

State and Local Advisory Council Request and Assignment Form

Provide the name(s) and contact information of the state or parties submitting the Request.

Date: 2/24/2025

Name of State or Person(s) submitting request: Alison Jares – Craig Johnson

Contact Person: Alison Jares

Address: [Click here to enter Address \(Street or PO Box, City, State, Zipcode\)](#)

Phone: 605-799-5758 **Email:** alison.jares@sstgb.org

1. Agreement Section(s), Rules or Tax Administration Practice(s) involved (if any). (Identify the section(s) of the Streamlined Sales and Use Tax Agreement, the Streamlined Rules, or Tax Administration Practices, if any, which are affected or involved with the issue.)

SSUTA Sec. 322 Sales Tax Holiday Definitions
Library of Definitions - Part III Sales Tax Holidays

2. Question, Issue, or Topic for discussion. (Identify the question, issue, or topic you believe requires a study or resolution by SLAC.)

Issue 1 – Should the definitions currently contained in Part III of the Library of Definitions (Appendix C), be moved to Part II of Appendix C (Product Definitions)?

Issue 2 – Should sales tax holiday's be allowed on all "tangible personal property" with certain specific exceptions such as the items already identified in Section 302 and 308 of the SSUTA?

Issue 3 – How are periodic payments impacted by sales tax holidays?

3. Statement of Background Facts. (Provide a detailed description of the issue and supporting facts. Please be as descriptive as possible and provide examples of actual transactions.)

Issue 1 – Part III of Appendix C, Library of Definitions contains various definitions that states are only required to follow with respect to sales tax holidays. In an effort to promote greater uniformity, should states be required to follow these definitions for all purposes and not just sales tax holiday purposes and therefore these definitions be moved to Part II of the Library of Definitions? What impact would moving these definitions have on current member states?

Issue 2 - SSUTA Sec. 322 provides that states may only adopt a sales tax holiday on items specifically defined in Part II (Product definitions) or Part III(B) (sales tax holiday definitions) of the Library of Definitions. Some state legislatures have proposed or enacted sales tax holidays for items not currently defined or included in existing SSUTA Library of Definitions, including "tangible personal property" with limited exceptions.

Issue 3 – States may impose sales tax holidays on products for which periodic payments may be made. If this happens, are periodic payments impacted by the sales tax holiday? If so, is the actual payment made during the holiday not subject to tax, is it prorated or is there no impact?

4. Proposed Resolution/Outcome/Solution. (Provide a description of the anticipated outcome from the workgroup. For example: Development of an interpretive rule pertaining to Section XXX of the Agreement.)

Issue 1 – States would be required to follow the definitions currently in the sales tax holiday section of the Library of definitions moving forward. Grandfather in existing states that are not currently following these definitions and require compliance at the earlier of January 1, three years from when this change is made or at the time the state otherwise revises the definition.

Issue 2 – Sales tax holidays may be allowed on all TPP with limited specified exceptions. The state would have to specifically identify and define any items excluded.

Issue 3 – No recommended outcome. The workgroup needs to look at the various alternatives, what is administrable, what burdens would be created, etc.

Submit completed form to:

Craig Johnson, Executive Director
Streamlined Sales Tax Governing Board
100 Majestic Dr., Suite 400
Westby, WI 54667

Email: Craig.Johnson@SSTGB.org
Phone: 608-634-6160
www.streamlinedsalestax.org

For SST Governing Board Use

Approved by: **Date:**

Approved with Modifications (If the Governing Board determines the request will be addressed by SLAC but in a modified format, explain the modifications to the request here):

Denied by: **Date:**

Form F0021 Instructions

The scope of work for the State and Local Advisory Council (SLAC) is to advise the Governing Board on matters pertaining to the administration of the Streamlined Sales and Use Tax Agreement (Agreement). Matters relating to noncompliance of members with the Agreement, interpretive rules clarifying Agreement language, and revisions or additions to the Agreement are all within the scope of a SLAC work assignment. This form, as submitted by a requestor, is a public document and shall be published on the Streamlined Governing Board's website.

Any state and person making a request for a SLAC work assignment must do so by completing the **SLAC REQUEST & ASSIGNMENT FORM** and submitting it to the Executive Director of the Streamlined Sales Tax Governing Board. The Governing Board will take up the request at its next scheduled meeting or as applicable the SLAC Chair will take up the request at the next SLAC Steering Committee meeting. Any decision by the SLAC Steering Committee shall be reported to the Governing Board at its next meeting. In the interim, a request approved by the SLAC Steering Committee can be assigned to a SLAC workgroup. The Governing Board may approve, deny or modify the request at any time.

The Governing Board is not required to use this form to refer matters to SLAC. If the Governing Board refers an item to SLAC without use of this form, the Governing Board should provide written guidance to the SLAC Chair as to the expectations regarding the assigned task.

(Note: States or other persons requesting an interpretive opinion of existing Agreement provisions or definitions should not use this form, but should instead complete and submit the **INTERPRETATION/ DEFINITION REQUEST** form.)