

Instructions and Documentation

Requirements for Claim for Refund of Tax Paid to Vendors DR 0137B

(Do not use for income tax or severance refunds)

- **For Sellers/Retailers, Consumer Use, Local Marketing, County Lodging and Withholding use Form DR 0137. For Rural Broadband, use Form DR 0137C.**
- **Failure to complete the required form(s) and submit all supporting documentation may cause the amount of the refund to be reduced or denied.**

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General Information

If you paid Colorado sales or use tax to a licensed retailer in error, you may request a refund for the erroneously paid tax. You may also request a refund of any local sales or uses that are administered by the Department of Revenue that you paid in error. For any local sales or use taxes administered by a home-rule city, please contact the applicable home-rule city. Contact information for home-rule cities is available online at Tax.Colorado.gov/DR1002.

Before submitting a claim for refund to the department, you should first request a refund from the store or vendor that sold you the item or service and that collected the tax.

If you are unable to obtain the refund from the store or vendor, you may submit a refund claim to the department. Taxpayers are encouraged to submit their refund claim electronically at Colorado.gov/RevenueOnline. If you are unable to submit your refund claim electronically, you can use this paper form DR 0137B to claim a refund instead. An instructional video for filing refund claims, either online or with form DR 0137B, can be found online at Tax.Colorado.gov/DR0137B.

Regardless of whether you submit your refund claim electronically or with a paper form DR 0137B, you must include with your refund claim a complete itemization of all purchases included in the claim and all the required documentation described in these instructions and [1 CCR 201-4](#), Rule 39-26-703–2. Additionally, please include with your claim a written statement from any vendor included in your claim confirming that they did not already refund the sales or use tax to you.

If you paid tax in error on multiple purchases, you may include them in one refund claim, subject to certain limitations and requirements. Your refund claim may include purchases from multiple sellers and purchases that qualify for different exemptions. If you file your claim using paper forms, you

must complete a separate paper form DR 0137B for each vendor and exemption type. If you file your refund claim electronically, you may include the information for all vendors and exemption types in a single spreadsheet, either using the department's template or a different spreadsheet that includes all of the same information as the department's template.

You may not include both sales tax and use tax refunds in the same claim. If you paid both sales tax and use tax in error, you must file a separate claim for each tax type.

Tax Practitioners

If you are a tax practitioner preparing a refund claim on behalf of the purchaser, you must comply with the requirements in these instructions and [1 CCR 201-4](#), Rule 39-26-703–2. You must also submit with the claim a power of attorney (DR 0145) authorizing you to act on behalf of the purchaser. Form DR 0145 can be accessed online at Tax.Colorado.gov/DR0145.

Mailing Instructions

If you are filing a paper form DR 1037B, mail it to:

Colorado Department of Revenue
Business Tax Accounting
P.O. Box 17087
Denver CO 80217-0087

Recordkeeping Requirements

You must maintain records and copies of all data, information, and documentation supporting your claim, including proof of purchase and proof of payment for each purchase included in your claim. You must provide to the department any data, information, or documentation it reasonably determines is necessary for the evaluation and processing of your claim.

Form Instructions

You must provide with your refund claim your identifying information and mailing address. You must also provide information about the seller and purchases, the tax paid, and the basis for the claim. If you are claiming a refund for taxes paid to only one seller for only one type of exemption, you may enter the required information on form DR 0137B. If you are claiming refunds of taxes paid to multiple sellers or for different types of exemptions, you must either prepare a separate form DR 0137B for each vendor and exemption type or submit a summary of vendors and exemption types using the department's template or a different spreadsheet that provide all of the same information as the department's template.

Refund To Be Made Payable To, And Mailed To

You must provide your name and either social security number (SSN) or federal employer identification number (FEIN), as well as your mailing address. The department will use the mailing address you provide both to mail any correspondence relating to your claim and mail the refund check after your claim has been processed.

