



Streamlined Sales Tax Governing Board Meeting Minutes
Friday, December 18, 2020, 10:00 am Central
Teleconference

Welcome and roll call of member states

President Tim Jennrich welcomed everyone and called the meeting to order at 10:05 am central. The roll of the states was called, with 21 full member states and 1 associate member state participating, the quorum was established.

Report on Closed Session of Streamlined Sales Tax Governing Board's Executive Committee Meeting

President Jennrich stated the Executive Committee met in closed session on November 19. The sole purpose of the meeting was to consider the report that the Certification Committee had prepared and provided with respect to the recertification of the remaining CSPs. Five of the CSPs had been recertified previously and the purpose of this meeting was to consider and discuss the recertification of the remaining two CSPs.

Tim Bennet (KY) who is the Certification Committee chairperson reviewed the reports that had been prepared and which were based on the contract compliance audits that the Audit Core Team had completed. The CSPs being discussed were provided the opportunity to participate. The result of the meeting was that both of the CSPs were voted to be recertified.

Review and Approval of minutes from October 15, 2020 Governing Board meeting (MM20004)

President Jennrich asked the attendees to review the minutes of the prior meeting and offer up any corrections or additions. No comments were received. Senator Ann Rest moved to approve MM20004. A voice vote was taken, and was unanimous, the motion carried.

Election Summary and Status of Federal Legislative Activities Surrounding Remote Sales Tax Collections – Randi Reid

Randi Reid provided the federal legislative update.

Since the U.S. Supreme Court ruled in *South Dakota v. Wayfair* two years ago, states have been implementing the requirements for out-of-state sellers to collect and remit sales tax for transactions made into the state, regardless of any physical presence. We continue to believe the Streamlined member states are in a very good position based on this decision since they have all enacted similar simplification measures to South Dakota, are not applying the law retroactively, and are adopting small seller thresholds. However, the *Wayfair v. South Dakota* SCOTUS decision has not stopped congressional interest in e-fairness

During this current Congress, no legislation supporting the collection of sales and use taxes on remote sales was introduced. In years past, the Streamlined Sales Tax Governing Board advocated for federal legislation that would specify what simplifications a state must make to be able to require online sellers to collect taxes. At the beginning of this Congress last year, our



congressional champions – Congressman Womack, Senators Alexander, Enzi and Durbin – confirmed their support for the rights of states to collect out-of-state sales and use taxes that are already owed. The Streamlined Sales Tax Governing Board is not advocating for federal e-fairness legislation at this time. Instead, let the Streamlined states continue to demonstrate that they can and will implement this fairly and in a transparent manner and in a manner that does not place undue burdens on remote sellers.

As outlined during our October discussion earlier this year, 6 bills – 4 House bills and 2 Senate bills – were introduced by e-fairness opponents that would prohibit states from applying remote sales tax collection retroactively and/or postpone when the states may begin enforcing collection requirements. No committee action or floor action occurred on these specific bills. It remains unclear if these e-fairness opponents will introduce these bills in the 117th Congress, which begins on January 4, 2021.

During the 116th Congress, there was direct interest by two congressional committees in further discussing the *Wayfair* decision's impact on the business community. On March 3, 2020, the House Small Business Subcommittee on Economic Growth, Tax, and Capital Access held a congressional hearing focused on burdens small sellers face with state and local taxes enacted after the Supreme Court's *Wayfair* decision. No state tax administrator or state legislator was invited to participate in the subcommittee hearing, causing it to be a one-sided hearing and ignoring the perspectives of revenue agencies and organizations coordinating tax policy at the state and local government levels. The Streamlined Sales and Use Tax Governing Board outlined what has been achieved for the business community through the Agreement both pre and post the *Wayfair* decision and submitted a written statement after the hearing. While the SSUTA states oppose federal intervention, the Governing Board wants to work with small businesses to improve tax registration and collection processes and remove compliance burdens.

