

Congress of the United States
Washington, DC 20515

August 31, 2023


The Honorable Daniel Werfel
Commissioner, Internal Revenue Service
1111 Constitution Ave NW
Washington, DC 20224

Dear Commissioner Werfel:

As you consider how to apply recent Internal Revenue Service (IRS) guidance (*Notice 2023-56*) to Colorado, we urge you not to tax Colorado Taxpayer's Bill of Rights (TABOR) refunds. Colorado passed the TABOR amendment in 1992, limiting the amount of tax revenue retained by the State and refunding the excess revenue to our taxpayers. The IRS has never treated TABOR refunds as income subject to tax. The IRS's historical practice makes good sense in lieu of its traditional recognition of states' prerogatives to design and administer tax refunds. The IRS should not change course now.

We urge the IRS not to abandon 30 years of precedent, and we hope you can resolve the current ambiguity so that Colorado's taxpayers do not face further confusion to say nothing of the nightmarish burden of an unprecedented tax. We would welcome the opportunity to meet with you at your earliest convenience to discuss this matter.


Sincerely,



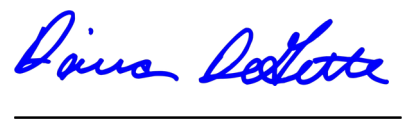
Joe Neguse
Member of Congress



Michael F. Bennet
United States Senator



Brittany Pettersen
Member of Congress

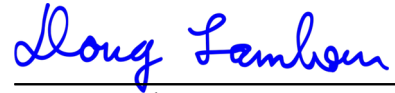


Diana DeGette
Member of Congress

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Yadira Caraveo M.D.
Member of Congress



Doug Lamborn
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Ken Buck
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John Hickenlooper
United States Senator