

**UTAH STATE TAX COMMISSION  
MEETING MINUTES**

12:00 p.m., Tuesday, June 5, 2012

Commission Hearing Room 1025, 210 North 1950 West, Salt Lake City, Utah

**Participating:**

R. Bruce Johnson - Commission Chair  
Marc B. Johnson - Commissioner  
D'Arcy Dixon Pignanelli – Commissioner  
Michael J. Cragun - Commissioner  
Barry Conover - Executive Director

**Commission Office:**

Christa Johnson, Commission Executive Assistant  
Charlie Roberts, Public Information Officer

**Executive Director's Office:**

Scott Smith, Deputy Executive Director  
Lynn Solarczyk, Director of Legislation

**Note:** A list of others present, a copy of related materials and an audio recording of the meeting can be obtained from the Office of the Commission at 801-297-3901.

**I. Call to Order**

Commission Chair B. Johnson called the meeting to order at 12:00 p.m.

- II. Public Comment** Public Comment (individuals or groups wishing to address the Commissioners for up to three minutes on matters not related to a pending or reasonably imminent appeal to the Tax Commission)

Commission Chair B. Johnson asked if anyone wished to address the Tax Commissioners. There were no comments.

**III. Consider Petition for Full Membership Under Streamlined Sales and Use Tax Agreement**

**IV. Consider 2012 Recertification of Streamlined Sales and Use Tax Agreement Compliance**

Commission Chair B. Johnson explained that under the Streamlined Sales and Use Tax Agreement Act, each member state is authorized to require all sellers not qualifying for a small seller exception to collect and remit sales and use taxes with respect to remote sale sourced to that member state. A state that is not a member state under the Streamlined Sales and Use Tax Agreement is authorized to require all sellers not qualifying for the small seller exception to collect and remit sales and use taxes with respect to remote sales sourced to that State, but only if that state adopts and implements minimum simplification requirements. Utah is currently an

associate member and is petitioning to become a full member. At a minimum, states must provide the following:

- Software and services to remote sellers to facilitate collection, States must also adopt certification procedures for single and consolidated providers to expand collection software and service options for sellers.
- A single state-level agency to administer all sales and use tax laws, a single audit, and a single return.
- A uniform sales and use tax base among the state and local taxing jurisdictions.
- Require all sales and use taxes to be collected according to the destination rate.
- Relieve sellers from liability for incorrect tax collection if errors are made in reliance on information provided by the state, and hold sellers harmless for any errors or omissions made by a single or consolidated provider.
- Provide 30 days notice of local rate changes, and require that changes become effective only on the first day of a calendar quarter. If a state fails to provide notice then it must hold the sellers harmless for a 30-day period.

Commissioner Dixon asked if the Utah State Tax Commission posted the Streamlined Sales and Use Tax information on the Tax Commission website and if so what web page?

Mr. Conover responded that the Streamlined Sales and Use Tax certification procedures are on the Utah State Tax Commission website at <http://tax.utah.gov/> under the Taxes tab, Sales & Use, Streamlined Sales Tax.

Commissioner Dixon asked Mr. Conover to share which individuals with the Tax Commission were involved in preparing the materials for the Commission's consideration today.

Mr. Conover replied that Lynn Solarczyk, Director of Legislation; Scott Smith Deputy Executive Director; Craig Sandberg, Auditing Director and Rod Boogaard, Assistant Division Director have all worked on compliance and regulation of the Streamlined Sales and Use Tax agreement.

Commissioner Dixon thanked Mr. Conover and his team.

**MOTION:** Commission Chair B. Johnson moved to approve the Recertification of Streamlined Sales, Use Tax Agreement Compliance, Library of definitions, and Petition for Full Membership under Streamlined Sales and Use Tax Agreement. The motion passed unanimously.

Commission Chair B. Johnson thanked the individuals outside of the agency involved in the Streamlined Sales and Use Tax Agreement. They include Senator Hillyard, Representative Harper, Senator Bramble, Robert Spendlove, of the Governor's Office, and Jim Olson, of the Retail Association. Commissioner Dixon joined with Commission Chair B. Johnson in expressing this thanks.

## V. Adjourn

Commission Chair B. Johnson adjourned the meeting at 12:35 p.m.

**Approved on:** Thursday, June 14, 2012

**Attested:** Christa Johnson  
Executive Assistant  
Utah State Tax Commission