

State of Arizona  
Senate  
Fifty-fourth Legislature  
Second Regular Session  
2020

## **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 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 Senate of the State of Arizona, the House  
35 of Representatives 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.