

Peisner Johnson & Company
What Tax Basis Should be used for Drop Shipping as of 8/6/2014

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Chart indicates whether an MTC certificate with a home state number is acceptable in a ship to state if the issuer does not have nexus.				
State	Tax: If a certificate is not acceptable and sales tax is required to be collected, what is the tax basis-- the selling price to the Distributor, the Distributor's price to the Consumer, or some other value?	Comments	Citation	CCH ¶
Alabama	N/A		Ala. Admin. Code r. 810-6-3-.35	Alabama 60-340
Arizona	N/A		Transaction Privilege Tax Ruling TPR 95-13	Arizona 60-340
Arkansas	N/A		Ark. Reg. GR-5	Arkansas 60-340
California	Retail selling price or wholesale price plus 10% markup		18 Cal. Code Regs. §1706	California 60-340 Vetter Practical Analysis
Colorado	N/A		General Information Letter GIL 2007-31	Colorado 60-340 Vetter Practical Analysis
Connecticut	Known selling price to Consumer, otherwise wholesale price		Conn. Gen. Stat. §12-407a(3)(A) Steelcase, Inc. v. Commissioner	Connecticut 60-340
District of Columbia	Selling Price to Distributor		D.C. Code Ann. §47-2001(n)(1)	District of Columbia 60-340
Florida	Known selling price to Consumer, otherwise price to Distributor		Fla. Admin. Code Ann. r. 12A-1.091(10)	Florida 60-340
Georgia	N/A		Sales and Use Tax Policy for Third-Party Drop Shipment Transactions	Georgia 60-340 Vetter Practical Analysis
Hawaii	Selling Price to Distributor		Haw. Reg. 18-237-13-02.01	Hawaii 60-340 Vetter Practical Analysis
Idaho	N/A		IDAPA 35.01.02.022	Idaho 60-340
Illinois	N/A		Ill. Admin. Code tit. 86, §130.225	Illinois 60-340 Vetter Practical Analysis
Indiana	Selling Price to Distributor		Information Bulletin #57	Indiana 60-340
Iowa	N/A		Iowa Admin. Code r. 701-18.55	Iowa 60-340 Vetter Practical Analysis
Kansas	N/A		Kan. Stat. Ann. §79-365(c) Notice 07-03	Kansas 60-340 Vetter Practical Analysis
Kentucky	Selling price to the Distributor, plus shipping and delivery charges		103 Ky. Admin. Regs. 31-111.3	Kentucky 60-340 Louisiana 60-340 Vetter Practical Analysis
Louisiana	N/A		Revenue Ruling 05-006	Louisiana 60-340 Vetter Practical Analysis
Maine	N/A		Code Me. R. 301	Maine 60-340
Maryland	Selling Price to Distributor		Md. Regs. Code tit. 3, §03.06.01.14(f) Mass. Gen. Laws ch. 64H, §1 TIR 04-26	Maryland 60-340
Massachusetts	Selling Price to Consumer			Massachusetts 60-340 Michigan 60-340 Vetter Practical Analysis
Michigan	Selling Price to Distributor		Mich. Comp. Laws §205.54k	Michigan 60-340 Vetter Practical Analysis
Minnesota	Selling Price to Distributor		Sales and Use Tax Fact Sheet No. 110	Minnesota 60-340 Vetter Practical Analysis
Mississippi	Selling Price to Distributor		Miss. Sales Tax Reg. 35 JV 3.05	Mississippi 60-340
Missouri	Selling Price to Distributor		Letter Ruling LR 3726	Missouri 60-340 Vetter Practical Analysis
Nebraska	Selling Price to Distributor		Neb. Rev. Stat. §77-2701.34	Nebraska 60-340 Vetter Practical Analysis
Nevada	N/A		Nev. Rev. Stat. §372.155 N.J. Admin. Code tit.18, §18-24-10.6(d) Publication ANJ-10	Nevada 60-340
New Jersey	N/A			New Jersey 60-340
New Mexico	Selling Price to Distributor		N.M. Admin. Code tit. 3, §3.2.13.9 N.M. Admin. Code tit. 3, §3.2.201.13	New Mexico 60-340 Vetter Practical Analysis
New York	Selling Price to Distributor		TSB-M-98(3)5	New York 60-340 Vetter Practical Analysis
North Carolina	N/A		Technical Bulletin 42-4	North Carolina 60-340
North Dakota	N/A		N.D. Cent. Code §57-39.4-18(1)(h)	North Dakota 60-340
Ohio	N/A		Information Release ST 1989-01	Ohio 60-340 Vetter Practical Analysis
Oklahoma	Selling Price to Distributor		Okla. Admin. Code §710-65-13-200	Oklahoma 60-340
Pennsylvania	N/A		Letter Ruling SUT 99-134	Pennsylvania 60-340 Rhode Island 60-340 Vetter Practical Analysis
Rhode Island	Selling Price to Distributor		R.I. Gen. Laws §44-18.1-18(A)(8)	Rhode Island 60-340 Vetter Practical Analysis
South Carolina	N/A		Revenue Ruling 98-8	South Carolina 60-340
South Dakota	Selling Price to Distributor		S.D. Codified Laws §10-45-61	South Dakota 60-340
Tennessee	Selling Price to Distributor		Tenn. Code Ann. §67-6-102 Tenn. Comp. R. & Regs. 1320-5-1-.96	Tennessee 60-340 Vetter Practical Analysis
Texas	Selling Price to Distributor		34 Tex. Admin. Code §3.285(d)	Texas 60-340 Vetter Practical Analysis
Utah	N/A		Private Letter Ruling 03-001	Utah 60-340
Vermont	Selling Price to Consumer, if known		Vt. Code R. 1-9701(5)-3	Vermont 60-340
Virginia	State did not respond		Ruling of Commissioner, P.D. 98-142	Virginia 60-340
Washington	N/A		Wash. Admin. Code §458-20-103(1)(b)	Washington 60-340 Vetter Practical Analysis
West Virginia	N/A		W. Va. Code §5, R. §11-15B-24(a)(8)	West Virginia 60-340
Wisconsin	N/A		Sales and Use Tax Report No. 1-10	Wisconsin 60-340 Vetter Practical Analysis
Wyoming	Selling Price to Distributor		Wyo. DOR Rule Ch. 2, §15(j)	Wyoming 60-340

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