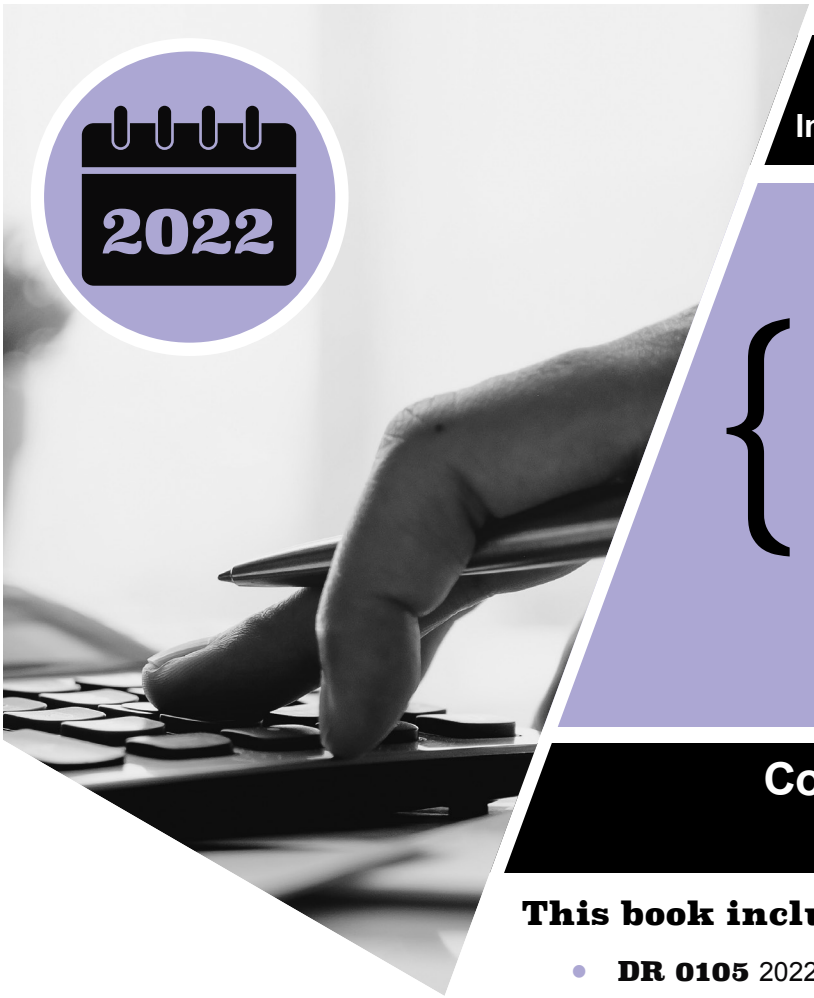
(01/04/23)



Booklet Includes:
Instructions | DR 0105 | Related Forms

2022

{ 105 BOOK }

Fiduciary

Colorado Fiduciary Income Tax Filing Guide

This book includes:

- **DR 0105** 2022 Colorado Fiduciary Income Tax Form
- **DR 0105 Schedules** A, B, C, D, E, F & G
- **DR 0158-F** 2022 Payment for Colorado Extension for Estates and Trusts
- **DR 0104BEP** 2023 Colorado Nonresident Beneficiary Estimated Income Tax Payment

Tax.Colorado.gov

INFORMATION | EDUCATION | ASSISTANCE

COLORADO
Department of Revenue

Mailing Address FOR FORM DR 0105 AND DR 0105 SCHEDULES A-G

With Payment
Colorado Department of Revenue
Denver, CO 80261-0006

Without Payment
Colorado Department of Revenue
Denver, CO 80261-0005

These addresses and zip codes are exclusive to the Colorado Department of Revenue, so a street address is not required.

Mailing Address FOR FORM DR 0158-F AND DR 0104BEP

Colorado Department of Revenue, Denver, CO 80261-0008

220158-F19999

(0039)

2022 Payment for Automatic Colorado Extension for Estates or Trusts

Filing extensions are granted automatically, only return this form if you need to make an additional payment of tax.

Automatic Filing Extension

Colorado income tax returns are due the fifteenth day of the fourth month after the end of your tax year, or by April 15 for traditional calendar year filers. If you are unable to file by your prescribed due date, you may file under extension. This will allow you an additional six months to file your return, or until October 15 for traditional calendar year filers. If the due date falls on a weekend or federal holiday, payment will be due the next business day.

While there is an extension to file, there is not an extension to the payment due date. Penalty and interest are assessed if certain payment criteria are not met. Please review FYI General 11 for more information on penalty and interest.

Pay Online

Visit *Colorado.gov/RevenueOnline* to pay online. Online payments reduce errors and provide instant payment confirmation. Revenue Online also allows users to submit various forms and to monitor their tax account. Electronic Funds Transfer (EFT) Debit and Credit options are free services offered by the department. EFT services require pre-registration before payments can be made. Visit *Tax.Colorado.gov/electronic-funds-transfer* for more information.

The DR 0158-F is not required to be sent if an online payment is made. Please be advised that a nominal processing fee may apply to e-check or credit card payments.

DO NOT CUT – Return Full Page

DR 0158-F **For the calendar year 2022 or the fiscal year**

Fiscal Year Beginning (MM/DD/22)	Fiscal Year Ending (MM/DD/YY)

Return this form with check or money order payable to the "Colorado Department of Revenue". Mail payments to Colorado Department of Revenue, Denver, Colorado 80261-0008. These addresses and ZIP codes are exclusive to the Colorado Department of Revenue, so a street address is not required. Write the estate's or trust's Colorado Account Number or FEIN and "2022 DR 0158-F" on the check or money order. Do not send cash. File only if you are making a payment.

FEIN	Colorado Account Number

Name of Estate or Trust

Name of Fiduciary

Address

City	State	ZIP

The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.

