

RP06001A01

A motion by Indiana, Kansas, Kentucky, North Dakota, Ohio, Oklahoma, Tennessee, Utah, West Virginia for a rule relating to Model 1 and 2 seller registration:

IV. ARTICLE IV. Seller Registration.

Rule 401.1. Registration.

401.1.

(a) For a volunteer seller registering as a Model 1 Seller, the seller's obligation under SSUTA to collect and remit will commence no later than the first day of the calendar month 60 days after registration on the central registration system.

(b) For a volunteer seller registering as a Model 2 Seller, the seller's obligation to collect and remit under SSUTA will commence no later than on the first day of the calendar month 60 days after registration on the central registration system.

(c) A volunteer seller registered as a Model 1 or Model 2 that has contracted with a CSP for service, or for implementation of a CAS, may request and receive an extension of time from the Executive Director, if the implementation is unable to be completed within 60 days of registration. The Executive Director shall notify all states that an extension of time has been granted.

(d) Model 1 sellers, regardless of volunteer status, that fail to register with a CSP and begin collecting within the time allowed will lose the amnesty granted under Section 402 of the Agreement. A seller may cancel its registration pursuant to the terms of the Agreement. Otherwise, a seller must change the business model status selected at the time of the original registration, and must immediately begin collecting tax for the Member States. Failure to do so will result in termination of registration.

(e) Model 2 sellers, regardless of volunteer status, that fail to implement a CAS and begin collection within the time allowed will lose the amnesty granted under Section 402 of the Agreement. A seller may cancel its registration pursuant to the terms of the Agreement. Otherwise, a seller must change the business model status selected at the time of the original registration, and must immediately begin collecting tax for the Member States. Failure to do so will result in termination of registration.

(f) The obligation to collect and remit sales and use taxes for 36 months as provided in Section 402 of the Agreement will begin on the date the collection obligation begins.

(g) States will hold registrations of Model 1 and Model 2 volunteer sellers not already registered in that state in suspense and will not take enforcement action for failure to file a return until after the obligation to collect begins.

(h) The Central Registration System will contain notice allowing registrants selecting Model 1 or Model 2 status to authorize disclosure of registration information to CSP or CAS providers.

(i) For the purposes of this rule, a volunteer is a seller that does not have a legal obligation to collect.