Earlier this year, the Senate Finance Committee leadership – Chairman Chuck Grassley (R-IA), Ranking Member Ron Wyden (D-OR), and Taxation Subcommittee Chairman John Thune (R-SD) – expressed interest in holding a congressional hearing in the Senate Finance Committee about state and local sales tax issues. The Senate Finance Committee leadership wanted to look at state and local sales tax issues post the *Wayfair* decision in a more comprehensive manner, focusing not only on the Supreme Court decision and state implementation since 2018, but also on the potential impact to digital goods and services. Prior to the coronavirus pandemic, the Committee was scheduled to host a full committee hearing in March, but the hearing was postponed. The Committee had invited the Streamlined Sales Tax Governing Board to testify at the hearing. Unfortunately, the Senate Finance Committee did not hold this hearing this year.

At this time, it is unclear if the Senate Finance Committee will proceed with this kind of congressional hearing in the next Congress – although not officially confirmed, it is anticipated that Senate Finance Committee Chairman Chuck Grassley (R-IA) will leave the chairmanship of the Committee due to Republican Conference term limits on leadership positions and Senator Mike Crapo (R-Idaho) will become the lead Republican at the committee. In 2013, Senator Crapo voted



against the Marketplace Fairness Act and he has not been as directly involved in these policy issues in the recent past.

Other congressional interest in e-commerce and online competition was pursued this year, but through key reports and letters. On October 6, 2020, the House Judiciary Committee Chairman Jerry Nadler (D-NY) and House Judiciary Subcommittee on Antitrust, Commercial and Administrative Law Chairman David Cicilline (D-RI) issued a report entitled “Investigation of Competition in Digital Markets – Majority Staff Investigation and Recommendations.” There is a section focused on online commerce and third-party sellers, but there is no direct mention of remote sales tax collection and the SST. The House Judiciary Committee majority staff remains focused on the impact of remote sales tax collection on consumers and businesses post the *Wayfair* SCOTUS decision and recently told us that they intend to further review this issue in the 117th Congress.

On November 24, 2020, five members of Congress and one senator – most notably Rep. Andy Kim (D-NJ) who hosted the House Small Business Committee hearing in March and Senator Ron Wyden (D-OR) – sent a letter to the Government Accountability Office (GAO) requesting an updated comprehensive study on interstate sales and use tax and the impact of the *South Dakota v. Wayfair* Supreme Court decision on American businesses. They asked the GAO to update its November 2017 report on estimated revenue and compliance costs related to interstate sales and use tax so that it reflects actual and estimated revenue that states and localities have generated in 2018 and 2019 and are expected to generate in 2020 and 2021 by requiring businesses to collect sales and use taxes as a result of the *Wayfair* decision. The letter further requests that the updated study should also reflect actual compliance costs for businesses (calendar years 2018 and 2019), including software costs, start-up and administrative costs, filing, audit and assessment compliance costs, and costs associated with research and liability. The GAO typically takes 6-12 months to complete a review, but if the updating does move forward, I fully anticipate that several of you may receive inquiries to provide information to the GAO to help in the compilation of this data to complete a report. It remains unclear how the GAO report will be used in the future, but historically the Congress will use a GAO report to pursue congressional hearings and legislative bills to further study and respond to this policy issue.

New Administration and New Congress

Starting next month, we will be working with a new Congress and a new Administration. The 2020 elections ushered in some new faces in Congress. The Democrats will remain in the majority in the House, but by smaller margins – there will be 222 Democrats and 212 Republicans in the House. One seat remains undecided at this time. Key takeaways for the House post the 2020 elections:

- In the last 10 years, between 13-24% turnover each election.
- While Democrats will remain in the majority, they suffered notable losses including in 7 of the 9 races highlighted as Democratic-held toss ups.
- Republicans swept at least 25 of the 27 races previously rated as toss ups.
- A narrower House majority leaves Speaker Pelosi with little room to maneuver.



- Democrats had a large fundraising advantage with House incumbents and Democratic challengers.
- Large influx of freshman Republican women - In 8 of the 12 seats that Republicans flipped, the candidate-elects were women. There are now 28 Republican women in the House.