Amount of Payment

$

DO NOT CUT – Return Full Page. IF NO PAYMENT IS DUE, DO NOT FILE THIS FORM.

DR 0105 Instructions

General Information

This filing guide will assist you with completing your Colorado Fiduciary Income Tax Return. Please read through this guide before starting your return. Once you finish the form, file it with a computer, smartphone or tablet using our free and secure Revenue Online service at *Colorado.gov/RevenueOnline*. You may also file using private e-File software or with a paid tax preparer. You significantly reduce the chance of errors by filing your return electronically. If you cannot file electronically for any reason, mail the enclosed forms as instructed. All Colorado forms and publications referenced in this guide are available for download at *Tax.Colorado.gov*, the official Taxation website.

Account Number

A Colorado Account Number (CAN) is not assigned to a fiduciary account until the first tax return has been filed. If the eight-digit account number has been assigned, please enter it on the return. This will speed processing of the return.

Resident Estates and Trusts

A resident estate is defined as an estate of a deceased person which is administered in Colorado in any manner other than by an ancillary proceeding. A resident trust is defined as any trust which is administered in Colorado.

Nonresident Estates and Trusts

The Colorado tax of a nonresident estate or trust shall be what the tax would have been were it a resident estate or trust apportioned in the ratio of the Colorado taxable income to the modified federal taxable income. Use Schedule E to make the apportionment.

Requirement for Filing

Every resident estate or trust and nonresident estate or trust with Colorado-source income must file a Colorado fiduciary income tax return if it is required to file a federal income tax return or if it has a Colorado tax liability.

Special Instructions for Bankruptcy Estates

For bankruptcy estates with a Colorado filing requirement, complete the DR 0105 and provide supporting documentation for the estate only. DO NOT complete, submit, or include the Colorado form DR 0104 for individuals as part of the Colorado filing for a bankruptcy estate. For Colorado returns, the DR 0105 is NOT used as a transmittal for the debtor's form DR 0104.

Note. The filing of the bankruptcy estate's tax return does not relieve a debtor from the requirement to file his or her individual income tax return for Colorado income on the form DR 0104.

Information Returns

Any estate or trust that is required to file a federal information return (such as the 5227 or 1041A) must also file DR 0105 with Colorado. Complete the appropriate schedules to provide beneficiary and income information.

Return for Decedent

If an executor or administrator is required to file a federal income tax return for a decedent who was a Colorado resident or a nonresident with Colorado-source income, they are required to file a Colorado income tax return for such decedent. If a final determination of tax liability is requested for the estate or trust of a decedent, the request must be submitted on form DR 0253. Such request must be submitted under separate cover.

Estimated Tax Payments

Estimated tax payments are not required for a fiduciary return. However, if you want to make estimated payments, you can submit your payment at *Colorado.gov/RevenueOnline* (recommended) or by sending a check with DR 0105EP.

Period to be Covered by the Return

The return must cover the same tax period used for federal tax purposes.

Amending Your Return

A change or correction to your return may be made through Revenue Online at *Colorado.gov/RevenueOnline*, or by paper return if unable to file online. Be sure to check the Amended Return box at the top of the corrected DR 0105. Any adjustment made on a federal amended return must be reported and the Colorado income tax adjusted accordingly. Any adjustments made by the IRS must be reported to Colorado by including the revenue agent's report (RAR) with the amended return. Attachments may be uploaded using Revenue Online. **Caution: Federal adjustments must be reported to the Colorado Department of Revenue. See §39-22-601(6), C.R.S. for information about the statute of limitations.**

When and Where to File

The Colorado fiduciary income tax return is due by the fifteenth day of the fourth month following the close of the taxable year. If the due date falls on a weekend or federal holiday, the return will be due the next business day. See form DR 0158-F for automatic extension of time for filing. Electronically file at *Colorado.gov/RevenueOnline* or, if you cannot file electronically for any reason, follow the instructions below to mail the DR 0105.

MAILING ADDRESS FOR FORM DR 0105

WITH **PAYMENT**

Mail To

COLORADO DEPARTMENT OF REVENUE
Denver, CO 80261-0006

WITHOUT **PAYMENT**

Mail To

COLORADO DEPARTMENT OF REVENUE
Denver, CO 80261-0005

These addresses and zip codes are exclusive to the Colorado Department of Revenue, so a street address is not required.

Additional Information Available

Additional information, guidance publications and forms are available on the Taxation website at *Tax.Colorado.gov* or you can call 303-238-SERV (7378) for information.

Line-by-Line Instructions

First, complete the federal income tax return. You will use the information from that form to complete this Colorado income tax return.

Line 1 Federal Taxable Income

Enter the federal taxable income of the estate or trust.

Line 2 Additions to Taxable Income

Enter the sum of required additions, including but not limited to, the following:

- Any state income tax claimed as a deduction in computing federal taxable income.
- Any interest income accrued or received during the taxable year on obligations of any state or subdivision thereof other than obligations of the State of Colorado or a subdivision thereof. The amount of interest entered shall be net of any bond premium amortization and any expenses required to be allocated to such interest income under provisions of the Internal Revenue Code.
- Any charitable deduction taken on the federal return for a gross conservation easement that has also been claimed for a Colorado tax credit. Complete the DR 1305 Part D.
- Federal deduction for food and beverage expenses. The required addback is equal to the amount of the deduction claimed in excess of 50% of the expense.

Line 3 Colorado Marijuana Business Deduction

For Colorado-licensed marijuana businesses, enter any expenditure that is eligible to be claimed as a federal income tax deduction but is disallowed by section 280E of the Internal Revenue Code because marijuana is a controlled substance under federal law.

