

## Streamlined Sales Tax Governing Board 2020 Annual State Compliance Reviews Summary

### States With No Compliance Issues Identified:

Arkansas	Indiana	Iowa	Kansas	Michigan	Minnesota	Nebraska
Nevada	New Jersey	North Carolina	North Dakota	Ohio	Oklahoma	Rhode Island
South Dakota	Utah	Vermont	Washington	West Virginia	Wisconsin	Wyoming

### States With Potential Compliance Issues Identified:

Georgia						
Statement of the issues	SSUTA section and/or rule reference	State authority	State's written comments	BAC/ public comments	Staff Comment	CRIC decision
<b>GA Issue 1: Administration of exemptions</b>						
The state has been declared out of compliance since 2013 because effective March 5, 2013, sellers are required to exercise good faith when accepting exemption documents from purchasers.	SSUTA Section 317	48-8-38				
<b>GA Issue 2: Acceptance of the SER</b>						
The state has been declared out of compliance since 2013 because the state does not accept the SER from all sellers.	SSUTA Section 318	48-8-39				
<b>GA Issue 3: Caps and Thresholds</b>						
Legislation passed in 2017 put a cap of \$35,000 of tax on certain boat repairs.	SSUTA Section 323	48-8-3.4				

**Streamlined Sales Tax Governing Board  
2020 Annual State Compliance Reviews Summary**

<b>GA Issue 4: Local Sales Tax Base</b>						
Legislation passed in 2017 extended the exemption for food to an equalized homestead option sales tax passed in the future by referendum. Food is not exempted from other local sales taxes.	SSUTA Section 302	48-8-3(57)	Effective April 1, 2018, DeKalb County has one local tax that doesn't apply to certain food sales, while other local taxes do apply to such sales.			

<b>Kentucky</b>						
<b>Statement of Issue</b>	<b>SSUTA section and/or rule reference</b>	<b>State authority</b>	<b>State's written comments</b>	<b>BAC/public comments</b>	<b>Staff Comment</b>	<b>CRIC decision</b>
<b>KY issue- more than one return required</b>						
Separate returns required for Marketplace Facilitator/Provider when reporting direct sales and sales made on behalf of marketplace sellers	SSUTA Sec 318	KSR 139.450	HB 354 (2019) is the KY marketplace provider law establishing economic nexus at the same thresholds as established for remote sellers in 2018. The law <b>requires</b> marketplace providers to register for one sales and use tax account number to report their own sales and register separately with another account number to report sales by the marketplace retailers that the providers facilitate		SSUTA Sec. 318 prohibits states from requiring more than one tax return from each seller for each reporting period.	

**Streamlined Sales Tax Governing Board  
2020 Annual State Compliance Reviews Summary**

Tennessee						
Statement of Issue	SSUTA section and/or rule reference	State authority	State's written comments	BAC/ public comments	Staff Comment	CRIC decision
<b>Sales tax holiday</b>	SSUTA Sec. 322	SB 2932 (Ch. 759) <a href="https://publications.tn.sosfiles.com/acts/111/pub/pc0759.pdf">https://publications.tn.sosfiles.com/acts/111/pub/pc0759.pdf</a>	In 2020, the Tennessee legislature enacted Public Chapter 759 (2020), which creates a sales tax holiday, July 31 through August 2, for electronic devices with a price of \$3,000 or less per item that is for personal use. An "electronic device" includes but is not limited to computers, tablets, printers, televisions, cell phones, electronic readers and video game consoles.  "Electronic device" is not a defined term under SSUTA Section 322.A.1.  In addition, the legislation established a second sales tax holiday for 2020, August 7 through August 9, for sales of food and drink by restaurants as defined in Tenn. Code Ann. § 57-4-102.		SSUTA Sec. 322 requires that sales tax holidays be limited to items that are specifically defined in Part II and III of the Library of Definitions. "Electronic devices" is not defined in the Library of Definitions.  See Notice 20-12 <a href="https://www.tn.gov/content/dam/tn/revenue/documents/notices/sales/sales20-12.pdf">https://www.tn.gov/content/dam/tn/revenue/documents/notices/sales/sales20-12.pdf</a>	
Tennessee is an associate member. Conforming legislation effective date delayed until 7/1/21.						