

**STATE
FISCAL IMPACT**

Drafting Number: LLS 13-0450 **Date:** January 14, 2013
Prime Sponsor(s): Rep. DelGrosso **Bill Status:** House Finance
 Sen. Jahn **Fiscal Analyst:** Larson Silbaugh (303-866-4720)

TITLE: CONCERNING THE DEADLINE FOR AN APPLICATION FOR A REFUND FOR OVERPAID STATE SALES AND USE TAX.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue General Fund	Potential reduction - see State Revenue section.	
FTE Position Change		
Effective Date: August 7, 2013, if the General Assembly adjourns on May 8, 2013, as scheduled, and no referendum petition is filed.		
Appropriation Summary for FY 2013-2014: None required.		
Local Government Impact: None.		

Summary of Legislation

This bill clarifies the statute of limitations for claiming a refund of overpaid sales and use taxes to allow three years for all refunds.

Background. In 2011, following a dispute over the deadline for claiming a refund of overpaid sales and use taxes, the statute concerning refunds was amended to extend the period for claiming a refund to three years. However, that bill omitted certain types of refunds, which instead defaulted to the general two-year statutory limitation on civil actions. This bill extends the three-year statute of limitations to all sales and use tax refunds.

State Revenue

Extending the deadline for claiming a refund of overpaid sales and use taxes will reduce state revenue. However, the reduction cannot be quantified because the extended deadlines under the 2011 legislation have not yet affected state revenue. Because most claims will be addressed under current law, this fiscal note assumes that extending the deadline for certain claims by one additional year under this bill will not significantly affect state revenue.

Departments Contacted

Revenue