To calculate this deduction, you must create pro forma federal schedule(s) for Business Profit or Loss as if the federal government would have allowed the expenditures from the marijuana business. The Colorado deduction shall be the difference between the profit/loss as calculated on the ACTUAL schedule(s) filed with the federal return and the pro forma schedule(s) described above. You must include the pro form schedule(s), the MED license number and the actual schedule(s) with your Colorado return to receive this deduction.

Line 4 Other Subtractions

Enter the sum of allowable subtractions, including but not limited to, the following:

- Any refund of state income tax included in federal taxable income.
- To the extent included in federal gross taxable income of the estate or trust, any United States government interest income not subject to tax by the State of Colorado.
- To the extent included in federal taxable income, the amount of capital gain that qualifies for the Colorado agricultural land capital gain subtraction. See Income Tax Topics: Colorado Capital Gain Subtraction for additional information. You must include form DR 1316 with the return to provide information explaining how these assets qualify for the subtraction.
- To the extent included in federal gross taxable income, payments or contributions made to a qualified state tuition program administered by CollegeInvest.
- Under HB21-1002, you may be able to claim a subtraction for tax years commencing in 2021 in relation to certain retroactive provisions of the CARES Act. Please see the instructions for line 19 of the DR 0104AD in the individual income tax instruction booklet and the CARES Act guidance publication available at *Tax.Colorado.gov/individual-income-tax-guidance-publications* for more information on how to calculate the amount of this subtraction.

Line 5 Net Modifications

Add lines 3 through 4. Then, subtract that sum from line 2. If this calculation produces a negative number, enter the amount on line 5 in brackets.

Lines 6 and 7 Allocation of Modifications

Enter the amount of the net modifications allocated to the beneficiaries on line 6. These modifications should be allocated to the beneficiaries using the (beneficiary) "subtotal" percentage from Schedule B. Enter the balance of the modifications, if any, on line 7.

Where the allocation of the modifications as given in the instructions for line 7 would produce a result that is substantially inequitable, the fiduciary may (with permission from the Department) use such other method of allocation of all or a part of such modifications that will produce a fair and equitable result to both the fiduciary and the beneficiaries.

Line 8 Colorado Taxable Income

Add line 1 to line 7 and enter the result. If this calculation results in a negative number, enter the result on line 8 in brackets. This is the modified federal taxable income of the state or trust subject to tax by Colorado.

Line 9 Tax

Multiply the amount on line 8 by 4.4% to calculate the Colorado normal tax of the estate or trust. Nonresident estates and trusts enter the amount from Schedule E, line 8, and submit the Schedule E with your return.

Line 10 Alternative Minimum Tax

Enter the Colorado Alternative Minimum Tax (AMT), if any, from Schedule F and submit the Schedule F with your return. Ordinarily there will be a Colorado AMT if there is a federal alternative minimum tax.

Line 11 Subtotal

Sum of lines 9 and 10.

Line 12 Credits

Enter the credits, if any, from Schedule G line 13, and submit the Schedule G with your return.

Line 13 Total Nonrefundable Enterprise Zone Credits

Enter the credit, if any, from form DR 1366, line 85, and submit the DR 1366 and a copy of each certificate with your return. **The Department strongly recommends electronic filing for taxpayers with enterprise zone credits. Failure to file electronically may result in delays processing your return.**

Line 14 Strategic Capital Tax Credits

Use your tax software, Revenue Online or the DR 1330 to calculate the total amount of nonrefundable Strategic Capital Tax Credits being used to offset the current year tax liability. Complete the DR 1330 and transfer amount on line 8b to this line. The total nonrefundable Strategic Capital Tax Credits used combined with nonrefundable credits from lines 12 and 13 cannot exceed the amount on line 11. You must submit the DR 1330 and a copy of each certificate with your return.

The Department strongly recommends electronic filing for taxpayers with Strategic Capital Tax credits. Failure to file electronically may result in delays processing your return.

Line 15 Sum of Nonrefundable Credits

Sum of lines 12, 13, and 14. This cannot exceed the total on line 11.

Line 16 Net Tax

Subtract line 15 from line 11.

Line 17 Estimated Tax Payments and Credits

Enter any amount paid on behalf of the estate or trust with the extension of time for filing payment. Include amounts paid, if any, as estimated tax payments or as withholding on nonresident real estate sales.

Line 18 Colorado Income Tax Withheld

Enter any amount of Colorado income tax withholding reported on any W-2(s) or 1099(s).

Line 19 Lottery Winnings Withheld

Enter the amount of any Colorado W-2G lottery/gaming withholding and submit all W-2G(s).

Line 20 Gross Conservation Easement Credit

Enter line 33 from the DR 1305G on this line and submit the DR 1305G.

Line 21 Innovative Motor Vehicle and Innovative Truck Credit

Complete one Form DR 0617 for each vehicle or truck claimed, then enter the amount (or sum) from each DR 0617 line 8. You must submit each DR 0617 with your return. NOTE: If you assigned the credit to a financing entity you will not submit a Form DR 0617. For each DR 0617, you must also submit copies of the purchase invoice, lease agreement, or conversion receipts, along with proof of permanent Colorado registration for each vehicle for which you are claiming a credit. For financing entities that accept assignment of the credit, a completed Form DR 0618 must be submitted for each vehicle claimed. For additional information, please refer to FYI Income 69.

Line 22 Business Personal Property Credit

The income tax credit for business personal property taxes is limited to $18,000 of the actual value of your personal property that you paid tax on during 2022. This is different than real property, which is not eligible for this credit. If your actual value is less than $18,000, you can claim the total amount of the assessment you paid, and you must include the assessor's statement(s) for which you are claiming the credit. To find your actual value, either look for it on your statement, or find your assessed value and divide it by 0.29.

Actual Value = Assessed Value/0.29.

