

General 15: Colorado Department of Revenue Tax Due Dates

GENERAL INFORMATION

This FYI explains various due dates and can help you avoid paying penalty and/or interest on taxes required by the Colorado Department of Revenue. The following list is grouped by the tax type. Important Note: if a tax due date falls on a weekend or holiday, the due date moves to the next business day. Also listed is a reference to the form used to file each tax and any related FYI Publications.

SALES AND USE

Business Consumer Use Tax: If total tax is less than \$300 during a calendar year, the tax is due January 20 following year-end. Whenever tax due is \$300 or more, the tax is due the 20th of the following month. File online at Colorado.gov/RevenueOnline or use Consumer Use Tax Return (DR 0252) and RTA Consumer Use Tax Return (DR 0251). For more information, please see publication FYI General 10.

Individual Consumer Use Tax: Due April 15 for purchases made during the prior calendar year. File online at Colorado.gov/RevenueOnline or use Consumer Use Tax Return (DR 0252) and RTA Consumer Use Tax Return (DR 0251). For more information, please see publication FYI General 10.

Retail Sales Tax: The DR 0100 Colorado Retail Sales Tax Return is due the 20th day of the month following the end of the taxpayer's filing period. Annual return is due Jan. 20; quarterly return is due Apr. 20, July 20, Oct. 20 and Jan. 20; monthly return is due the 20th day of the following month. Example: Jan. taxes are due Feb. 20. Due dates vary for taxpayers with filing periods based on a fiscal accounting period other than a calendar month, however, approval must be received from the department to file irregular filing periods. For additional information, see publication FYI Sales 9. File online at www.Colorado.gov/RevenueOnline or use the Colorado Retail Sales Tax Return (DR 0100).

RTD/CD: The Regional Transportation District (RTD) and the Scientific and Cultural Facilities District (CD) are remitted in the RTD/CD column on the DR 0100, "Retail Sales Tax Return." RTD and CD use tax is remitted on the DR 0173, "Retailer's Use Tax Return" or on the DR 0252, "Consumer Use Tax Return." The due dates are the same as sales/use tax returns filed.

Other sales/use taxes are noted later in this FYI. For detailed information, see publication DR 1002 Colorado Sales/Use Tax rates.

Special Note: All taxes administered by the department that are filed on the DR 0100 Colorado Retail Sales Tax Return can be electronically filed at Revenue Online at Colorado.gov/RevenueOnline Using Revenue Online allows convenient and secure access to file returns and conduct business with the Department of Revenue.

Retailer's Use Tax: Due the 20th day of the month following the end of the taxpayer's filing period (annual, quarterly, and monthly). File online at Colorado.gov/RevenueOnline or use Retailers Use Tax Return (DR 0173). For more information, please see publication FYI Sales 5.

Sale of a Business: Retailers who have sales tax collections on hand when they sell a business must remit those sales tax collections within 10 days after the date of sale of the business. Use a Sales Tax Return (DR 0100). A tax status letter can be requested from the Department of Revenue to verify that all sales tax collections have been remitted. The seller remains liable for the tax, and the lien for the tax attaches to any assets the buyer acquires from the previous owner. Such lien is superior to all other liens and the acquired assets may be sold to pay the tax liability of the previous owner. (Please note that sellers who take a mortgage on the assets they sell to a new operator of the business are at risk of losing those assets if the new operator defaults on his subsequent sales tax remittances. The department's tax lien is superior to the former owner's mortgage lien.)

A buyer of business assets is also liable for sales tax on any tangible personal property acquired in the business purchase transaction. The buyer must file and pay the sales tax within 20 days after the close of his first business accounting period (or month if accounting period is a calendar month) if the purchaser has a sales tax license. Sales tax is due by the 20th day of the month following the purchase date if the purchaser does not have a sales tax license. Use Retail Sales Tax Return for Occasional Sales (DR 0100A). Any tax liability greater than \$300 must be remitted on this monthly basis. Any assets purchased sales tax free from other sources may also be subject to consumer use tax (see above). For more information, please see publication FYI Sales 74.

Sales Tax on Aviation Jet Fuel: Tax return and payment is due the 20th of the following month of the taxpayer's filing period. Use Aviation Fuel Sales Tax (DR 1510, DR 1520 or DR 1530) Return and Report Form. For more information, see publication FYI Sales 57.

