SENATE CONCURRENT MEMORIAL 1003

A CONCURRENT MEMORIAL

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

(TEXT OF BILLbegins on next page)
To the Congress of the United States of America:

Your memorialist respectfully represents:

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

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

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

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

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

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

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

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

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

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

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