If you own personal property whose actual value is above $18,000 for which you were assessed, you can only claim the assessment on the first $18,000 of the property in question. You will need to prorate your assessment with the following formula:

$$\frac{18{,}000}{\textit{actual value}} * \text{assessment} = \text{allowable credit}$$

For example, if your assessment was $2,000 for personal property tax paid in 2022, but your actual value was $25,000, you would be permitted to claim $1,440 (72% of the tax assessed or ($18,000/$25,000)*$2,000)).

Please include a copy of your property tax statement for property tax paid in 2022.

Line 23 Refundable Renewable Energy Tax Credit

Enter the amount of refundable renewable energy tax credit from the DR 1366 line 86. You must submit the DR 1366 and a copy of each certificate with your return. **The Department strongly recommends electronic filing for taxpayers with enterprise zone credits. Failure to file electronically may result in delays processing your return.**

Line 24 Electing Pass-Through Entity Owner Tax Credit

If this estate or trust is a partner in partnership, and the partnership makes an election under the SALT Parity Act, and pays Colorado income tax, the credit allowed to this estate or trust under section 39-22-347, C.R.S., is reported on this line 24. The partnership will list the amount of tax paid on line 15 of the Colorado K-1 (DR 0106K) it issued to this estate or trust. If the estate or trust is a partner in a partnership (an "upper-tier partnership") that was allocated similar credit from yet another partnership (a "lower-tier partnership"), regardless of whether the upper-tier partnership made an election, the upper-tier partnership will report the estate's or trusts' share of that amount on line 22 of the Colorado K-1 issued to this estate or trust. This line 24 will be the total of the amounts listed on lines 15 and 22 of any Colorado K-1 received from by the estate or trust from partnerships. Include copies of those Colorado K-1 forms with this return.

Line 25

Enter the amount of the conversion to an employee-owned business model tax credit. You must submit the credit certificate from OEDIT with your return.

Line 26

Enter the sum of lines 17 through 25.

Line 27 through Line 29

Line 29 is the balance of tax due, line 16 minus line 26. Include penalty and/or interest on lines 27 and 28, if paid after the original due date of the return.

If 90% or more of the net tax was paid by the original due date of the return (April 15 for calendar year returns) and the balance is paid when the return is filed by the last day of the extension period, then only interest will be due. If less than 90% of the net tax was paid by the original due date of the return, penalty and interest will be due.

The penalty is the greater of $5 or 5% of the balance of tax due for the first month or fraction of a month of delinquency and increases by 1/2% for each additional month or fraction of a month of delinquency, not to exceed 12% in the aggregate.

Interest is computed at the rate of 3% on any tax unpaid as of the due date of the return from the due date to the date of payment. (30 days after billing, the interest rate on any tax due increases to 6%.)

Paid Preparer Authorization

Mark the "Yes" box to appoint the paid preparer entered on the return as the designee to receive and inspect confidential tax information related to this tax return. If a firm or organization is listed, this tax information authorization will apply to any of its employees. The designee may:

- Provide any missing information needed for the processing of the return, *and*
- call for information about the return, including processing time and refund status;
- request copies of notices, bills or transcripts related to the return; *and*
- respond to inquiries regarding calculations and supporting documentation for the return.

However, a designee cannot sign any form or protest, request any other change to the account, receive any refund, or otherwise represent or act on behalf of the taxpayer with the Colorado Department of Revenue.

This authorization expires four years after the date the return is signed. A taxpayer may change or revoke it, or an appointee may withdraw from it. For more information, see the instructions for form DR 0145, Tax Information Authorization or Power of Attorney.

Schedule A

Enter the names and addresses of the beneficiaries. Use lines (a) through (e) for resident beneficiaries and lines (f) through (j) for nonresident beneficiaries on the DR 0105 Schedule A.

Schedule B

Schedule B is used to compute the fiduciary's percentage share and each beneficiary's or beneficiaries' percentage share of the federal distributable net income. Use lines (a) through (e) for resident beneficiaries and lines (f) through (j) for nonresident beneficiaries who are listed on the DR 0105 Schedule B.

Schedule C

Schedule C is used to determine what part of the nonresident beneficiary's or beneficiaries' federal distributable net income is from Colorado-sources. This percentage is to be used in allocating the net estate or trust income reportable to Colorado by nonresident beneficiaries in Schedule D.

Enter in column 1 the component parts of the federal distributable net income. Enter in column 2 that part of each item from column 1 that is from Colorado-sources. Interest and dividend income will not be considered to be from Colorado-sources except where they arise from assets that have acquired a business situs in Colorado. Pension income is not considered to be Colorado-source income for a nonresident estate or trust.

Expenses claimed on lines 10 through 15 of federal Form 1041 will be Colorado or non-Colorado expenses depending on the source of the income to which they are assigned by the fiduciary for federal income tax purposes.

Schedule D

Schedule D is for the determination of the resident beneficiaries' share of the Colorado fiduciary adjustment, and the determination of the net estate or trust income reportable to Colorado by nonresident beneficiaries.

Enter in column 1 the Social Security number of each resident beneficiary.

Enter in column 2 for each resident beneficiary, the income reported on his/her federal individual income tax return as being from this estate or trust.

Enter in column 3 for each resident beneficiary, his/her percentage of the federal distributable net income as determined in Schedule B.

The Colorado fiduciary adjustment is divided among the beneficiaries and the fiduciary in proportion to their share of the federal distributable net income. Enter in column 4 each resident beneficiary's share of the Colorado fiduciary adjustment computed by applying the percentage in column 3 to the net adjustment as shown on line 6, page 1 of the return. If there is no federal distributable net income, each beneficiary's share of the Colorado fiduciary adjustment shall be in proportion to his/her share of the estate or trust income distributed or required to be distributed. Any balance of the Colorado fiduciary adjustment will be allocated to the fiduciary. Advise each beneficiary of his/her share of the Colorado fiduciary adjustment.

