

Senate Finance  
 04/29/2022 Upon Adjournment  
 SB22-233 TABOR Refund Mechanism For FY 2021-22 Only  
 Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
William Rooney Amend RubinBrown LLP	<p>I am requesting that Colorado Senate Bill 22-233 be amended to change the May 31, 2022 TABOR refund filing deadline for 2021 Colorado individual income tax returns to match the extension due date of October 17, 2022 for filing 2021 Colorado individual income tax returns. Using a due date earlier than October 17, 2022 is unfair to me and over 200 of my clients who properly filed extensions for filing their 2021 tax returns due to not having the information (i.e. K-1s from partnership, trust and S Corporation entity returns that were extended to September 15, 2022). necessary to file their individual income tax returns by May 31, 2022.</p> <p>Clearly, selecting a May 31, 2022 filing date for taxpayers to qualify for the TABOR refund when not all taxpayers can file their Colorado individual tax returns by May 31st is not fair and results in an injustice to thousands of Colorado residents.</p> <p>Please consider amending the filing date to October 17, 2022 to qualify for the TABOR refund. Other potential amendments to consider include:</p> <ul style="list-style-type: none"> <li>- Extend the May 31st deadline to a later date;</li> <li>- Allow a taxpayer who filed an extension and files their tax return by October 17th to receive their tax refund by Spring 2023;</li> <li>- Include a hold harmless provision for accountants/ tax filers to avoid being sued by a taxpayer for not filing a taxpayer’s return by May 31st (or the later date);</li> <li>- Have DOR publish a “TABOR refund claim form” or “Intent to File form” on their website so that taxpayers can download the form and submit it to the DOR by May 31st (or the later date) proving that they previously filed an extension and should be eligible for the tax refund.</li> </ul> <p>Thank you for your consideration.</p> <p>William A. Rooney, CPA (Colorado Resident)</p>
Dallas Becker Amend Self	<p>In regards to the dividend/refund, the thought is good but the execution is questionable if the deadline is not the extended filing date in October.</p> <p>A deadline that differs from the traditional income tax filing date creates undue stress on tax preparers and unfairly alienates business owners of pass through entities that do not have control over when they receive their K-1.</p>

	<p>If the deadline differs from the extended filing deadline the state will have a NOTICEABLE increase in amended returns. In other words, taxpayers will file by the dividend deadline only to amend at a later date when they have all of their tax documents. This is a waste of taxpayer and state resources.</p> <p>The dividend/refund should be available to EVERY full time resident that files ON TIME, not some arbitrary deadline.</p> <p>If Governor Polis truly wants to benefit every full time tax paying resident, as he said in the press conference, the dividend deadline needs to align with the already established extended filing deadline in October.</p>
<p>Stephen Trojan Amend Self</p>	<p>In regards to the SB22-233 (TABOR Refund Mechanism For FY 2021-22 Only), the thought is good but the execution is questionable if the deadline is not the extended filing date in October.</p> <p>A deadline that differs from the traditional income tax filing date creates undue stress on tax preparers and unfairly alienates business owners of pass-through entities that do not have control as to when they receive information to complete returns such as Forms K-1 for businesses they have an interest in. Also, there are many taxpayers in Boulder County who will be filing after 5/31/2022 due to the wildfires in 2021 and the need for additional time to complete these returns.</p> <p>If the deadline differs from the extended filing deadline, the state will have a NOTICEABLE increase in amended returns. In other words, taxpayers will file by the dividend deadline only to amend at a later date when they have all of their tax documents. This is a waste of taxpayer and state resources.</p> <p>The dividend/refund should be available to EVERY full-time resident that files ON TIME (including extensions), not some arbitrary deadline.</p> <p>If Governor Polis truly wants to benefit every tax-paying resident, as he said in the press conference, the dividend deadline needs to align with the already established extended filing deadline in October.</p>
<p>Tom Radow Amend Self</p>	<p>SB22-233 (TABOR Refund Mechanism For FY 2021-22 Only), the thought is good but the execution is questionable if the deadline is not the extended filing date in October.</p> <p>A deadline that differs from the traditional income tax filing date creates undue stress on tax preparers and unfairly alienates business owners of pass through entities that do not have control over when they receive their K-1.</p> <p>Since as currently drafted, the deadline differs from the extended filing deadline the state will have a NOTICEABLE increase in amended returns.</p>

	<p>In other words, taxpayers will file by the dividend deadline only to amend at a later date when they have all of their tax documents. This is a gross waste of taxpayer and state resources that will probably end up with litigation by a class of taxpayers currently on extension.</p> <p>The dividend/refund should be available to EVERY full time resident that files ON TIME, not an arbitrary deadline that does not relate to any tax deadline.</p> <p>I believe Governor Polis wants to benefit every full time tax paying resident, as he said in the press conference. However, the filing deadline needs to align with the already established extended filing deadline in October.</p>
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April 29, 2022

Senate Finance Committee  
General Assembly

**Re: SB22-233 TABOR Refund Mechanism - SUPPORT**

Chair Gonzales, Vice Chair Winter, Members of the Committee:

As you know, state revenue subject to TABOR is expected to exceed the cap by \$2.0 billion for 2021-22, twice the previous record. SB22-233 would retain the existing refund mechanisms, adding, for this year of bounty, a fourth way, \$400 checks to each tax filer, this year, while Coloradans are coping with rising prices for nearly everything.

As you know, the League of Women Voters is a nonpartisan organization, encouraging informed and active participation in government and influencing public policy through education and advocacy.

The League of Women Voters supports a progressive tax system, with higher rates for those who earn more and lower rates for those who earn less. Because a \$400 refund is a larger share of a barista's income than of a surgeon's income, this bill would lower the barista's effective income tax rate more than it would lower the surgeons. Thus it would make Colorado's tax system more progressive, more fair to those who struggle to put gas in their car and food on their table.

Please make Colorado a fairer place to live and **vote yes on SB22-233**.

Thank you,

Maud Naroll, Volunteer Lobbyist  
Legislative Action Committee  
League of Women Voters of Colorado  
1410 Grant Street, Suite B-204  
Denver, CO 80203  
303-863-0437



April 29, 2022

Senate Finance Committee

Dear Members of the Senate Finance Committee

On behalf of the Grand Junction Area Chamber of Commerce, an organization of over 800 mostly small businesses employing over 37,000 people in Mesa County, I ask that this Committee vote to approve SB22-233 **if amended**.

SB22-233 is well intentioned in terms of delivering Tabor refund checks early to the residents of this state as they face increased inflation and cost of living expenses. However, the deadline of filing taxes by May 31<sup>st</sup> in order to qualify for the refund has unintended consequences by excluding many of our middle-income wage earners, retirees and families with deployed military wage earners.

We would ask that the committee amend the bill by adding several if not all of these provisions:

- Extend the May 31st deadline to a later date;
- Allow a taxpayer who filed an extension and files their tax return by October 18th to receive their tax refund by Spring 2023;
- Include a hold harmless provision for accountants/ tax filers to avoid being sued by a taxpayer for not filing a taxpayer's return by May 31st (or the later date);
- Have DOR publish a "TABOR refund claim form" or "Intent to File form" on its website so that taxpayers can download the form and submit it to the DOR by May 31st (or the later date) proving that they previously filed an extension and should be eligible for the tax refund.

Thank you for your consideration of this request,

A handwritten signature in black ink that reads 'Diane Schwenke'.

Diane Schwenke, President & CEO  
Grand Junction Area  
Chamber of Commerce