At this time, the Republicans remain the majority party in the Senate – there will be 50 Republicans and 48 Democrats. The majority margins are extremely slim in this chamber too. Two Senate seats in Georgia remain undecided and the runoff elections are set to occur on January 5, 2021.

Key takeaways for the Senate post the 2020 elections:

- Heading into election day, Cook Political Report estimated that Democrats would pick up anywhere from 2-7 seats and were the favorite to take back the Senate majority.
- Although Democrats did pick up two seats, they also lost one in Alabama resulting in a current net gain of only 1 seat.
- Republicans held onto several seats largely seen as possible Democratic flips in Maine, Montana, Iowa, and South Carolina.
- Democrats also had a massive fundraising advantage - The DSCC outraised the NRSC by 4.2% in the 2020 cycle.
- Should Republicans keep the majority post January 5th runoff elections in Georgia, expect fiscal conservatism to return, and the majority to be an impediment to the Biden Administration's legislative agenda and judicial/executive nominee agenda.

On December 14, 2020, the electoral college voted to certify the 2020 elections in favor of President-elect Biden and Vice President-elect Harris. The Joint Congress is scheduled to certify the 2020 elections on January 6, 2021. At this time, the Biden-Harris transition team is moving ahead and filling out the President-elect's cabinet.

Assuming a combination of the Biden presidency, Republican controlled Senate, and Democratic controlled House, there are several key points to keep in mind as we head into next year:

- Republican controlled Senate serves as a dam to an anticipated House Democrat/Biden Administration policy agenda, especially in the first 100 days.
- While House Democrats will pass policies that the Biden Administration supports, any advancement in those policies will require significant moderation or horse-trading in larger packages.
- Look for Leader McConnell to work with President-elect Biden on confirming centrist nominees.
- With 21 Senate Republican seats in-cycle for 2022 and Republican pick-ups this cycle in the House, all eyes now turn to the 2022 midterms to restore the planned Biden agenda.
- Despite the challenges of a divided government, there is an expectation to return to traditional governing and for some legislative vehicles to move—particularly with



experienced negotiators like President-elect Biden, Leader McConnell, and Speaker Pelosi at the helm.

How does all of this change impact you as part of the Governing Board? Two of our champions – Senators Mike Enzi (R-WY) and Lamar Alexander (R-TN) - are retiring at the end of this year. Coupled with the new Congress with smaller majority margins and a new Administration in 2021, the Governing Board will focus on educating new members of Congress and the new Administration about the Governing Board and our continued state implementation and work with the business community since the *Wayfair* SCOTUS decision.

Next Steps

Congressional interest to review the *Wayfair* SCOTUS decision and business impact remains strong. State implementation continues to be watched closely by federal policymakers, especially those representing no sales tax states. Focus on this important policy issue by federal policymakers is not a matter of “if”, but a matter of “when.” It is very important for the Governing Board to continue to consider issues that businesses may bring forward that might be considered undue burdens and continue to develop solutions to these concerns.

The Streamlined Sales Tax Governing Board will continue to monitor activities on Capitol Hill related to remote sales tax collection heading into the new Congress next year. The Governing Board will continue to push back on any activities that might jeopardize implementation of the *Wayfair* decision in the Streamlined states.

Review and Approval of Proposed Amendment to the SSUTA

- Library of Definitions – Candy Exclusion (AM20003A02)

A SLAC workgroup has been working with the business community to create a toggle for the candy definition to allow dried fruit to be excluded. The toggle was developed based on a combined request by a state and some of the affected businesses. Craig Johnson stated he appreciated the Cranberry Growers Association and the State of Wisconsin bringing the issues forward to Streamlined to discuss and develop a mutually agreeable solution before there would be a potential compliance issue. Craig indicated that this is an example of how the business community and the states can work together to find solutions that are workable from both the state and business perspectives. The proposed solution provides flexibility to the states that tax candy so that at their legislature’s discretion, they are able to adopt an exclusion for dried fruit without it creating a Streamlined compliance issue.