Enter in column 5 the Social Security number of each nonresident beneficiary.

Enter in column 6 for each nonresident beneficiary, his/her share of the federal distributable net income of the estate or trust.

Enter in column 7 for each nonresident beneficiary, the percentage of federal distributable net income of the estate or trust determined to be from Colorado-sources. This determination is made in Schedule C.

Enter in column 8 for each nonresident beneficiary, that part of his/her federal distributable net income from this estate or trust that is from Colorado-sources determined by applying the percentage in column 7 to the income in column 6. If any other method is used to determine the beneficiary's income from Colorado-sources, include a comprehensive explanation.

Enter in column 9 for each nonresident beneficiary, 4.55% of his/her Colorado-source income as listed in column 8. This is the amount to be withheld from the distribution to the beneficiary and paid to the State of Colorado as estimated tax in the name of the beneficiary on Form 104BEP. Round all amounts to the nearest dollar.

Schedule E

Schedule E is used to compute the tax of a part-year or nonresident estate or trust. Fiduciaries of part-year or nonresident estates or trusts shall compute a tentative tax as though the estate or trust were a resident estate or trust. The actual tax shall be the tentative tax apportioned in the ratio of the Colorado taxable income to the modified federal taxable income.

First complete lines 1 through 8 of the DR 0105 in accordance with the instructions given for full-year resident estates and trusts.

Then complete lines 1 through 3 of the federal column of Schedule E using the information from the federal Form 1041. Complete the federal column using the modifications from line 7 of the DR 0105.

On line 1 of Schedule E, Colorado column, enter the Colorado-source income of the estate or trust. Expenses shall follow the income to which they were assigned for federal income tax purposes by the fiduciary.

The distribution deduction and the exemption deduction shall be allowed on line 2 of the Colorado column in the ratio of the federal distributable net income from Colorado-sources over the total federal distributable net income.

Include the state tax deduction addback modification relating to prior years and the state tax refund subtraction modification in the Colorado column in the ratio that the estate or trust income was Colorado-source income for the year to which the deduction or the refund applies.

For example, if the fiduciary paid $2,000 state tax during 2022 for 2021, and the 2021 estate or trust income was 40% Colorado-source, include 40% or $800 on line 4 of the Colorado column.

DO NOT include the state tax deduction addback modification relating to taxes paid for the current year on line 4 of either column.

Complete Schedule E in accordance with the instructions given on the form.

Schedule F

Schedule F is used to compute the alternative minimum tax. The Colorado Alternative Minimum Tax is the amount by which 3.47% of the Colorado alternative minimum taxable income exceeds the normal tax. The Colorado alternative minimum taxable income is the federal alternative minimum taxable income minus the federal AMT exemption and plus the modifications from line 7 of the DR 0105. Do not include modifications that duplicate adjustments made in arriving at federal alternative taxable income.

Resident estates and trusts complete only lines 1 through 4 of the federal column and lines 7 and 8 of the Colorado column. Line 1 may be a negative amount.

The alternative minimum tax for nonresident estates and trusts is apportioned in the ratio of Colorado-source modified federal alternative minimum taxable income to the total modified federal alternative minimum taxable income. Complete lines 1 through 4 of the federal column as though the estate or trust were a resident estate or trust.

In computing the amount to enter on line 1, Colorado column, the Colorado-source total income and the Colorado-source allowable deductions shall be as reported on lines 1 and 2 of Schedule E, Colorado column. The federal adjustments and tax preference items shall be allocated to Colorado to the extent they relate to a business being carried out in Colorado or to income from Colorado-sources. The alternative tax net operating loss deduction shall be allowed to the extent it was from Colorado-sources in the year in which it arose.

The income distribution deduction, the estate tax deduction and the federal alternative minimum tax exemption deduction are allowed in the ratio of the Colorado-source federal distributable net alternative minimum taxable income to the total federal distributable net alternative minimum taxable income.

Line by Line Instructions

Schedule G

Schedule G is used to compute any Fiduciary Tax Credits. **Limitation:** The credits reported on this Schedule G are nonrefundable. Consequently, the total credits utilized from this schedule may not exceed the total tax reported on line 11 of your income tax return, the DR 0105. Enter on lines 5 through 12 the amount(s) of the credit(s) available in Column A and the amount of credit(s) to be applied against your 2022 liability in Column B. Most unused 2022 credits can be carried forward to tax year 2023.

Line 1 Credit for Tax Paid to Another State

A resident estate or trust may claim credit for income tax paid to another state on income from sources in that state, including the District of Columbia and territories or possessions of the United States.

Income from intangible assets, such as interest, dividends and gains or losses from the sale or exchange of securities, unless from a business carried out in the other state, is not

considered to be from sources in the other state. The credit must be claimed on the accrual basis and is limited to the Colorado tax attributable to such income.

If taxes were paid to two or more states, a separate credit must be computed for each state. The total credit for taxes paid to other states may not exceed the Colorado tax attributable to non-Colorado-source income. **The Department strongly recommends electronic filing for taxpayers with credits for more than one state. Failure to file electronically may result in delays processing your return.**

If income and/or losses are received from two or more other states:

1. Complete lines 1(a) through 1(h) for each state to which taxes are paid, *and*
2. Complete lines 1(a) through 1(h) (enter "Combined" as name of state) combining all tax paid, income, and losses from all other states to determine the maximum credit available.
3. The credit will be the lesser of the total credits computed for each state in step 1, or the credit limitation computed in step 2. Both calculations will be submitted with your return.

Submit a copy of the tax return filed with the other state(s) at *Colorado.gov/RevenueOnline* or submit with the DR 1778. If you file a paper return, you must submit the returns, from another state or states, with your Colorado return.

