



100 Majestic Drive, Suite 400
Westby, WI 54667

Public Notice

30-day Public Comment Period Regarding Consideration of Imposing Sanctions on States Found to Not be in Compliance with the Streamlined Sales and Use Tax Agreement

February 2, 2026

Pursuant to Section 809 of the Streamlined Sales and Use Tax Agreement (Agreement) and Streamlined Sales Tax Governing Board Rule 809, this message will serve as official notice of the commencement of the 30-day public comment period regarding the consideration of imposing sanctions on Georgia and Ohio. The Streamlined Sales Tax Governing Board (SSTGB) determined that Georgia and Ohio were not in substantial compliance with the requirements of the Agreement. Interested persons may submit written comments for the SSTGB's Executive Committee to consider regarding any possible sanctions on Georgia and Ohio. **All comments must be submitted no later than 5 pm central on Wednesday, March 4, 2026.** All comments should be addressed to the Streamlined Sales Tax Governing Board - Executive Committee. Comments may either be emailed to Craig Johnson, Executive Director at craig.johnson@sstgb.org or mailed to: Streamlined Sales Tax Governing Board, Inc., 100 Majestic Drive, Suite 300, Westby, WI 54667. All public comments received will be posted to the SSTGB website.

The specific Sections of the Agreement and issue(s) on which the SSTGB determined Georgia and Ohio were not in substantial compliance are as follows:

Georgia

- Section 317.C. – Administration of Exemptions – The Section provides in part that “Each state shall relieve a seller of the tax otherwise applicable if the seller obtains a fully completed exemption certificate or captures the relevant data elements required under the Agreement within 90 days subsequent to the date of sale...” Rather than just providing this liability relief to sellers who obtain a fully completed exemption certificate within 90 days subsequent to the sale, Georgia imposes a requirement under Section 48-8-38 that the exemption certificates must also be accepted in good faith. Although these additional requirements may be placed on a seller if the seller did not obtain an exemption certificate within 90 days subsequent to the sale, they cannot be placed on the seller if the seller obtained the fully completed exemption certificate within 90 days subsequent to the sale.
- Section 318.C.3.c and d. – Uniform Tax Returns – Under the Agreement, effective January 1, 2011 a state must allow Model 4 sellers to file the simplified electronic return (SER) and effective January 1, 2013 a state must allow all sellers, including those not registered under the Agreement to file an SER. Georgia currently only accepts SERs from Model 1 Sellers.

- Section 323.A. – Caps and Thresholds – Under the Agreement, caps and thresholds are not allowable “...unless the member state assumes the administrative responsibility in a manner that places no additional burden on the retailer.” Georgia enacted legislation that places a cap of \$35,000 in tax on boat repairs.
- Section 308 – The legislature extended the exemption for food to an equalized homestead option sales tax if such local tax is passed by referendum. This provision is intended for one county. Food is not exempted from other local sales taxes. A referendum was passed and then this provision became effective in DeKalb County on April 1, 2018.

Ohio

- Section 322 Sales Tax Holidays – Section 322.A.1. of the Agreement provides in part that “If a member state allows for temporary exemption periods, commonly referred to as sales tax holidays, the member state shall: 1. Not apply an exemption unless the items to be exempted are specifically defined in Part II or Part III(B) of the Library of Definitions and the exemptions are uniformly applied to state and local sales and use taxes...” Beginning in 2024, Ohio’s sales tax holiday included all tangible personal property except watercraft or outboard motors required to be titled pursuant to Chapter 1548, Ohio Revised Code, a motor vehicle, an alcoholic beverage, tobacco, a vapor product, or an item that contains marijuana, that is \$500 or less. As noted above, a sales tax holiday can only apply to items that are specifically defined under Part II or Part III of the Library of Definitions of the Agreement.

The Streamlined Sales Tax Governing Board’s Executive Committee will hold a public meeting no sooner than 10 days after the public comment period closes to consider the comments received and develop a recommendation regarding any possible sanctions that may be imposed on Georgia and Ohio. During this meeting, there will be an opportunity for public comments as well as an opportunity for Georgia and Ohio to provide comments.

If you have any questions regarding this, please contact me.

Craig Johnson
 Executive Director
 Streamlined Sales Tax® Governing Board, Inc.
 100 Majestic Drive, Suite 300
 Westby, WI 54667
 (o) (608) 634-6160
 (m) (608) 632-0521