Secretary Peter Barca thanked the workgroup for working very closely with the business community and Streamlined’s judicious handling of the issue to come up with a great solution. This is a priority for the Governor and the Secretary of Agriculture to see this toggle adopted to help level the playing field for the Cranberry Growers Association members.



Jordan Lamb, counsel for the Wisconsin Cranberry Growers Association stated Wisconsin grows 60% of the cranberry fruit crop. When they found out dried cranberries that are sweetened are considered candy under the current definition, they didn't agree and asked how this might be changed to allow an exclusion for cranberries. They want to make this easy for states to comply with Streamlined and for businesses to administer, and this is very timely as the legislature is set to go back into session in January.

Tim Jennrich added toggles can cause a bit of complexity, but the way it was drafted looks to not create any unreasonable burdens, looks administrable, contains clear language and provides the states flexibility. From Washington's perspective, this looks like a sound toggle and they would support adoption.

Fred Nicely stated on behalf of the BAC, indicated they appreciated being part of the workgroup and the time it took to work on this. The BAC is not opposed, but will remain neutral on the issue as toggles can create added complexity.

Diane Hardt motioned to adopt AM20003A02. Tim asked for any further discussion on the motion. No additional comments were received. A voice vote was taken and was unanimous. Motion carried. Since this amendment does not impose a requirement on a state, per Rule 901, this amendment does not require a second vote.

- Sections 601, 801.2 and 801.3 – Updates Related to New CSP Contract (AM20005)

Tim reminded the attendees that a new CSP contract was approved previously by the GB in August. The revised contract no longer refers to "volunteer sellers" but instead now refers to them as "CSP-compensated sellers". Due to the changes in the terminology in the contract and to prevent any confusion between the language in the SSUTA and bylaws and the language in the CSP contract, a couple changes to the SSUTA and the bylaws are being recommended to make them consistent.

Craig walked through the changes to Section 601 which is the provision of the SSUTA that authorizes the monetary allowances provided for in the contract the GB has with the CSPs, and Sections 801.2 and 801.3 related to contingent and associate membership.

President Jennrich asked if there were any comments or questions. Hearing none, Representative Brian Kennedy made a motion to adopt the amendment as proposed. Tim asked for any further discussion. There was no further discussion. A voice vote was taken and was unanimous. Motion carried. Since this amendment does not impose a requirement on a state, per Rule 901, this amendment does not require a second vote.

Review and Approval of Proposed Rule Amendments

- Rule 401.1 – Repeal – Revised Registration System (RP20006)



Craig Johnson provided background on RP20006. He indicated that Rule 401.1 was adopted at the time when sellers who wanted to use a CSP and take advantage of the amnesty being offered would register through the central registration system and their information would be sent to all of the member states immediately. The purpose of the Rule at that time was to let the sellers come forward as soon as possible, but give them time to set-up their integration with the CSP before they had to actually begin collecting and remitting. It was also at a time when the CSPs and CAS's were initially being developed. It takes time for the CSPs to get sellers set-up and the purpose of this rule was to make it clear that a seller was not going to lose the amnesty being offered in the member states as long as their actual collection and remittance began by the first day of the calendar month at least 60 days after the seller registered.

Craig indicated that the CSPs are now established and the registration system was revised several years ago so that sellers can set the effective date of their registration out to the future (within certain limitations) and that the CSP has to confirm the seller as a client before the CSP can start submitting returns on their behalf as a Model 1 seller. Sellers can also pick and choose the states they want to register in and add states as they need to and are ready to start collecting and remitting.

The repeal of this rule was discussed at prior Certification Committee meetings and a message was sent to all of the member states and CSPs related to the repeal of this rule and any concerns. No concerns were raised by any of the states or the CSPs with repealing this rule.