Any changes you make to your mailing address by filing an Address or Name Change Form (DR 1102) will not be applied with respect to your refund claim. Instead, you may request changes to your mailing address for your refund claim by doing one of the following:

- Sending a Web Message (preferred)
- Mailing a written notification

The message or correspondence should include:

- "Address Change for Refund Claim" in the subject line;

- the name of the taxpayer claiming the refund;
- your social security number (SSN), federal employer identification number (FEIN), or Colorado Account Number (CAN);
- the date you submitted your original refund claim;
- the tax type(s) included in your refund claim;
- the refund amount you claimed;
- the filing periods included in your refund claim;
- your name
- your title
- your phone number
- if you are a representative for the taxpayer, a copy of the Power of Attorney (DR 0145) authorizing you to represent the taxpayer.

If we cannot verify any change of mailing address that you request, we will use the mailing address originally indicated in your refund claim for both correspondence and any refund check we mail.

You must also provide a description of your business activity and the products or services it provides.

Claim Information

You must provide the seller's name, federal employer identification number (FEIN) or Colorado account number (CAN), the type of tax, date of purchase, original amount of tax, the correct amount of tax, the type of exemption, and the refund amount requested. If you are claiming a refund for taxes paid to only one seller for only one type of exemption, you may enter the required information on form DR 0137B. If you are claiming refunds of taxes paid to multiple sellers or for different types of exemptions, you must either prepare a separate form DR 0137B for each vendor and exemption type or submit a summary of vendors and exemption types using the department's template or a different spreadsheet that provide all of the same information as the department's template.

Total Sales or Use Tax Paid During the Period Covered

Enter the TOTAL amount of sales or use tax paid to ALL vendors during the period covered.

The period covered includes the calendar month(s) of when the purchases were made.

For example, if you are requesting a refund for purchases made on July 1, July 21, August 9, and September 1, the period covered is the calendar months of July, August and September. You would add the total sales or use tax paid on ALL purchases between July 1 and September 30.

Reason

You must provide a brief explanation of the reason why you are requesting the refund from the department and a written confirmation from the vendor that they have not refunded the tax associated with the purchases. The written confirmation should include the purchase period and invoices for larger submissions.

Itemization of Purchases

You must provide a complete itemization of all purchases included in your claim. We recommend that you provide this itemization in an electronic spreadsheet either submitted through the department's online portal at Colorado.gov/RevenueOnline or saved to a CD or USB drive submitted to the department. If you file your refund claim electronically, you can submit the electronic spreadsheet as part of that filing. If you file a paper DR 0137B, you may still submit an electronic spreadsheet through Revenue Online.

Regardless of whether you submit an electronic or paper spreadsheet, it must provide certain items of information, listed below, with respect to each purchase included in your claim. Any paper spreadsheet must be in a readable format with font size of 10 point or greater. A template with all of the required items of information is available online at <https://tax.colorado.gov/DR0137B>. If your claim includes purchases from only one seller and only one type of exemption, you may provide the required itemization in the Overpayment Spreadsheet included in form DR 0137B.

The required itemization of purchases included in your refund claim must state for each purchased item:

- the seller's name;
- the seller's federal employer identification number (FEIN) or Colorado Account Number (CAN), except as provided below;
- the date of purchase;
- the invoice number for the purchase;
- the sales price of the item before tax;
- the amount of state, city, county, and special district sales or use tax paid, each stated separately in their own column of the spreadsheet, except as provided below;
- an indication of whether you have submitted a copy of the invoice for the purchase with your refund claim;
- an indication of whether you have submitted proof of payment for the purchase with your refund claim;
- a brief description of the item or service purchases;
- an explanation of how the item or service is used;
- an explanation of how the item or service qualifies for exemption or is otherwise not subject to tax;
- any additional information required based on the nature of the claim (see below).

Seller's Account Number

You must make a good faith effort to obtain the Colorado account number (CAN) or federal employer identification number (FEIN) for the seller of every item and transaction included in your refund claim. If you are unable to obtain the CAN or FEIN for the seller, despite a good faith effort, because the seller is no longer in business, refuses to provide their CAN or FEIN, or for any other reason, you must include with your refund claim information that allows the department to identify the seller's CAN or FEIN.