Line 2 Dual-Resident Trust Credit

A credit is available to a qualifying trust that is a resident trust in both Colorado and another state. Submit a copy of the tax return filed with the other state at *Colorado.gov/RevenueOnline* or submit with form DR 1778. If you file a paper return, you must submit the return(s) from another state or states with your Colorado return. We recommend that you read publication FYI Income 63 if this applies to you.

Line 3 Alternative Minimum Tax Credit

Estates and trusts are allowed a credit of 12% of the federal alternative minimum tax credit for the same taxable year. Part-year/nonresident estates and trusts must apportion this credit in the ratio that the modified federal alternative minimum taxable income that gave rise to the prior year federal alternative minimum tax was considered Colorado alternative minimum taxable income. For example, if a nonresident estate's 2021 federal alternative minimum taxable income was 30% Colorado-source, its credit would be 30% of 12% of the 2022 credit allowed for 2021 minimum tax.

Line 4 Subtotal of Credits Unavailable for Carryforward

Sum of lines 1(h), 2(e) and 3.

Lines 5 through 11 Other Credits

Enter on lines 5 through 11 any other credit being claimed.

Line 9 Credit for employer contribution to employee 529 qualified plan

This credit is for an employer who contributes directly to an employee's 529 qualified state tuition program account administered by CollegeInvest. (§39-22-539, C.R.S.) You must complete and include form DR 0289 with your return if claiming this credit.

Line 10 Credit for employer paid leave of absence for live organ donation

An income tax credit is available for employers who incurred expenses during the tax year by paying an employee during his or her leave of absence period (not to exceed ten working days or the hourly equivalent of ten working days per employee) for live organ donation and for the cost of temporary replacement help, if any, during an employee's leave of absence period. The amount of credit allowed is 35% of eligible expenses, as defined in statute.(§39-22-540, C.R.S.). You may not claim a tax credit related to a leave of absence period for an employee who you pay $80,000 or more in wages during the income tax year. Review the instructions on form DR 0375 for more information. You must submit the DR 0375 with your return.

Line 12 Sub total of Credits Available for Carryforward

Add lines 5, 6, 7, 9, 10 and 11, for each column, A and B.

Line 13 Total Credits

Line 13 is the total of all credits used, enter sum of line 4 and line 12, Column B. The total amount entered on line 13 of this schedule may not exceed the total tax liability on the DR 0105, line 11.

220105 19999

2022 Colorado Fiduciary Income Tax Return

-or-

(0033)

Fiscal Year Beginning (MM/DD/22)	Fiscal Year Ending (MM/DD/YY)

Mark box here if this is a: ● ☐ Final Return ● ☐ Amended Return

Name of estate or trust	Colorado Account Number
	●
Name of fiduciary	**Federal Employer ID Number**
	●
Address	**Date estate or trust created** (MM/DD/YY)
City	**State** / **ZIP**

With respect to the tax year, did or will the estate or trust distribute more than $1,000 in Colorado-source income to nonresident beneficiaries? (mark one) ☐ Yes ☐ No

Round All Amounts to the Nearest Dollar

1. Federal taxable income from federal form 1041 line 23	● **1**		00
2. Additions to federal taxable income Explain:	● **2**		00
3. Colorado Marijuana Business Deduction	● **3**		00
4. Subtractions from federal taxable income Explain:	● **4**		00
5. Net modifications: sum lines 3 and 4. Then, subtract that sum from line 2. Use brackets for negative numbers.	**5**		00
6. Net modifications allocated to beneficiaries	● **6**		00
7. Net modifications allocated to the estate or trust, subtract line 6 from line 5	**7**		00
8. Colorado taxable income of the estate or trust, sum of lines 1 and 7	● **8**		00
9. Normal Tax, 4.4% of the amount on line 8. Nonresident estates or trusts enter tax from Schedule E, line 8. You must submit Schedule E for nonresident estates or trusts with your return.	● **9**		00
10. Alternative Minimum Tax from Schedule F, line 8. You must submit Schedule F with your return.	● **10**		00
11. Sum of lines 9 and 10	**11**		00
12. Credits from Schedule G, line 13. You must submit Schedule G with your return.	● **12**		00
13. Non-refundable Enterprise Zone credits - as calculated, or from DR 1366 line 85. You must submit the DR 1366 with your return.	● **13**		00

Name	Account Number

14. Strategic capital tax credit from DR 1330, you must submit the DR 1330 with your return.	• **14**		00
15. Sum of lines 12, 13, and 14. This total cannot exceed line 11.	**15**		00
16. Net tax, subtract line 15 from line 11	**16**		00
17. Estimated tax, extension payments, and credits	• **17**		00
18. Colorado income tax withheld from wages, you must submit the W-2s and/or 1099s claiming Colorado withholding with your return.	• **18**		00
19. W-2G withholding from lottery winnings, you must submit each W-2G with your return.	• **19**		00
20. Gross conservation easement credit from form DR 1305G line 33. You must submit the DR 1305G with your return.	• **20**		00
21. Innovative Motor Vehicle and Innovative Truck Credit from form DR 0617, you must submit each DR 0617 with your return.	• **21**		00
22. Business Personal Property Credit: Use the worksheet in the 105 Book instructions to calculate, you must submit copy of assessor's statement with your return.	• **22**		00
23. Refundable Renewable Energy Tax Credit from form DR 1366, line 86, you must submit the DR 1366 with your return.	• **23**		00
24. Electing Pass-Through Entity Owner Tax Credit (see instructions).	• **24**		00
25. Tax credit for conversion to employee-owned business	• **25**		00
26. Sum of lines 17 through 25	**26**		00
27. Penalty, also include on line 29 if applicable	• **27**		00
28. Interest, also include on line 29 if applicable	• **28**		00
29. If amount on line 16 is greater than amount on line 26, enter amount owed. Include amounts, if any, from lines 27 and 28.	• **29**		
30. If line 26 is larger than line 16, enter overpayment	**30**		00
31. Overpayment to be credited to 2023 estimated tax	• **31**		00
32. Overpayment to be refunded	• **32**		00

Name	Account Number

Direct Deposit

Routing Number ☐☐☐☐☐☐☐☐☐ Type: ☐ Checking ☐ Savings

Account Number ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Do you want to allow the paid preparer entered below to discuss this return and any related information with the Colorado Department of Revenue? See the instructions. • ☐ Yes • ☐ No

I declare under penalty of perjury in the second degree, that this return is true, correct and complete to the best of my knowledge and belief. Declaration of preparer is based on all information of which the preparer has any knowledge.

