colorado Revised Statutes, **add** 39-26-130 as
14 follows:

15 **39-26-130. Refund for property used for communication**
16 **services - legislative declaration - definitions.** (1) THE GENERAL
17 ASSEMBLY FINDS AND DECLARES THAT THE INTENDED PURPOSE OF THE
18 TAX INCENTIVE CREATED IN THIS SECTION IS TO CREATE INCENTIVES FOR
19 INVESTMENT IN COMMUNICATION SERVICES IN ADDITION TO INCENTIVES
20 ALREADY CREATED BY OTHER STATE OR FEDERAL LAW.

21 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
22 REQUIRES:

23 (a) "PROVIDER" MEANS A PROVIDER OF COMMUNICATION
24 SERVICES.

25 (b) "SUBSIDIARY" MEANS A SUBSIDIARY OF A PROVIDER.

26 (3) (a) A PROVIDER IS ENTITLED TO A REFUND OF SALES AND USE
27 TAX IMPOSED PURSUANT TO THIS ARTICLE 26 ON THE SALE, LEASE,
28 RENTAL, STORAGE, USE, OR OTHER CONSUMPTION OF TANGIBLE PERSONAL
29 PROPERTY IF:

30 (I) THE PROPERTY IS SOLD, LEASED, RENTED, STORED, USED, OR
31 CONSUMED BY THE PROVIDER OR A SUBSIDIARY; AND

32 (II) THE PROPERTY IS DIRECTLY USED OR CONSUMED BY THE
33 PROVIDER OR A SUBSIDIARY IN OR DURING THE PROVISION, TRANSMISSION,
34 CONVEYANCE, ROUTING, OR RECEPTION OF COMMUNICATION SERVICES.

35 (b) NOTWITHSTANDING SUBSECTION (3)(a) OF THIS SECTION,
36 PROPERTY THAT IS DIRECTLY USED OR CONSUMED IN OR DURING THE
37 PROVISION, CREATION, OR PRODUCTION OF A DATA PROCESSING SERVICE
38 OR INFORMATION SERVICE IS NOT ELIGIBLE FOR A REFUND UNDER THIS
39 SECTION.

40 (c) THE AMOUNT OF A REFUND TO WHICH A PROVIDER OR
41 SUBSIDIARY IS ENTITLED UNDER THIS SECTION FOR A CALENDAR YEAR IS
42 EQUAL TO:

43 (I) THE AMOUNT OF THE TAX THAT THE PROVIDER OR SUBSIDIARY
44 PAID DURING THE CALENDAR YEAR ON PROPERTY THAT IS ELIGIBLE FOR A
45 REFUND PURSUANT TO THIS SECTION IF THE TOTAL AMOUNT OF TAX PAID

1 BY ALL PROVIDERS AND SUBSIDIARIES THAT ARE ELIGIBLE FOR A REFUND
2 FOR THE CALENDAR YEAR UNDER THIS SECTION IS NOT MORE THAN ONE
3 MILLION DOLLARS; OR

4 (II) A PRO RATA SHARE OF ONE MILLION DOLLARS IF THE TOTAL
5 AMOUNT OF TAX PAID BY ALL PROVIDERS AND SUBSIDIARIES THAT ARE
6 ELIGIBLE FOR A REFUND FOR THE CALENDAR YEAR UNDER THIS SECTION IS
7 MORE THAN ONE MILLION DOLLARS.

8 **SECTION 5. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly; except
11 that, if a referendum petition is filed pursuant to section 1 (3) of article V
12 of the state constitution against this act or an item, section, or part of this
13 act within such period, then the act, item, section, or part will not take
14 effect unless approved by the people at the general election to be held in
15 November 2026 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.".

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