

Disclaimer This presentation is for educational purposes only and does not provide tax advice. It is meant to accompany an oral presentation and not to be used as a standalone document. This presentation is based on the facts and circumstances being discussed, and on the laws $% \left\{ \left(1\right) \right\} =\left\{ \left($ in effect when it is presented. It does not supersede or alter any provisions of Minnesota laws, administrative rules, court cases, or revenue notices. If you have any questions, contact us at salesuse.edu@state.mn.us, 651-296-6181, or Minnesota Business Tax Education Program Providing education opportunities about Minnesota tax laws. **Course Objectives** After completing this course, you will be able to: • Determine what taxes apply to sales • Identify what local taxing jurisdictions are implementing new local sales and use taxes • Explain who must register for, collect, and remit local taxes • Register for a local tax using e-Services • Identify the documentation necessary for sales and use tax records

Which taxes apply to the sale?

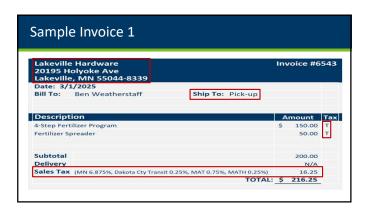
• Locate several resources that answer your sales and use tax questions

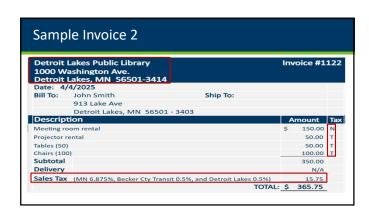
Part 1

1. Seller's Address MN Stat. 297A.668, Subd. 2

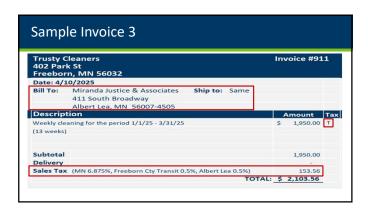


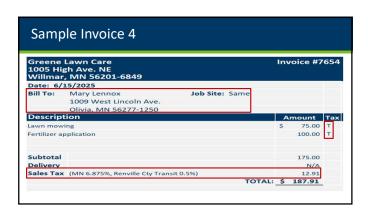


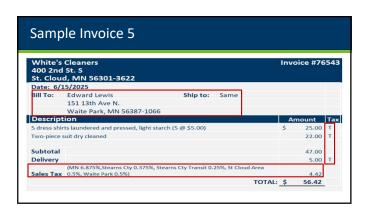




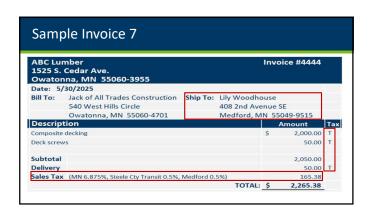


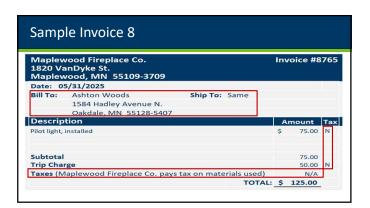


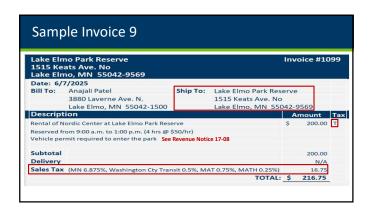


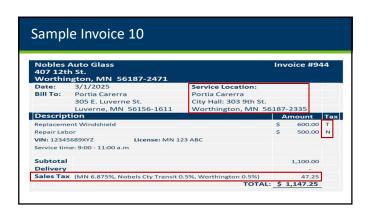


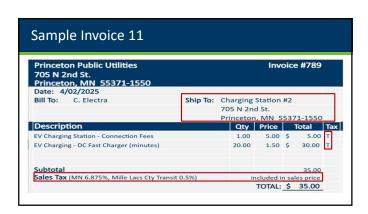


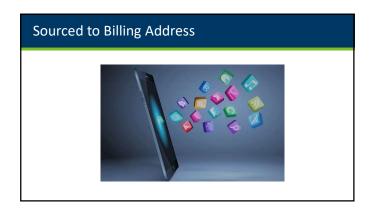


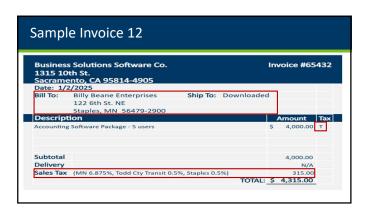


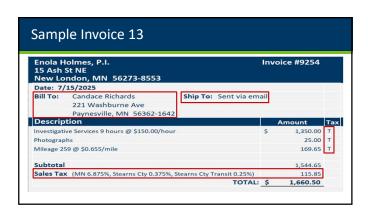


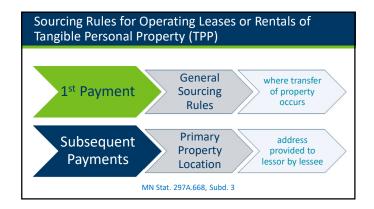


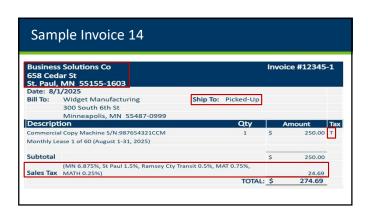


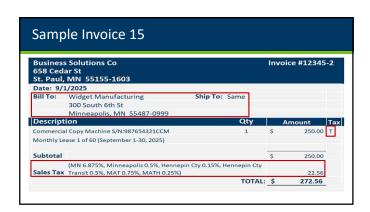


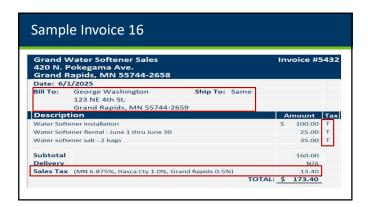












Operating Lease vs. Capital Lease			
Characteristics	Operating Lease (Rental Agreement)	Capital Lease (Financing Agreement)	
What is being transferred?	Transfer of possession only; not title	Transfer of title upon possession or at the end of the lease agreement	
Who owns property at the end of the lease?	Lessor owns property but lessee may have a buy-out option	The customer is required to buy the item at the end of the lease agreement, or can buy for a nominal amount	
When is tax charged?	Sales tax applied to each lease payment	Sales tax is due up front	

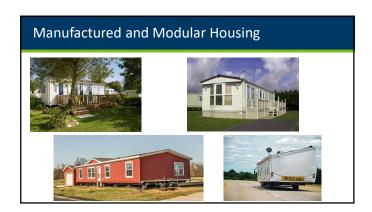
