

FORM 104X INSTRUCTIONS

The 2005 Form 104X, Amended Colorado Income Tax Return, is used to correct your 2005 individual income tax return. For more information or any questions pertaining to income, additions, subtractions, credits, etc., refer to the income tax book for 2005, or call the Department of Revenue at (303) 238-SERV (7378). You can also obtain forms and information from the Internet at www.TaxColorado.com

Complete Form 104X showing the corrected amounts for income, additions, subtractions, taxes and credits.

AMOUNT OWED

Lines 34 through 40 compute the amount owed to the state on the amended return. Any decrease in the amount of the overpayment (line 34) or increase in the amount owed (line 35) will indicate that an amount is owed with the amended return.

REFUND AMOUNT

Lines 41 through 44 compute the amount of credit available on the amended return. Any increase in the amount of the overpayment (line 41) or decrease in the amount owed (line 42) will indicate that an overpayment is available with the amended return. The overpayment can be credited to estimated tax (line 44) for the tax year following the period on the amended return, or can be requested as a refund (line 43).

Attachments:

Attach an explanation of the changes to your return and, if applicable, required attachments (e.g. 104CR, 204). Part-year residents and nonresidents attach corrected Form 104PN. If this amended return is the result of an adjustment made by the Internal Revenue Service attach a copy of the federal revenue agent's report with supporting schedules. To expedite your refund, attach a copy of the federal record of account to support any changes to federal taxable income.

Direct Deposit:

Complete the direct deposit information if you want your refund deposited directly into your account at a United States bank or other financial institution.

Foreign Address:

If you are entering an address for a foreign country, place any postal code at the end of the address line and enter XXXXX in the ZIP code box.

Deceased taxpayer:

If the taxpayer died since the original return was filed and you are requesting a refund, attach a copy of Form 102—Claim for Refund Due Deceased Taxpayer and a copy of the death certificate. Check the deceased box after the decedent's name.

A federal net operating loss carried back to a tax year beginning on or after January 1, 1987, or carried forward will be allowed for Colorado income tax purposes. A nonresident or a part-year resident may carry back or forward that portion of his federal net operating loss that is from Colorado sources or which relates to the Colorado portion of the year.

Statute of limitations:

The statute of limitations for filing a Colorado claim for refund is generally four years from the original due date of the return or three years from the date of last payment of tax for the year involved, whichever is later. The statute of limitations for claiming a refund that is the result of a loss carry-back or an investment tax credit carry-back is four years from the due date of the return for the year in which the loss or credit originated. See FYI General 18.

Protective Claims:

If this amended return is being filed to keep the statute of limitations open pending the outcome of a court case or tax determination in another state that affects your Colorado return, check the protective claim box under reason for filing corrected return.

Change in filing status:

If the amended return is being filed to change the filing status from single or married separate to joint, the taxpayer that filed the single return must be listed first on the amended return. If both taxpayers have filed single, then either taxpayer can be listed first and the explanation must specify that one of the original returns was filed under a different primary Social Security Number (SSN).

If the amended return is being filed to change the filing status from joint to single or married separate, the taxpayer whose SSN was listed first on the joint return should include all applicable tax data in column one of their amended return. The taxpayer whose SSN was listed second on the joint return should not have any information in column one and the explanation must specify that the original return was filed under a different primary SSN.

Interest rates on additional amounts due or refunds are as follows:

January 1 through December 31, 2006.

Tax due paid without billing, or paid within 30 days of billing, or on refunds \$5,000 or more and 10% or more of the net tax liability6%
Tax due paid after 30 days of billing, or on other refunds9%

Mail and make checks payable to:

**Colorado Department of Revenue
Denver CO 80261-0005**

