

**Refund Mechanisms Used for TABOR Surpluses, Tax Years 1997 through 2015**  
*No refunds were required for unlisted years, including 1993 through 1996, 2016, and 2017.*  
*Source: Department of Revenue and Legislative Council Staff.*

**Table 1**  
**How the FY 1996-97 TABOR Surplus was Refunded**  
**Refunds Taken Against 1997 Tax Liability**

Sales Tax Refund Federal Adjusted Gross Income Tier	Total Number of Taxpayers	Amount Refunded	Average Amount Per Taxpayer
Less than \$15,000	623,263	\$23,060,731	\$37
\$15,001 to \$100,000	1,607,333	\$96,439,980	\$60
More than \$100,000	215,623	\$17,249,840	\$80
Other	3,175	\$77,594	\$24
<b>Total Amount Refunded</b>	<b>2,449,394</b>	<b>\$136,828,145</b>	<b>\$56</b>

**Table 2**  
**How the FY 1997-98 TABOR Surplus was Refunded**  
**Refunds Taken Against 1998 Tax Liability**

Sales Tax Refund Federal Adjusted Gross Income Tier	Total Number of Taxpayers	Amount Refunded	Average Amount Per Taxpayer
Less than \$20,000	841,952	\$119,557,184	\$142
\$20,001 to \$50,000	834,449	\$162,717,555	\$195
\$50,001 to \$95,000	632,963	\$174,697,788	\$276
\$95,001 or more	293,826	\$112,829,184	\$384
Other	2,949	\$21,480	\$7
<b>Total Amount Refunded</b>	<b>2,606,139</b>	<b>\$569,823,191</b>	<b>\$219</b>

**Table 3**  
**How the FY 1998-99 TABOR Surplus was Refunded**  
**Refunds Taken Against 1999 Tax Liability**

Sales Tax Refund Federal Adjusted Gross Income Tier	Total Number of Taxpayers	Amount Refunded	Average Amount Per Taxpayer
Less than \$25,000	942,416	\$149,844,144	\$159
\$25,001 to \$50,000	725,934	\$153,898,008	\$212
\$50,001 to \$75,000	469,517	\$114,562,148	\$244
\$75,001 to \$100,000	244,882	\$71,015,780	\$290
\$100,001 to \$125,000	117,117	\$36,540,504	\$312
More than \$125,000	194,212	\$97,494,424	\$502
Other	3,545	(\$58,298)	(\$16)
<b>Total Sales Tax Refund</b>	<b>2,697,623</b>	<b>\$623,296,710</b>	<b>\$231</b>
<b>Other Refund Mechanisms</b>			
HB 99-1383 and HB 00-1049, Earned Income Credit Refund	202,432	\$26,369,777	\$130
HB 99-1311, Business Personal Property Refund	51,332	\$78,975,794	\$1,539
<b>Total Refunded (not including sales tax refund)</b>		<b>\$105,345,571</b>	
<b>Total Amount Refunded</b>		<b>\$728,642,281</b>	

**Table 4**  
**How the FY 1999-00 TABOR Surplus was Refunded**  
**Refunds Taken Against 2000 Tax Liability**

<b>Sales Tax Refund</b>	<b>Total</b>	<b>Amount</b>	<b>Average</b>
<b>Federal Adjusted Gross Income Tier</b>	<b>Number of</b>	<b>Refunded</b>	<b>Amount Per</b>
	<b>Taxpayers</b>		<b>Taxpayer</b>
Less than \$26,000	958,036	\$174,362,552	\$182
\$26,001 to \$53,000	765,151	\$187,461,995	\$245
\$53,001 to \$78,000	456,331	\$131,423,328	\$288
\$78,001 to \$103,000	248,741	\$80,840,825	\$325
\$103,001 to \$126,000	117,827	\$42,771,201	\$363
More than \$126,000	230,252	\$132,164,648	\$574
Other	4,859	\$181,134	\$37
<b>Total Sales Tax Refund</b>	<b>2,781,197</b>	<b>\$749,205,683</b>	<b>\$269</b>
<b>Other Refund Mechanisms</b>			
HB 99-1383 and HB 00-1049, Earned Income Credit Refund	202,308	\$31,026,445	\$153
HB 99-1311, Business Personal Property Refund	78,193	\$78,467,623	\$1,004
HB 99-1237, Capital Gains Refund*	13,850	\$111,451,871	\$8,047
HB 00-1063, Rural Health Providers	81	\$67,252	\$830
HB 00-1351, Child Care Credits	176,905	\$20,352,552	\$115
HB 00-1257, Pollution Control Equipment	NA	\$1,938,470	NA
HB 99-1137 and HB 00-1171, Interest, Div, and CG Exclusion	1,067,658	\$44,858,809	\$42
HB 00-1104, Purchase Private Health Benefit Plans	7,668	\$2,781,868	\$363
<b>Total Refunded (not including sales tax refund)</b>		<b>\$290,944,890</b>	
<b>Total Amount Refunded</b>		<b>\$1,040,150,573</b>	

NA = Not Available.

\*The capital gains refund includes \$36.0 million in claims against 1999 individual income tax liability, \$71.9 million in claims against 2000 individual income tax liability, and \$3.6 million in claims against 2000 corporate income tax liability.

