

Taos Annexation Invalid

Prior to July 1, 2013, persons with a business location at the Taos Airport in Taos County reported their gross receipts to the business location code 20-163. Effective July 1, 2013, the Taxation and Revenue Department implemented an annexation ordinance by the Town of Taos to annex the Taos Airport into the boundaries of the town. This annexation meant that beginning July 1, 2013, businesses formerly reporting to the Taos Airport code were to report to the Town of Taos business location code, 20-126, with the associated rate of 8.1875%.

The Eighth Judicial District Court has ruled that the annexation by the Town of Taos is invalid. Neither the Town of Taos nor Taos County will pursue further court action. Because of this court ruling, and the settlement between the two parties, the Taxation and Revenue Department will adjust our system and *Gross Receipts Tax Rate Schedules* and re-assign a separate business location code for the Taos Airport retroactive to July 1, 2013.

If you filed [CRS-1](#) returns from July 1, 2013, to present, remitting tax for receipts associated with a business location at the Taos Airport and you used the Town of Taos business location code, you should file [amended returns](#). These amended returns would show any receipts from a Taos Airport business location using the business location code, 20-163, and the associated rate of 7.125%. Because the Taos Airport rate is less than the Town of Taos rate, you may claim a refund of the overpaid tax using the [RPD-41071, Application for Tax Refund](#). In addition to any amended returns, on any subsequent returns for receipts that should be reported to the Taos Airport, you must use the assigned Taos Airport code (20-163).

The [RPD-41071, Application for Tax Refund](#) and the revised *Gross Receipts Tax Rate Schedules* for the effected periods are available on our web site at <http://www.tax.newmexico.gov/forms-publications.aspx>.

If you have any questions concerning your tax filing, the appropriate business location code, or rate, you may contact policy.office@state.nm.us for assistance.