Separate State of Local Sales or Use Taxes

If the purchases included in your refund claim were not made in the conduct of a business, you are not required to separately state in your refund claim the amount of state, city, county, and special district sales or use tax paid. If you made the purchases included in your refund claim in the conduct of a business, you must separately state in your refund claim the amount of state, city, county, and special district sales or use tax paid. You must separately state any city sales or use tax you paid, even if they were paid to a home-rule city that administers its own sales and use taxes. Although these home-rule city taxes must be separately stated in your itemization of purchases, the department cannot issue refunds for them. Any refund claim for these home-rule city taxes must be submitted to the applicable home-rule city.

Required Documentation

You must submit with your refund claim required documentation, including proof of purchase and proof of payment, subject to limitations discussed below. You may also need to submit additional

data, information, and documentation depending on the nature of the claim. Upon review of your refund claim and the documentation you provided, the department may require any additional data, information, or documentation it reasonably determines is necessary for the evaluation and processing of your claim.

The required documentation should be submitted electronically even if you submit a paper form DR 0137B to file your refund claim. You may either submit the required documentation through the department’s online portal at Colorado.gov/RevenueOnline or it to a CD or USB drive you submit to the department. If you cannot submit the required documentation electronically, paper copies of the required documentation may be submitted with form DR 0137B. Bundle documentation you submit using paper clips or binder clips. Do not staple documents together.

Alternate Forms of Documentation

No less than 45 calendar days prior to submitting a refund claim, you may request permission from the department to submit an alternate form of documentation in lieu of the proof of purchase, proof of payment, and additional documentation described below. Your request must explain how the alternate form of documentation provides sufficient evidence in support of the claim in a manner comparable to the regularly required documentation. Permission, if granted by the department, applies only to the specific refund claim for which it is requested.

Any request for permission to submit alternate forms of documentation may be submitted via email to dor_businessstaxclaimforrefund@state.co.us. The department will respond via email to indicate whether the requested permission has been granted or denied.

Proof of Purchase

You must submit proof of purchase with your refund claim. Generally, a copy of the invoice you received from the seller in connection with the purchase is required to provide proof of purchase. If the seller did not provide an invoice for a particular transaction, you may submit a copy of the receipt from the transaction instead. If the seller did not provide either an invoice or a receipt for a particular transaction, you may submit a copy of the purchase order for the transaction. You may not submit accounting records, internal memos, or other documentation instead of an invoice, receipt, or purchase order to provide proof of purchase.

Depending on the number of invoices included in your refund claim, you may not need to provide proof of purchase for all invoices in your claim. If your refund claim includes 100 or fewer invoices, you must provide proof of purchase for all invoices with your claim. If your refund claim includes more than 100 invoices, you will not need to provide proof of purchase for all invoices in your claim, but you must provide proof of purchase to satisfy various requirements. Please see the following table to determine the number of invoices for which you must provide proof of purchase along with your claim. Information about additional proof of purchase requirements appear after the table.

Invoices in the claim	Submission requirement
100 or fewer	All invoices included in the claim
More than 100 but fewer than 5,000	100 invoices plus 25% of the total invoices included in the claim exceeding 100 invoices
More than 5,000 but fewer than 10,000	1,325 invoices plus 20% of the total invoices included in the claim exceeding 5,000 invoices
More than 10,000	2,325 invoices plus 2.5% of the total invoices included in the claim exceeding 10,000 invoices

The proof of purchase you submit with your refund claim must include all of the following:

- a copy of at least one invoice from each seller included in the refund claim;
- a copy of at least one invoice from each calendar month included in the refund claim;
- a copy of at least one invoice with respect to each type of exemption included in the claim; and
- copies of all invoices for which proof of payment is provided (see below).

Additionally, if your refund claim includes purchases in widely ranging dollar amounts, provide copies of invoices for the majority of the larger dollar amounts included in the claim.