**Table 5**  
**How the FY 2000-01 TABOR Surplus was Refunded**  
**Refunds Taken Against 2001 Tax Liability**

<b>Sales Tax Refund</b>	<b>Total</b>	<b>Amount</b>	<b>Average</b>
<b>Federal Adjusted Gross Income Tier</b>	<b>Number of</b>	<b>Refunded</b>	<b>Amount Per</b>
	<b>Taxpayers</b>		<b>Taxpayer</b>
Less than \$27,000	949,357	\$136,707,408	\$144
\$27,000 to \$56,000	816,139	\$152,617,993	\$187
\$56,001 to \$83,000	474,271	\$104,339,620	\$220
\$83,001 to \$110,000	248,190	\$62,543,880	\$252
\$110,001 to \$135,000	112,248	\$31,766,184	\$283
More than \$135,000	196,482	\$88,613,382	\$451
Other	3,784	\$70,758	\$19
<b>Total Sales Tax Refund</b>	<b>2,800,471</b>	<b>\$576,659,225</b>	<b>\$206</b>
<b>Other Refund Mechanisms</b>			
HB 99-1383 and HB 00-1049, Earned Income Credit Refund	210,942	\$32,904,624	\$156
HB 01-1313, Foster Care Issues	431	\$209,838	\$487
HB 99-1311, Business Personal Property Refund	81,615	\$99,793,453	\$1,223
HB 00-1361, Individual Development Accounts	NA	\$10,816	NA
HB 99-1237, Capital Gains Refund	9,296	\$50,505,556	\$5,433
HB 00-1063, Rural Health Providers	47	\$224,915	\$4,785
HB 00-1351, Child Care Credits	194,924	\$25,521,889	\$131
HB 00-1227, Lower Motor Vehicle Fees	NA	\$34,003,795	NA
HB 00-1355, High Technology Scholarship Program	38	\$3,343	\$88
HB 00-1257, Pollution Control Equipment	0	\$0	\$0
HB 00-1053, Exclude Charitable Contributions	45,130	\$2,882,423	\$64
HB 00-1259, Trucks at 0.01 Percent Sales Tax Rate	NA	\$5,164,084	NA
HB 99-1137 and HB 00-1171, Interest, Div, and CG Exclusion	1,055,713	\$44,322,959	\$42
HB 01-1086, Ag Coop Tax Credit	237	\$506,637	\$2,138
HB 00-1104, Purchase Private Health Benefit Plans	6,442	\$2,424,862	\$376
HB 00-1209, Colorado Capital Gains 1 to 5 Years	5,967	\$27,660,644	\$4,636
<b>Total Refunded (not including sales tax refund)</b>		<b>\$326,139,838</b>	
<b>Total Amount Refunded</b>		<b>\$902,799,063</b>	

NA = Not Available.

**Table 6**  
**How the FY 2004-05 TABOR Surplus was Refunded**  
**Refunds Taken Against 2005 Tax Liability**

<b>Sales Tax Refund</b>	<b>Total</b>	<b>Amount</b>	<b>Average</b>
<b>Federal Adjusted Gross Income Tier</b>	<b>Number of</b>	<b>Refunded</b>	<b>Amount Per</b>
	<b>Taxpayers</b>		<b>Taxpayer</b>
All Taxpayers (\$15 per taxpayer)	2,689,993	\$40,349,895	\$15
Other	256	\$7,893	\$31
<b>Total Amount Refunded</b>	<b>2,690,249</b>	<b>\$40,357,788</b>	<b>\$15</b>

**Table 7**  
**How the FY 2014-15 TABOR Surplus was Refunded\***  
**Refunds Taken Against 2015 Tax Liability**  
*Data through September 2017\*\**

<b>Sales Tax Refund</b>	<b>Total</b>	<b>Amount</b>	<b>Average</b>
<b>Federal Adjusted Gross Income Tier</b>	<b>Number of</b>	<b>Refunded</b>	<b>Amount Per</b>
	<b>Taxpayers</b>		<b>Taxpayer</b>
Less than \$36,001	930,545	\$13,488,813	\$14
\$36,001 to \$77,000	668,707	\$16,734,330	\$25
\$77,001 to \$120,000	325,334	\$11,672,514	\$36
\$120,001 to \$163,000	151,204	\$6,356,027	\$42
\$163,001 to \$204,000	69,936	\$3,123,720	\$45
More than \$204,000	118,070	\$9,020,697	\$76
<b>Total Sales Tax Refund</b>	<b>2,263,796</b>	<b>\$60,396,101</b>	<b>\$27</b>
<b>Other Refund Mechanisms</b>			
HB 13-1001 Earned Income Credit Refund	351,629	\$75,727,349	\$215
<b>Total Amount Refunded</b>		<b>\$136,123,450</b>	

\*SB 10-212 repealed most of the TABOR refund mechanisms in law at the time of its passage. For more information, see the Legislative Council Staff memorandum on the history of TABOR refund mechanisms, available at:

[http://leg.colorado.gov/sites/default/files/images/history\\_of\\_tabor\\_refund\\_mechanisms.pdf](http://leg.colorado.gov/sites/default/files/images/history_of_tabor_refund_mechanisms.pdf)

\*\*A small amount of TABOR refunds via the sales tax and earned income tax credit mechanisms have been claimed since data were reported.