

REFERENCE TITLE: remote sellers; taxes; urging Congress

State of Arizona
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Introduced by
Representatives Pierce: Bolick, Nutt, Shope, Toma

A CONCURRENT MEMORIAL

**URGING THE UNITED STATES CONGRESS TO ENACT UNIFORM NATIONAL LEGISLATION
FOR REMOTE SELLERS TO COLLECT AND REMIT SALES TAXES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, the United States Supreme Court in South Dakota v.
4 Wayfair, Inc. overturned decades of legal precedent, allowing states to
5 require businesses, which are subject to audit, to register and collect
6 and remit taxes on sales from transactions in the state, regardless of
7 physical presence; and

8 Whereas, the Wayfair decision greatly impacts remote sellers, which
9 are generally small businesses that have a physical presence in one state
10 but sell tangible property, digital products or taxable services for
11 delivery into other states; and

12 Whereas, the decision led almost every state to enact laws requiring
13 remote sellers to collect sales tax for states where the sellers conduct
14 business; and

15 Whereas, the decentralized nature of the internet and
16 destination-based sourcing requirements make remote sellers uniquely
17 susceptible to numerous conflicting and complex tax requirements across a
18 patchwork of thousands of state and local taxing jurisdictions, causing
19 business-development obstacles and making commerce cumbersome for both
20 sellers and consumers; and

21 Whereas, this labyrinth of state laws includes differing sales or
22 transaction thresholds, tax rates, categories of goods that are taxed and
23 start dates for collecting sales taxes; and

24 Whereas, the Supreme Court also stated in Wayfair that "Congress may
25 legislate to address these problems if it deems it necessary and fit to do
26 so"; and

27 Whereas, clarity and uniformity are necessary to streamline sales
28 tax collection, alleviate confusion for remote sellers, simplify tax
29 administration and reduce the burden of tax compliance; and

30 Whereas, Congress has proposed legislation to address these issues,
31 including requirements related to tax rates, a timeline for tax
32 collection, a phase-in of compliance obligations, remission standards and
33 small business exemptions.

34 Wherefore your memorialist, the House of Representatives of the State of
35 Arizona, the Senate concurring, prays:

36 1. That the United States Congress enact uniform national
37 legislation to simplify sales tax or similar tax collection to reduce the
38 burden of tax compliance on remote sellers.

39 2. That the Secretary of State of the State of Arizona transmit a
40 copy of this Memorial to the President of the United States Senate, the
41 Speaker of the United States House of Representatives and each Member of
42 Congress from the State of Arizona.