

The Division of Conservation Easement 2021 Tax Credit Cap & the 2022 “Wait List”

(last updated 9/9/2022)

Please refer to The Division of Conservation Easement website for the most up to date version of this excerpt. <https://conservation.colorado.gov/tax-credit-certificates>

“The Division of Conservation has reserved the full \$45 million in tax credits for conservation easements donated in 2021. This is the result of the enhanced incentive provided by new legislation in 2021 and a rise in the number of applications for the tax credit. Although the annual cap for 2021 has been completely reserved, \$15 million of the annual cap for 2022 is available for conservation easements donated in 2021 pursuant to C.R.S. 39-22-522(2.5). This so-called "wait list" provides for tax credits to be issued from the next year's cap, for use beginning in the next year. In this way, eligible taxpayers may continue to apply for the tax credit after the annual cap has been reached. The process for issuing tax credits will not change. Applications will continue to be processed in the order received. Tax credit certificates will continue to be issued, regardless of the cap year, without additional delay. A column denoting the amount of "wait list" credits that have been reserved has been added to the tax credit cap table on the Division's homepage.”