The concern with the rule as it exists is people may believe they can still register with a CSP and have a 60-day grace period before they need to start collecting and remitting. This is not the case. Sellers are expected to start collecting once they are registered. Tim asked if there were any comments or questions on the amendment. No comments or questions were received.

Richard Dobson motioned approval of the amendment RP20006 which repeals Rule 401.1. Tim asked for any comments. None were received. A voice vote was taken and was unanimous. Motion carried.

Review and Approval of Proposed Bylaw Amendments

- Article Three, Sections 10 and 11 – Updates Related to New CSP Contract (BL20001)

Craig explained that due to the change in terminology of the CSP contract from “volunteer seller” to “CSP-compensated Seller” two changes were also identified in the bylaws that are needed. These two sections used the term “volunteering” and again because of Wayfair and the economic nexus thresholds, many of these sellers are no longer “volunteering” but instead have a registration obligation. Therefore the proposal is to remove the term “volunteering” and identify these entities as sellers registering through the central registration system. Streamlined does not want someone to get the impression that if they are not “volunteering” that we also send out their information to Contingent and Associate Member States. Contingent and Associate member states only have access to the information for sellers that register in their state.



Representative Kennedy made a motion to approve BL20001. Tim asked for any comments. None were received. A voice vote was taken and was unanimous. Motion carried.

- Article Eight, Section 7 – Quorum – Make consistent with SSUTA amendment previously adopted (BL20002)

President Jennrich reminded participants that at the October Governing Board meeting an amendment to Rule 810.3 relating to what constitutes a quorum of the State and Local Advisory Council was voted on and approved. The purpose of this amendment is to make the language in the bylaws consistent with the language in the rules. No comments were received. Representative Kennedy motioned to approve BL20002. A voice vote was taken and was unanimous. Motion carried.

The meeting then moved back to the amendment related to the amnesty that is required to be offered in the Streamlined states.

- Section 402 – Amnesty (AM2004A01)

President Jennrich stated this issue was brought forward by Tennessee as a potential issue we may not have considered when updating our registration system to allow businesses to pick and choose which states they register in and the effect it may have on states offering amnesty as part of their membership in Streamlined.

Sherry Hathaway provided information to the Governing Board regarding the amendment and the effect it has on Tennessee. TN is currently the only state offering amnesty through Streamlined. Sherry also explained some revised language was developed with some members of the business community to address some of their concerns with the amendment as it was initially noticed.

Fred Nicely on behalf of the BAC provided comments regarding Section 402. They agree changes need to be made, however the concern they have is the impact on small businesses. Back in 2005 when Streamlined first was effective, small sellers had no legal requirement to collect. Instead, they were volunteering to register in all of the member states. The BAC believes there should be a small business threshold built into the amendment. They think it would be wrong for the Governing Board to entertain an amendment without thinking of small sellers.

Pat Reynolds stated they do agree in part with the amendment and the purpose behind it, however the amendment takes things a lot further than that. It would require registration in a state the seller has \$1 of sales in, in order to get amnesty from Tennessee. Craig Johnson indicated that the “required to register” language to which Pat was referring and suggesting would result in states having to offer a broader amnesty than states initially provided when Streamlined started. Craig indicated that he is concerned with broadening the amnesty requirement and that is something that needs to be considered as it would affect current states offering amnesty, and



any future states that may consider joining. The purpose of the amendment is to make the amnesty requirements consistent with what they were when Streamlined first started when a seller was required to register in every full member state to qualify for the amnesty. In the old registration system you could indicate that you did not have sales in some states, but you were still registered in those states and those states expected you to collect and remit their taxes on transactions sourced to their state.

Diane Yetter provided comments as a sales tax consultant for small business. If there is a seller that was not aware of obligation to collect sales tax, this would add complexity and perhaps a lot of zero or low dollar returns. An Amazon FBA seller may trigger a need to register, but 99% of its sales go through a 3rd party seller. It is costing that seller \$1200 to file 11 zero dollar returns that are monthly and others that are quarterly, and one annual. Others are cents, up to a few dollars. This proposed amendment would counteract what we are trying to answer with the states.