Proof of Payment

You must submit proof of payment with your refund claim. Proof of payment may be provided in any of the following forms, depending on the type of payment you made:

- **Check.** For any payment made by check, submit a copy of the front and back of the cancelled check.
- **Electronic Payments.** For any payment made electronically, submit a copy of the bank statement reflecting the payment or EFT transaction details and confirmation.
- **Payment Processing Services.** For any payment made using payment processing services provided by a third party, submit a copy of the account statement or other documentation from the third party detailing the payment.
- **Payments Made with Credit Cards or Purchasing Cards.** For any payment made with a credit card or purchasing card, submit a copy of the credit card or purchasing card statement reflecting the payment.
- **Other Payments.** For payments made in any other form not described above, submit documentation verifying the payer, payee, amount, date, and confirmation of the payment. You may not submit accounting records, internal memos, or other documentation you created to provide proof of payment.

Depending on the number of invoices included in your refund claim, you may not need to provide proof of payment for all invoices included in your claim. If your refund claim includes 100 or fewer invoices, you must provide proof of payment for all invoices with your claim. If your refund claim includes more than 100 invoices, you must provide proof of payment for 100 invoices plus 0.2% of the invoices included in your claim in excess of 100 invoices. Additionally, the proof of payment you provide with your refund claim must include all of the following:

- proof of payment for at least one purchase made from each seller included in the refund claim;
- proof of payment for at least one purchase made in each calendar month included in the refund claim; and
- proof of payment for at least one purchase made with respect to each type of exemption included in the claim.

Notwithstanding the requirements discussed above, you are not required to provide proof of payment for more than 25% of the invoices included in your claim that were from the same seller, occurred during the same calendar quarter, and qualified for the same exemption type.

Additional Requirements

In addition to the requirements described above, you must submit with your claim any additional data, information, and documentation that is required based on the nature of the claim.

Affordable Housing Projects

If you are claiming a refund for an affordable housing project, you must provide a statement from the housing authority detailing the housing authority's ownership interest in the project, certifying

the percentage of the project that is for occupancy by persons of low income, and certifying the construction period for the project.

For additional information, please see Rule 39-26-704–2 and department publication FYI Sales 95: Sales/Use Tax Exemption for Affordable Housing Projects.

Low-Emitting Heavy Vehicles

You must submit a completed Form DR 1369, “Colorado State Sales and Use Tax Exemption for Low-Emitting Heavy Vehicles Affidavit,” if you are claiming a refund under section 39-26-719, C.R.S., for either of the following:

- a low-emitting heavy-duty motor vehicle with a gross vehicle weight rating over 26,000 lbs., or
- a motor vehicle with a gross vehicle weight rating over 10,000 lbs. that runs on alternative fuel

Along with the form you must provide:

- documentation confirming the gross vehicle weight rating for the vehicle, and
- a copy of the purchase agreement or invoice.

For additional information, please see section 39-26-719, C.R.S., and department publication FYI Sales 91: Sales and Use Tax Exemption for Low Emitting Heavy Vehicles.

Computer Software

If you are claiming a refund for computer software, you must provide documentation verifying eligibility for the exemption including, if applicable:

- Proof that the software was provided through an application service provider, delivered electronically, or transferred by load and leave software delivery;
- A copy of a negotiated license agreement or contract for the software;
- Documentation verifying the software is customized;
- For purchases of software service or maintenance, a copy of the service or maintenance agreement or contract; and/or
- For license renewals documentation confirming that the original software was provided through an application service provider, delivered electronically, or transferred by load and leave software delivery.

For additional information, please see section 39-26-102(15)(c), C.R.S., and department publication Sales & Use Tax Topics: Computer Software.

Farm Equipment

If you are claiming a refund for farm equipment, you must provide a completed form DR 0511, Affidavit for Colorado Sales Tax Exemption for Farm Equipment, and documentation showing proof of the farming operation expense and income. If you are an individual who files an IRS Schedule F with your federal income tax return, you may provide a copy of that schedule with your refund claim to document income and expenses from your farming operation.

For additional information, please see section 39-26-716, C.R.S., and department publication Sales & Use Tax Topics: Agriculture.

Rural Broadband

Do not use this form to claim a refund for rural broadband equipment. Instead, please download Form DR 0137C.

Rural Jump-Start Zone

If the Economic Development Commission has approved your business for Rural Jump-Start Zone tax benefits, you must provide a copy of the certification you received from the Office of Economic Development and International Trade.