Isolated or Occasional Sales Made from Home: Individuals who make isolated or occasional sales from their homes and who are required to collect sales tax, but are not required to obtain sales tax licenses, must remit their total annual sales tax collected by April 15 following the calendar year. These individuals must complete and submit Retail Sales Tax Return for Occasional Sales (DR 0100A) along with their remittance of tax. For more information, please see publication FYI Sales 8.

Special Event Retail Sales Tax: Due the 20th day of the month following the month the special event **began**. File online at www.Colorado.gov/RevenueOnline or use Special Event Retail Sales Tax Return (DR 0098). For more information, please see publication FYI 55.

County Lodging Tax (CLD): Due the 25th day of the month following end of quarter. County lodging tax is imposed on lodging services including hotels, motels, condominiums, and camping spaces. Use County Lodging Tax Return (DR 1485). For more information, please see publication FYI Sales 11.

Local Marketing District Tax (LMD)

The Local Marketing District levies a tax on lodging services including hotels, motels, condominiums and camping spaces within specific areas in Colorado. The tax is remitted on the Local Marketing District Tax Return (DR 1490) with the same filing frequency and due date as the Colorado Retail Sales Tax Return (DR 0100). For a list of designated areas subject to the Local Marketing District Tax see publication DR 1002, Sales/Use Tax Rates.

Local Improvement District Tax (LID)

The Local Improvement District Tax is a sales tax collected within designated areas. For a list of designated areas subject to the Local Improvement District Tax see publication DR 1002, Sales/Use Tax Rates. This tax is remitted on the DR 0100 in the City/LID column.

Mass Transportation System Tax (MTS)

The Mass Transportation System Tax is a sales tax collected by the state in designated counties. The tax is remitted on Form DR 0100 in the County/MTS column combined with the county tax. Exemptions are the same as the county tax. For a list of designated areas subject to the Mass Transportation System Tax see publication DR 1002, Sales/Use Tax Rates.

Rural Transportation Authority (RTA)

The RTA sales tax is reported when you file your return through your Revenue Online account or on the Colorado Retail Sales Tax Return (DR 0100) in the Special District column. The RTA consumer use tax is filed on Revenue Online or reported on the RTA Consumer Use Tax Return (DR 0251). The RTA retailer's use tax is reported when you file your return through Revenue Online or when you file the Retailer's Use Tax Return (DR 0173). The areas that impose the RTA may be found in publication Colorado Sales/Use Tax Rates, (DR 1002).

Multi-Jurisdictional Housing Authority (MHA)

The Multi-Jurisdictional Housing Authority Tax is remitted on the DR 0100 in the Special District column. For a list of designated areas see publication DR 1002, Sales/Use Tax Rates.

Public Safety Improvements (PSI)

The Public Safety Improvement sales tax is reported in the Special District column of the DR 0100. See publication DR 1002 for the rate.

Metropolitan District Tax (MDT)

The Metropolitan District Tax is remitted on the DR 0100 in the Special District column. See publication Colorado Sales/Use Tax Rates (DR 1002) for additional information.

Health Services District Tax (HSD)

The Health Services District Tax is remitted on the DR 0100 in the Special District column. See publication Colorado Sales/Use Tax Rates (DR 1002) for additional information.

Medical and Retail Marijuana Sales Tax

Retail marijuana sales tax is filed electronically and has the same due date as retail sales tax. The retail sales tax for medical and retail marijuana is due monthly. See publication, FYI Sales 93 Sales Tax on Marijuana, for additional information.

INCOME TAXES

Income Tax payment and/or return: Three and one-half months after the close of the tax year (usually April 15 for calendar year taxpayers).

- Individuals – Use Individual Income Tax Return - (form 104).
- C Corporations – Use Corporation Income Tax Return (form 112).
- Fiduciaries (trusts or estates) – Use Fiduciary Income Tax Return (form 105).
- Limited Liability Companies – Use Pass-Through Entity and Composite Nonresident Return (form 106) which includes LLCs, LPs, LLLPs, Associations and Non-profit organizations or Corporation Return (form 112) as appropriate.
- Partnerships, S Corporations, Limited Partnerships, LLPs, LLLPs, Associations and Non-profit organizations – Use the form 106 Colorado Pass-Through Entity and Composite Nonresident Income Tax Return.

Emancipation Day: When the federal IRS due date of April 15 is extended for the Emancipation Day holiday in Washington D.C., the Colorado income tax due date is extended to coincide with the federal due date. This extension of the April 15 due date also applies to estimated income and severance tax payments and individual consumer use tax returns. [§39-22-608(4), C.R.S.]