Brad Scott provided some insight on the challenges of small business and how they would be affected by these changes. He stated they are a wholesaler but some of the customers are not reselling and they therefore may have to collect tax on those transactions. If you look at some of the states they are selling into - like Wyoming, they have remitted around \$5 per month. They have spent about \$2.36 per \$1 tax they are collecting.

Sherry Hathaway replied that she does not believe this amnesty amendment is the place to address the small business requirements/exceptions.

Richard Dobson stated this is an interesting discussion. It seems like we have a loophole. If a new state would join, someone in that state that was operating illegally, could just register in that new member state to get 12 months of amnesty. Richard stated we may want to look at this more.

Senator Ann Rest stated we are really into the weeds right now and asked if the Governing Board might want to consider setting aside making a decision today and continuing this discussion at a later point. Lance Wilkinson would like to defer as well.

Mike Walsh indicated that he understands the concerns, but pointed out that Streamlined is not imposing any additional burden with this amendment. We are just saying that if you want amnesty in the SST states that are offering it, you need to register in all the states you are making sales in, just like when Streamlined first started.

Laura Stanley asked what the monetary impact and other ramifications are to Tennessee if we don't move forward with this today. Sherry stated nothing changes with Tennessee law. TN is not providing amnesty on any other basis than if you register with Tennessee you need to register with all other member states where you are making sales – just like what was required prior to the change in the registration system. Tennessee has had two years to change how they provide amnesty but that was never part of the discussion when the registration system changed. The two



years is up on January 1 and someone could argue that Tennessee is not in compliance with the amnesty requirements.

Pat Reynolds stated if the Governing Board wants to ram something through today, a change of language could be made that would solve the TN compliance issue, and take care of bad actors, but that is not the language being presented. Bruce Johnson is concerned by Pat's comment, this only affects Tennessee, the full member states are beyond this. This could only affect Tennessee and any future member states. Craig stated Pat is alluding to the economic nexus thresholds. Pat stated if a seller has \$1 of sales in Utah, but they want to register with TN to get the amnesty, they will need to register in Utah. Scott Peterson stated the intent of the registration change would allow sellers to not register in states they didn't need to be registered in. A lot of work was put into this. He thinks Tennessee should have to change their law. If they don't want to be part of SST, that is their choice, or they can become a full member state and this wouldn't affect them.

Sherry Hathaway motioned to accept the amended language in AM20004A01 and as shown on the screen. This was language discussed with the business community and although it does not go as far as they might want it to, it does provide some relief. President Jennrich called for any further discussion on the amendment to the amendment. None was received. A voice vote was taken and was unanimous. Sherry then motioned to approve AM20004A02 (the amended version of AM20004A01). President Jennrich called for any further discussion. The BAC requested a roll call vote to make sure a majority of the states were still in attendance and we still had a quorum. A roll call vote was taken and was unanimous at 18 full member states voting yes, 0 no. The motion carried. Since this amendment does not impose a requirement on a state, per Rule 901, this amendment does not require a second vote.

Reports of Committees

- Executive Committee – Tim Jennrich (WA), President
 - Status of CSP Contracts

President Jennrich stated the current CSP contract runs through 12/31/20. Most should be aware that the Governing Board completed the contract renegotiation process, and a new contract was approved for the 1/1/21 through 12/31/23 time frame. The Executive Committee formally approved the recertification of all the CSPs. Tim Jennrich was approved by the Executive Committee to countersign the new contracts. All of the new contracts with the terms approved by the Executive Committee were sent to the CSPs for their signature and Tim has countersigned for all of the CSPs that have signed and returned their new contract.

- Pandemic Exclusions Workgroup

At the October GB meeting a new workgroup was put together to identify and consider various options and possible amendments to the SSUTA that would allow the states some flexibility related to the SSUTA requirements when deciding how their state may be responding to pandemics such as COVID-19.