For additional information, please visit OEDIT.Colorado.gov/rural-jump-start-program.

Gas or Electricity

If you are claiming a refund for exempt industrial use of gas or electricity, you must provide a completed Form DR 1666, Sales Tax Exempt Certificate Electricity & Gas for Industrial Use, as well as computations and documentation reflecting the exempt and non-exempt use of gas or electricity. Documentation may include either of the following:

- a copy of a utility study report determining the exempt usage which should be based on the actual consumption and on an annual basis and
- Information to support when equipment was placed in service and utilized; or
- a blueprint of your facility or business location if the exempt usage is estimated based on square footage.

Manufacturing Machinery

If you are claiming a refund for machinery or machine tools used in manufacturing, please provide a completed Declaration of Wholesale or Entity Sales Tax Exemption (form DR 5002), or form DR 1191 or DR 1192 if the machinery or machine tools were purchased prior to August 2023 and either of those forms were prepared at the time.

Machinery Used in an Enterprise Zone

If you are claiming a refund for machinery used in oil and gas exploration or production, you must provide the American Petroleum Institute (API) well number for the well at which the machinery is used within the enterprise zone. In lieu of the API well number, you may provide the latitude and longitude for the geographic location of the well.

Mining and Oil & Gas Services

If you are claiming a refund for mining or oil and gas services, you must provide field tickets or work orders for transactions in which the exempt services, like mud services, were purchased.

Exemption Certificate

If you are a tax-exempt entity from outside of Colorado, you must provide a copy of your certificate of exemption from your home state or a copy of your 501(c)(3) determination letter from the IRS.

Penalty For Incomplete Refund Claims

A penalty equal to 5% of the total refund claimed is imposed if a refund claim totaling \$5,000 or more is found to be materially incomplete. A claim for refund is incomplete if it does not include an electronic or paper Form DR 0137B and substantially all of the pertinent data, information, and documentation required by section 39-26-703(2)(d), C.R.S., and [1 CCR 201-4](#), Rule 39-26-703-2.

Prior to assessing a penalty for an incomplete claim, the Department will notify the purchaser, or the preparer of the claim, if any, that the claim appears to be incomplete. The notification the department provides will specify the pertinent data, information, and documentation that appears to be missing. The purchaser, or the preparer of the claim, if any, must, within 60 calendar days of the date of the notice, plus any additional time allowed by the department for reasonable cause shown either:

- correct any omission by providing the missing data, information, and documentation and demonstrating why the claim is not incomplete; or
- withdraw the claim for refund.

You may request additional time to submit the required data, information, and documentation and the department may allow additional time for reasonable cause shown. You may make a request for additional time either at the time you submit your refund claim or after submitting your refund claim. If you submit your refund claim with a request for additional time to provide the required data, information, and documentation you must include with your claim all of the following:

- Your name, identification number (FEIN, SSN, or CAN), and a description of your business activity and the products or services it provides (if any).
- identification of the time period included in the claim;
- a general statement about the types of purchased items included in the claim and the basis on which the items are exempt or nontaxable;
- a reasonable estimate of the total amount of tax included in the claim;
- a statement acknowledging the claim is incomplete and identifying the types of required data, information, and documentation not included with the claim;
- an explanation of the reasonable cause for which additional time is requested; and
- the amount of additional time requested, not to exceed 180 calendar days from the date of the request.

Statute of Limitations

The deadline for filing a refund is three years after the twentieth day of the month following the date of purchase. If your refund claim is contingent on future events, such as pending litigation, that is unlikely to be resolved prior to the deadline for filing a refund claim, you may be able to file a protective claim. Please see [1 CCR 201-4](#), Rule 39-26-703–2(8) for additional information regarding protective claims.

File your Buyer's Claim for Refund (form DR 0137B) Online

Who's Eligible for Online Filing?

- Established Colorado Taxpayers
- Supporting documentation to attach to the claim.

Why File Online?

- Save on costs and time associated with with mailing
- Reduce errors and incomplete submissions
- Receive confirmation that your claim has been received within 24 hours of a successful transmission.

