

DS 058 – Renewable Energy Property Declaration Schedule and Instructions

State of Colorado

**DUE DATE APRIL 15
FOR ASSESSMENT YEAR BEGINNING JANUARY 1**

General Information

(Declaration Schedules and Attachments Are Confidential And Private Documents By Law.)

For these instructions, please refer to the following statutes: §§ 39-3-102, 39-3-118.5, 39-3-119.5, 39-5-104.5, 39-5-104.7, 39-5-107, 39-5-108, 39-5-108.5, 39-5-110, 39-5-113 through 117, 39-5-120, and 39-21-113(7), C.R.S.

In accordance with § 39-3-119.5, C.R.S., you are not required to file this declaration if the total actual value of your personal property per county is \$52,000 or less.

If you are unsure as to whether the total actual value of your personal property per county exceeds \$52,000, please contact the county assessor.

WHO FILES A DECLARATION SCHEDULE? The owner (legal titleholder) of taxable renewable energy property, their agent, and those in possession and/or control of the taxable renewable energy property as of January 1 must file a declaration schedule. All renewable energy property, such as a business/organization's: ■ Generation Equipment (Solar Panels, Wind Turbines, etc...) ■ Inverters ■ Transmission Lines ■ Battery Storage must be listed on this schedule.

PRORATION OF PERSONAL PROPERTY VALUE IS GENERALLY NOT ALLOWED.

As of January 1, 1996, the only proration of personal property value allowed is for Works of Art loaned to and used for charitable purposes by an exempt organization. If other taxable personal property was located in Colorado on the assessment date, it is taxable for the entire assessment year, providing that, if it was newly acquired, it was put into use as of the assessment date (January 1). If it was not located in the state on the assessment date, or if it was newly acquired, but was not put into use as of the assessment date, it cannot be taxed until the next assessment year. Except for works of art, personal property that is exempt on the assessment date retains its exempt status for the entire assessment year. These requirements do not affect the proration of real property.

WHEN DO YOU FILE? This form must be received by the county assessor by the April 15 deadline EVERY YEAR.

HOW DO YOU FILE FOR AN EXTENSION? You may extend the deadline if, by April 15, the assessor receives your written request AND \$20 for a 10-day extension, or \$40 for a 20-day extension. This extension applies to all personal property schedules (single or multiple) which a person is required to file in the county.

WHAT HAPPENS IF YOU FAIL TO FILE? The late filing penalty is \$50 or 15% of the taxes due, whichever is less. If you fail to file a schedule, the assessor shall determine a valuation based upon the BEST INFORMATION AVAILABLE and shall add a penalty of up to 25% of assessed value for any omitted property discovered and valued later.

NOTE: Failure to properly file a declaration schedule may prevent you from receiving an abatement per Colorado case law, *Property Tax Adm'r v. Production Geophysical*, 860 P.2d 514 (Colo. 1993).

WHY IS THE DECLARATION FORM IMPORTANT? Assessors use this information to help calculate the property's actual value. This value is based on the property's use and condition as of January 1 of each assessment year.

WHAT HAPPENS AFTER YOU SUBMIT THIS FORM?

- The assessor may request more information or conduct a physical inventory of your personal property at your business location.
- Notices of Valuation are mailed on June 15 to the address listed on this schedule.

INSTRUCTIONS FOR COMPLETING THE RENEWABLE ENERGY PROPERTY DECLARATION SCHEDULE DS 058 (A SEPARATE DS-058 IS REQUIRED FOR EACH RENEWABLE ENERGY SYSTEM)

- A. **NAME AND MAILING ADDRESS:** Write any corrections to the preprinted name/address information. If you are not the current renewable energy property owner, please list the name and address of the new owner in the appropriate box. Also, list date that the property was sold to the new owner.
- BUSINESS NAME AND PHYSICAL LOCATION:** If not preprinted, provide the: ■ Business Name (where the property is located) ■ Actual Physical Location of the Renewable Energy Property ■ Change in Physical Location, If Applicable. **If there are no changes from the last year's declaration schedule information, check the box and go to Section F. Complete the form, sign it, and return it to the county assessor.**
- B. **RENEWABLE ENERGY SYSTEM DESCRIPTION:** Provide information about the renewable energy system including the type of renewable energy, the nameplate capacity in AC, original installed cost, date first placed into service, and battery storage capacity (if applicable). Attach a copy of the Power Purchase Agreement or Net Metering Agreement if this is your first time filing.
- C. **INCOME AND GENERATION INFORMATION (FOR SOLAR PROPERTIES ONLY):** Provide the requested income and generation information. This section is only applicable to solar energy facilities value pursuant to § 39-5-104.7(2)(b), C.R.S. If you are unsure whether your solar energy property qualifies, contact your local county assessor.
- D. **COMMUNITY SOLAR GARDENS:** Indicate whether your property meets the statutory definition of a community solar garden. If yes, include subscriber information and the percentage attributable to residential, governmental, and tax exempt subscribers.
- E. **LISTING OF OTHER PERSONAL PROPERTY:** List all other personal property at this location excluding property used directly in the generation of the renewable energy (e.g. solar panels, wind turbines, inverters, etc.).
- F. **DECLARATION AND SIGNATURE:** Print the personal property owner's Federal Employer Identification Number (FEIN) or Social Security Number (SSN). Print name of owner, name of person signing, phone number, and e-mail address. Then sign, date, and return this form to assessor by **April 15th**. § 39-5-107, C.R.S.