Submit to *Colorado.gov/RevenueOnline* or mail to: If you are filing this return **with** a check or payment, please mail the return to: COLORADO DEPARTMENT OF REVENUE Denver, CO 80261-000**6**. If you are filing this return **without** a check or payment, please mail the return to: COLORADO DEPARTMENT OF REVENUE Denver, CO 80261-000**5**.

Signature of fiduciary or officer representing fiduciary	Date (MM/DD/YY)
Person or firm preparing return	Date (MM/DD/YY)

The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.

Schedules A and B (DR 0105)

Note: If any Income Distribution Deduction was claimed for Federal Tax purposes, this page must be completed and submitted with your return.

Name	Account Number

Schedule A — Names and Addresses of Beneficiaries — Use lines (a) through (e) for resident beneficiaries

(a)

(b)

(c)

(d)

(e)

— Use lines (f) through (j) for nonresident beneficiaries

(f)

(g)

(h)

(i)

(j)

Schedule B — Computation of the shares of the Colorado fiduciary adjustment. The Colorado fiduciary adjustment is to be allocated among the beneficiaries and the fiduciary in proportion to their share of the federal distributable net income.

Beneficiary as per schedule A	Share of federal distributable net income		
	Amount		Percent
(a)	$		%
(b)			%
(c)			%
(d)			%
(e)			%
(f)			%
(g)			%
(h)			%
(i)			%
(j)			%
Subtotal	$		%
Fiduciary			%
Total	$		100%

Schedules C and D (DR 0105)

Note: If you utilize either of these schedules, this page must be submitted with your return.

Name	Account Number

Schedule C—Computation of the percentage of federal distributable net income from Colorado sources for use in Schedule D, columns 7 and 8, in determining the modified federal income reportable to Colorado by nonresident beneficiaries.

	1. Per Applicable Federal Form	2. From Colorado Sources
1. Dividends	$	$
2. Interest (Include exempt interest)		
3. Partnership/Fiduciary income		
4. Net rents and royalties		
5. Net profit (loss) business		
6. Other income		
7. Total lines 1 through 6	$	$
8. Expenses		
9. Federal distributable net income	$	$
Percent of federal distributable net income from Colorado sources: (Divide line 9, column 2 by line 9, column 1.)		%

Schedule D—Beneficiaries Social Security Numbers/ITINs, Income, Modifications and Withholding

● **1.** Resident Beneficiary's SSN or ITIN	**2.** Federal Fiduciary Income	**3.** Schedule B Percentage	**4.** Fiduciary Adjustment
(a)	$	%	$
(b)	$	%	$
(c)	$	%	$
(d)	$	%	$
(e)	$	%	$

● **5.** Nonresident Beneficiary's SSN or ITIN	**6.** Federal Distributable Net Income	**7.** Schedule C Percentage	● **8.** Income Reportable to Colorado	● **9.** Colorado Withholding Required 4.55% of Column 8
(f)	$	%	$	$ 00
(g)	$	%	$	$ 00
(h)	$	%	$	$ 00
(i)	$	%	$	$ 00
(j)	$	%	$	$ 00

Schedule E (DR 0105)

Note: If you utilize this schedule, this page must be submitted with your return.

Name	Account Number

Schedule E — Part-Year Resident/Nonresident Estate or Trust Apportionment Schedule

		Federal Column		Colorado Column	
1. Income, specify type:			00		00
			00		00
			00		00
			00		00
			00		00
			00		00
Total Income	● **1**		00		00
2. Deductions, specify:			00		00
			00		00
			00		00
			00		00
			00		00
			00		00
Total Deductions	● **2**		00		00
3. Taxable income, subtract line 2 from line 1	● **3**		00		00
4. Modifications from DR 0105 line 7	● **4**		00		00
5. Modified taxable income, sum of lines 3 and 4	● **5**		00		00
6. Amount on line 5, Colorado Column divided by amount on line 5, Federal Column			**6**		%
7. 4.4% of the amount on DR 0105 line 8			**7**		00
8. Amount on line 7 multiplied by percentage on line 6, enter here and on the DR 0105 line 9			**8**		00

Schedule F (DR 0105)

Note: If you utilize this schedule, this page must be submitted with your return.

Name	Account Number

Schedule F — Fiduciary Alternative Minimum Tax Computation Schedule

		Federal Column	Colorado Column
1. Fiduciary's share of federal alternative taxable income minus federal AMT exemption	**1**	00	00
2. Modifications from DR 0105 line 7	**2**	00	00
3. Sum of lines 1 and 2	**3**	00	00
4. 3.47% of the amount on line 3, federal column	**4**	00	
5. Part-year/Nonresident estate or trust only, amount on line 3, Colorado column divided by amount on line 3, federal column	**5**		%
6. Part-year/Nonresident estate or trust only, amount on line 4 multiplied by percentage on line 5	**6**		00
7. Enter normal tax from DR 0105 line 9	**7**		00
8. Resident estate or trust enter amount by which line 4 is greater than line 7. Nonresident estate or trust enter amount by which line 6 is greater than line 7. Enter here and on DR 0105 line 10	**8**		00

Schedule G (DR 0105)

Note: If you utilize this schedule, both pages must be submitted with your return.