How to File Online

Filing Online

1. Review the instructions and documentation requirements by claim type (available with this form).
2. Visit [Colorado.gov/RevenueOnline](https://colorado.gov/revenueonline) and log into your account.
3. Click "More".
4. Next, click the BCR Claim (0137B) link located under the Additional Actions section.
5. Follow the prompts and complete the required fields.
6. You will receive an email within 24 hours of the submission being successfully transmitted.

or

Visit [Colorado.gov/RevenueOnline](https://colorado.gov/revenueonline) and locate the Buyer's Refund Claim 0137B link located under the Sales and Use Tax section.

Claim for Refund of Tax Paid to Vendors (Do not use for income tax refund)

****Attention****

- Online filing is available (see instructions)
- For Sellers/Retailers, Consumer Use, Local Marketing, County Lodging, Excise Tax, and Withholding use Form DR 0137. For Rural Broadband, use Form DR 0137C.
- Failure to complete the required form(s) and submit all supporting documentation may cause the amount of the refund to be reduced or denied.

Refund To Be Made Payable To, And Mailed To:				
Taxpayer's Last Name or Business Name		First Name	Middle Initial	SSN
Taxpayer (DBA) or Attn:			FEIN	
Mailing Address		City	State	ZIP
Description of your business activities and the products or services provided. (If you are an individual taxpayer and not a business, list "Not Applicable")				
Claim Information:				
Store or Vendor Name				
Vendor's FEIN	Vendor's Sales Tax Account Number	Type of Tax	Date(s) of purchase(s) (MM/YY-MM/YY)	
Original Amount of Tax Paid		Correct Amount	Refund Requested (Required)	
Type of Exemption		Total Sales or Use Tax Paid during the Period Covered (See instructions)		
Reason (Explain below <i>and</i> on a separate sheet of paper if needed). All supporting documentation must be attached.				
<input type="checkbox"/> The refund request includes a completed DR 0137B Claim for Refund form and is signed. <input type="checkbox"/> A written confirmation from the vendor that the tax was not refunded for the purchases. <input type="checkbox"/> A spreadsheet showing how your refund was calculated is included. <input type="checkbox"/> Supporting documentation to support the claim is included. See instructions for examples of documentation requirements. Note: Missing documentation could result in a denial of the claim <input type="checkbox"/> Proof of payment (sales receipt, canceled checks, or bank statements) are included. <input type="checkbox"/> Third party submitters, a Power of Attorney form DR 0145 is included.				
I declare under penalty of perjury in the second degree that this claim including all attachments is to the best of my knowledge true and correct. I further understand that the claim and documentation may be subject to the same verification process used by the Department of Revenue in auditing other taxes for three years from the date of payment of the claim. § [13-80-101(1)(m) C.R.S.]				
Taxpayer Signature (this line must be signed by an individual, officer, partner, or owner of the firm claiming the refund)				
Print Name of Signor Above				
Title	Date	Phone Number	Best Days & Times to Reach You	
Signature of Preparer (if other than taxpayer)				
Print Name of Preparer (if you are representative preparing this claim on behalf of a third party, include a copy of the DR 0145 Power of Attorney.)				
Name of Firm	Date	Phone Number	Best Days & Times to Reach You	

DR 0137B Claim for Refund of Sales or Use Tax Overpayment Spreadsheet

(Electronic preferred – See instructions and documentation requirements.)

Taxpayer's Name						Account Number/FEIN/SSN				
Store Name (Only one vendor per sheet)										
Store's Address					City			State	ZIP	
Store Number (if available) Where Product Was Purchased										
Vendor's Sales Tax License or Account Number				Vendor's FEIN (if known)			Type of Tax		Type of Exemption	
Date of Purchase	Invoice Number	Amount of Sale Pretax	State Sales/Use Tax	County Sales/Use Tax	City Sales/Use Tax	Special District Sales/Use Tax	Description of item or service	Explanation how item or service is used	How item or service qualifies for the exemption claimed.	
Total Tax		\$	\$	\$	\$	\$				