The workgroup has had a couple of meetings and considered various options. The first option would be to adopt a provision similar to what was done with vending machines in Section 105 and marijuana products in Section 106 – but keep it very limited. Option 2 would be to just provide an exception to certain sales tax holiday requirements for certain national states of emergency. Option 3 would be to provide exception to compliance requirements for certain national states of emergency and Option 4 would prohibit sanctions from being imposed on a state for compliance issues that arise due to actions taken by a state specifically in response to certain national states of emergency. On a previous Governing Board call, several of the state folks that were participating expressed support for option 1. At the time the BAC representatives indicated they needed to discuss it with the BAC and had no formal position. We anticipate that a proposed amendment will be ready early in 2021 and a special Governing Board meeting may be called to consider that proposed amendment. IF anyone has concerns with that approach, please let Craig know.

- **Encouraging Nonmember State Participation Workgroup**

A workgroup was put together to look at developing a more formalized approach on how to encourage nonmember state participation, the benefits of participation, the expectations, etc. The workgroup has had an initial meeting to gather some ideas, etc. recognizing that the primary charge of the workgroup is to consider whether we need some type of representation within particular states that are familiar with the process to get something like this enacted in specific states and if so, who would that be, what types of costs would be involved, and what information would be useful to these states – SST statistics, etc. The workgroup also will be looking at and considering who some potential partners might be in this area – CSPs, business associations, local governmental associations, etc. Craig anticipates that the workgroup will meet again in early January.

Due to time constraints reports were not provided by each of the other committees. They will report out in January at the Executive Committee meeting.

January Planning Meeting –Tim Jennrich (WA) and Senator Ann Rest (MN)

The January planning meeting will be held remotely this year due to COVID-19. Craig indicated the meeting will be held January 18th. Craig will work with Tim and Senator Rest and will be reaching out to other folks to participate. If you have any comments or suggestions on topics to be discussed or considered, please reach out to Craig.

Executive Director Updates and Reminders – Craig Johnson

Due to time constraints, Craig provided an abbreviated Executive Director’s report.

Craig indicated that we now have over 12,700 active registered sellers. Just prior to Wayfair, Streamlined had about 3,900 active sellers registered. We continue to see an average net increase of about 250 - 400 sellers per month. We are also seeing the percentage of sellers using CSPs increase as well and last month were at about 39% of the active registered sellers.



When looking at revenues received from SST registered sellers, some states continue to be able to provide more details than others. Any information states can provide is appreciated. Overall the states are continuing to see healthy increases in revenues from SST registered sellers when compared to 2018 (pre-Wayfair) based on what they have reported for that same period in 2020.

Craig reminded the states that with many of their legislative sessions starting very soon, states can send legislative drafts to he and Christie for review to help prevent potential compliance issues. Craig also recommended involving the BAC reps (Fred/Pat/Carolynn) as early as possible to help identify any Streamlined compliance concerns. In many cases, we can work together to accomplish the intent of the legislation and make it compliant with Streamlined. He also reminded the states that after the legislative session ends to make sure a link to the information that explains any sales and use tax law changes is sent to Streamlined. This information can be linked to each state's page on our website and provided to the CSPs and others to make sure they are aware of these changes. States need to remember that in this post-Wayfair world, it is important to not only get that information out to the sellers that are registered in your state, but we also need to get that information out on a much broader basis so remote sellers that may not currently be registered in your state (but maybe should be) are aware of the changes as well.

Craig reminded people about the upcoming meetings. He indicated he is hopeful that we will be able to get back to in-person meetings next year. The decision on whether to hold the meeting remotely or in-person will be based on a number of factors including travel restrictions on states and/or the business community, level of comfort of the participants travelling, etc.

Craig also thanked the states for their continued reasonable and transparent expectations of remote sellers while implementing the *Wayfair* decision. He also thanked all of the Committee Chairs and their respective states for allowing them to help Streamlined as well as the great work done by his staff.

Old Business

None

New Business

None

Adjournment

Representative Brian Kennedy motioned to adjourn the meeting at 12:40 pm central.