

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 131

H.P. 113

House of Representatives, January 20, 2011

**An Act To Change the Threshold for Qualification for a Sales Tax
Resale Certificate**

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative JOHNSON of Greenville. (BY REQUEST)

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 36 MRSA §1754-B, sub-§2-B**, as amended by PL 2005, c. 519, Pt. OOO,
3 §1, is further amended to read:

4 **2-B. Provisional resale certificates; new accounts.** The assessor shall issue a
5 provisional resale certificate to each applicant for initial registration that states on its
6 application that it expects to make annual gross sales of ~~\$3,000~~ \$500 or more. A
7 provisional resale certificate issued between January 1st and September 30th is effective
8 for the duration of the calendar year in which it is issued and the 2 subsequent years. A
9 provisional resale certificate issued between October 1st and December 31st is effective
10 until the end of the 3rd succeeding calendar year. Each certificate must contain the name
11 and address of the retailer, the expiration date of the certificate and the certificate number.
12 If a vendor has a true copy of a retailer's resale certificate on file, that retailer need not
13 present the certificate for each subsequent transaction with that vendor during the period
14 for which it is valid.

15 **Sec. 2. 36 MRSA §1754-B, sub-§2-C**, as amended by PL 2005, c. 519, Pt. OOO,
16 §1, is further amended to read:

17 **2-C. Annual resale certificates; contents; presentation to vendor.** The assessor
18 shall periodically review the status of each retailer registered under this section. On or
19 before the date of expiration of a resale certificate, the assessor shall issue to each
20 registered retailer with gross sales of ~~\$3,000~~ \$500 or more during the 12 months
21 preceding the assessor's review a resale certificate effective for the next 3 calendar years.
22 Any subsequent annual resale certificate issued is effective for the next 5 calendar years.
23 Each certificate must contain the name and address of the retailer, the expiration date of
24 the certificate and the certificate number. If a vendor has a true copy of a retailer's resale
25 certificate on file, that retailer need not present the certificate for each subsequent
26 transaction with that vendor during the period for which it is valid.

27 **SUMMARY**

28 This bill changes the threshold for the requirement to obtain a sales tax resale
29 certificate from \$3,000 to \$500.