Extension of time to file return: Individuals, estates, trusts and corporations and severance tax have an automatic six-month extension of time to file their Colorado income tax return. However, to avoid late payment penalties, 90% of the tax liability must be paid on or before the original due date of the return and the balance when the return is filed by the end of the six-month extension period. If the taxpayer needs to make a payment to meet the 90% prepayment requirement, the payment must be submitted online at www.Colorado.gov/RevenueOnline or with Form DR 0158-I (individuals), Form DR 0158-F (estates or trusts), or Form DR 0158-C (corporations) or Form DR 0158-N (composite returns), DR 0021SC (Coal Severance), DR 0021SA (Metallic Minerals Severance), DR 0021S (Oil and Gas Severance), and DR 0021SE (Oil Shale Severance).

ESTIMATED TAX

Individuals

- First Quarter: April 15
- Second Quarter: June 15
- Third Quarter: Sept. 15
- Fourth Quarter: Jan. 15
- File online at www.Colorado.gov/RevenueOnline or use Estimated Income Tax Payment Voucher (104-EP)

Corporations

- 15th day of fourth month of taxable year
- 15th day of sixth month of taxable year
- 15th day of ninth month of taxable year
- 15th day of twelfth month of taxable year
- Use Declaration of Corporate Estimated Colorado Income Tax (112-EP)

Corporations who expect their Colorado severance tax liability for the year to exceed their Colorado severance credits by \$5,000 or more are required to make estimated tax payments. Estimated tax payments are due each month by the 15th day of that month and must be submitted via Electronic Funds Transfer (EFT). A paper voucher for these tax payments is not required; the EFT transaction is the filing. You may obtain information (Form DR 5782) and an application (Form DR 5785) for EFT transactions at www.TaxColorado.com. Individuals are not required to make estimated payments for severance tax.

For more information, please see publication FYI Income 51.

WITHHOLDING TAXES

W-2 and 1099 Withholding Taxes: Four types of filing periods based on amount of tax collected. For additional information, see publications FYI Withholding 5 and FYI Withholding 7.

- **Frequent/Weekly** – Employers collecting more than \$50,000 during a one-year period. Payment is due the third business day following the Friday on which state wage withholding has accumulated. Filing period ending date must be a Friday date. Payment must be made by Electronic Funds Transfer (EFT).
- **Monthly** – Employers collecting at least \$7,000 but not more than \$50,000 during a one-year period. Payment is due the 15th day of the following month. File online at www.Colorado.gov/RevenueOnline or use Income Withholding Tax Return (DR 1094).
- **Quarterly** – Employers collecting less than \$7,000 during a one-year period. Payment is due the last day of the month following the end of the quarter. File online at www.Colorado.gov/RevenueOnline or use form DR 1094.
- **Seasonal** – Employers who operate their business only during certain months and who have wage withholding only in those months must obtain Department of Revenue approval to file based on your business operations. Payment is due the 15th day of the following month of operation. File online at www.Colorado.gov/RevenueOnline or use form DR 1094.

Exception: If December 31 does not fall on a Friday and taxes were withheld between the last Friday filing and December 31, then weekly filers must make a final return/payment that includes all unpaid taxes through December 31. Therefore, December 31 will be the filing period ending date for this transmission, even if it is not a Friday. The payment is due three business days after December 31.

W-2/1099 Transmittal/Annual reconciliation of W-2s/1099s. For due dates and filing methods see publication FYI Withholding 6.

Oil, Gas and Oil Shale Tax Withheld: Monthly severance withholding payments made through EFT must be remitted by the first day of the third month following the month the tax was withheld. For example, the January return is due April 1. The severance tax withholding payment must be submitted via EFT. For more information, please see publication FYI Withholding 4.

Nonresident Beneficiaries of an Estate or Trust: Payment is due at the time the income is distributed. Use Nonresident Beneficiary Estimated Income Tax Payment Vouchers (Form 104BEP) for each beneficiary.

Real Estate Withholding (for nonresidents who sell Colorado real estate): Payment is due within 30 days of closing date. Use Payment of Withholding Tax on Certain Colorado Real Property Interest Transfers (DR 1079) and Information with Respect to Conveyance of Colorado Real Property Interest (DR 1083). For more information, please see publication FYI Income 5.

Severance Tax Withheld, annual reconciliation: Due April 15. Use Severance Tax Withheld, Oil/Gas Annual Reconciliation (DR 456). For more information, please see publication FYI Withholding 4.