Name	Account Number

Schedule G — Fiduciary Credit Schedule

1. Credit for Tax Paid to Another State - Submit a copy of the relevant pages of each state's tax return when claiming this credit. Such pages must include the adjusted gross income calculation, any disallowed federal deductions and the tax calculation for each state. Compute a separate credit for each state. **The Department strongly recommends electronic filing for taxpayers with credits for more than one state. Failure to file electronically may result in delays processing your return.**

(a) Name of other state	• **(a)**		
(b) Total tax from the DR 0105 line 11	**(b)**		00
(c) Modified federal taxable income from sources in the other state	• **(c)**		00
(d) Total modified federal taxable income	• **(d)**		00
(e) Amount on line 1(c) divided by amount on line 1(d)	**(e)**		%
(f) Amount on line 1(b) multiplied by percentage on line 1(e)	**(f)**		00
(g) Tax liability to other state	• **(g)**		00
(h) Allowable credit the smaller of lines 1(f) or line 1(g)	• **(h)**		00

2. Dual Resident Trust Credit for the state of:
Attach a copy of the tax return filed with the other state.

(a) Colorado tax on income subject to tax in both states	• **(a)**		00
(b) Other state's effective tax rate	• **(b)**		%
(c) Total of both states' tax rates, line 2(b) plus 4.5%	**(c)**		%
(d) Percentage of credit, line 2(b) divided by line 2(c)	**(d)**		%
(e) Total credit, line 2(a) multiplied by percentage on line 2(d)	**(e)**		00
3. Credit for prior year alternative minimum tax. See instructions	• **3**		00
4. Subtotal of Credits unavailable for carryforward. Add lines 1(h), 2(e), and 3.	• **4**		00

		• **Column A - Credit Available**		• **Column B - Credit Used**	
5. Credit for Remediation of Contaminated Land, you must submit the DR 0349 with your return	• **5**		00		00
6. Preservation of Historic Structures credit **(per §39-22- 514.5, C.R.S.)** carried forward from a prior year.	• **6**		00		00
7. Preservation of Historic Structures credit per **§39-22- 514.5, C.R.S.,** (attach certificate from Office of Economic Development or local granting authority)	• **7**		00		00
8. If you are claiming the Preservation of Historic Structures credit, enter your credit certificate number issued by OEDIT or History Colorado.	• **8**				

Schedule G (DR 0105) (cont'd)

Note: If you utilize this schedule, both pages must be submitted with your return.

Name	Account Number

	• Column A - Credit Available		• Column B - Credit Used	
9. Credit for employer contributions to employee 529 plan, you must submit DR 0289 with your return. • **9**		00		00
10. Credit for employer paid leave of absence for live organ donation. Employer must complete and submit form DR 0375 with their return. • **10**		00		00
11. Other Credits, explain below: • **11**		00		00
12. Subtotal of Credits available for carryforward. Add lines 5, 6, 7, 9, 10, and 11 column A and B • **12**		00		00
13. Total credit used, sum of line 4 and line 12, column B. Enter the result here and transfer that amount to the DR 0105 line 12. • **13**				00

File and pay at: *Colorado.gov/RevenueOnline*

If you are filing this return **with** a check or payment, please mail the return to:	If you are filing this return **without** a check or payment, please mail the return to:
COLORADO DEPARTMENT OF REVENUE Denver, CO 80261-000**6**	COLORADO DEPARTMENT OF REVENUE Denver, CO 80261-000**5**
These addresses and zip codes are exclusive to the Colorado Department of Revenue, so a street address is not required.	

230104BE19999

2023 Colorado Nonresident Beneficiary Estimated Income Tax Payment

Only return this form with a check or money order

Withholding For Nonresident Beneficiaries

Every fiduciary of an estate or trust with a nonresident beneficiary who receives net income from real or tangible personal property within Colorado shall withhold and pay taxes to the Department of Revenue out of the income to be distributed to such nonresident beneficiary. Payment is due within 30 days of the distribution to the nonresident beneficiary.

The amount to be withheld is 4.4% of the beneficiary's share of this income, computed without exemption, unless the nonresident beneficiary files a timely return of this total income from sources within Colorado, in which case the fiduciary shall withhold and pay only the amount of tax disclosed by the beneficiary's return.

Use form DR 0104BEP on this page to make the payment. File form DR 0104BEP using the name, address and Social Security number of the beneficiary. Photocopy additional copies of form DR 0104BEP as needed. Payment is due at the time the income is distributed.

DO NOT CUT – Return Full Page

(0068)

DR 0104BEP

Return form with check or money order payable to the Colorado Department of Revenue, Denver, Colorado 80261-0008. Write the beneficiary's Social Security number or ITIN and "2023 DR 0104BEP" on the check or money order. Do not send cash. File only if you are making a payment. Submit a separate check or money order for each document. Payment is due at the time the income is distributed.

SSN or ITIN	
Beneficiary's Last Name	
First Name	Middle Initial
Address	
City	
State	ZIP
The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.	Amount of Payment $

DO NOT CUT – Return Full Page. IF NO PAYMENT IS DUE, DO NOT FILE THIS FORM.

STATE OF COLORADO
DEPARTMENT OF REVENUE

Official State of Colorado Publication

GO GREEN! GO ONLINE!

Tax.Colorado.gov

FIND ❯ FILE ❯ CONNECT

Revenue ONLINE

Forms, Information and e-Services

Find Information

- Review guidance publications
- Learn how to file and pay
- Download forms
- View Tax Policy and Research resources

Colorado.gov/RevenueOnline

Manage your Account

- File a return
- Make a payment
- View letters and bills
- Send a Secure Message to the department

More services and information available. GO ONLINE TODAY!