Prepaid Wireless: Payment is due on the same date the retailer's Sales Tax Return (DR 0100) is due. Use the Prepaid Wireless E911 Surcharge return (DR 0526). For more information, please see publication FYI General 21.

Gaming, backup withholding: 15th day of the month following the month reported. Use Backup Withholding Tax Return/Gaming (DR 1091).

MISCELLANEOUS TAXES

Property Tax/Rent/Heat Rebate (PTC))

A PTC claim may be filed up to two years after the year for which the rebate is claimed. For example, the 2011 PTC claim can be filed between Jan. 1, 2012 and Dec. 31, 2013. Use Property Tax/Rent/Heat Rebate Form (104PTC). For more information, please see publication FYI General 7.

Severance Taxes

Colorado imposes severance taxes on oil, gas, metallic minerals, oil shale and coal. These taxes are due three-and-a-half months after the close of the federal income tax year. Use the appropriate severance tax return for Metallic Minerals (DR 0020A), Coal (DR 0020C), Oil Shale (DR 0020E), or Oil and Gas (DR 0021). Severance taxes on molybdenum ore are due the 15th day of the month following the end of each calendar quarter and are filed electronically using EFT or on a paper return (DR 0022). For more information, please see FYI General 4.

EXCISE TAXES

Cigarettes

Cigarette taxes are due the 10th day of the month following the end of the month that the cigarette stamps were purchased. Use Cigarette Tax Return (DR 0221). For more information, please see publication FYI Excise 15 and 16.

Liquor

All liquor excise taxes, grape/produce tax, vinous surcharge and the winery surcharge are due the 20th of the month following the month of sales. Use Monthly Report of Excise Tax for Alcohol Beverages (DR 0442). For more information, please see publication FYI Excise 12.

Tobacco

Taxes on tobacco products are due the 20th of the month following the end of the calendar quarter. Use Tobacco Products Tax Return (DR 0229). For more information, please see publication FYI Excise 15 and 17.

Retail Marijuana Excise Tax

Marijuana excise tax returns are due on or before the 20th of each month. Retail marijuana cultivation facilities must file a return each month, even if no tax is due for the month. For more information, please see publication FYI Excise 23.

FUEL EXCISE TAXES AND FEES

Aviation Gasoline, Gasoline, Special Fuel and/or Jet Fuel Taxes: Due the 26th day of the following month. Fuel distributors are required to file returns electronically to the Colorado Fuel Tracking System (COFTS). Payment must be made by electronic funds transfer (EFT). Registered EFT filers may call (303) 205-8333 for questions about filing. For more information, please see publication FYI Excise 5.

Environmental Response Surcharge/LPG and Natural Gas Inspection Surcharge: Due the 26th day of the following month. Fuel distributors are required to file returns electronically to the Colorado Fuel Tracking System (COFTS). Payment must be made by electronic funds transfer (EFT). Registered EFT filers may call (303) 205-8333 for questions about filing. For more information, please see publication FYI Excise 11.

International Fuel Tax Agreement (IFTA): Due the last day of the month following end of the quarter. Use International Fuel Tax Agreement Report (DR 0122). For more information, please see publication FYI Excise 8.

Passenger Mile Tax: Due the last day of the month following end of the quarter. Use Passenger Mile Tax Return (DR 0133). For more information, please see publication FYI Excise 14.

GAMING TAXES

Taxes paid to the state by gaming casinos are due on the 15th day of the following month. Colorado casinos are required to file their gaming taxes by Electronic Data Interchange (EDI). For more information about EDI, call the Division of Gaming, (303) 205-1304.

FYIs represent a good faith effort to provide general information concerning a variety of Colorado tax topics in simple and straightforward language. By their nature, however, FYIs cannot and do not address all taxpayer situations nor do they provide a comprehensive overview of Colorado's tax laws. For this reason, FYIs are not binding on the Colorado Department of Revenue, nor do they replace, alter, or supersede Colorado law and regulations.

A taxpayer seeking additional guidance regarding the tax consequences of a particular transaction or factual scenario can request a Private Letter Ruling (PLR) or General Information Letter (GIL). Requests for PLRs and GILs must comply with certain requirements, which are currently set forth at 1 Code of Colorado Regulations 201-1, Regulation 24-35-103.5. PLRs are binding upon the Department only with respect to the specific taxpayer that requested the PLR. GILs are for informational purposes only and are not binding on the Department.