Lease or rental of motor vehicles, trailers, semitrailers, or aircraft that do not qualify as transportation equipment (MN Stat. 297A.668, Subd. 4) Transportation equipment (MN Stat. 297A.668, Subd. 5) Multiple points of use (MN Stat. 297A.668, Subd. 6a) Advertising and promotional direct mail (MN Stat. 297A.668, Subd. 7) Other direct mail (MN Stat. 297A.668, Subd. 7a) Manufactured and modular housing (MN Stat. 297A.668, Subd. 8) Florist sales (MN Stat. 297A.668, Subd. 9) Telecommunications and related services (MN Stat. 297A.669)













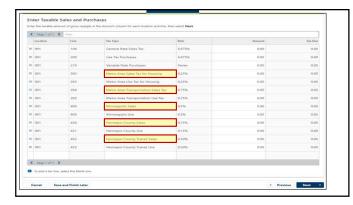
Telecommunications and Related Services

Local Taxes

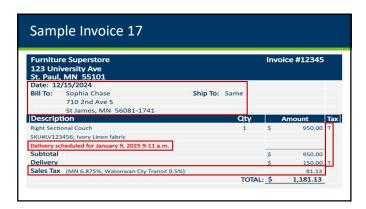
Local taxes are added to the state general sales tax rate to compute the total tax rate.

- City tax
- County tax
- Special local tax(es)
- Motor vehicle \$20 excise tax





Local Tax Changes • Direct notification if your business is in a jurisdiction with a new, changed, or ended local tax • Local Sales Tax Notices revenue.state.mn.us/local-sales-tax-notices • GovDelivery sent to everyone who subscribes **Transition Sales** We have rules for transition sales involving: · Tangible personal property • Lease payments for tangible personal property · Taxable services · Admission tickets • Purchases of construction materials used to complete a lump sum or fixed price construction contract Sales of TPP Sourced to a Location with a New Tax Rate Transitional periods do not affect sales of tangible personal property. Sales or use tax applies on the date the buyer takes possession or title of the goods, whichever happens first.



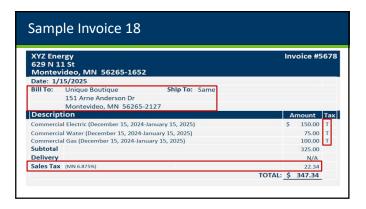
Leases and Services Sourced to a Location with a New Tax Rate

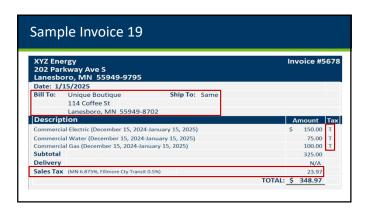
Rate Increase:

• The new rate applies to the **first billing period** that starts on or after the effective date of the change

Rate Decrease:

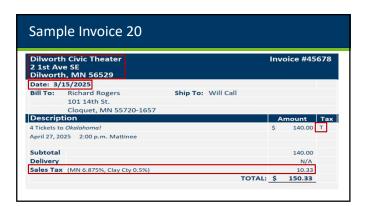
 The new rate applies only to bills issued on or after the effective date of the change





Admission Sourced to a Location with a New Tax Rate

- The new tax applies to sales of admission on or after the effective date.
- Ticket sales are taxed based on the date purchased, not the date of the event.



Construction Contracts with a New Tax Rate at the Job Site

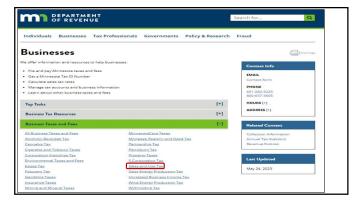
Tangible personal property or services purchased in relation to a preexisting bid or contract are exempt from a new tax or a tax rate increase for six months from the effective date of the law change. The exemption is for the change in tax on items or services if purchased during the transitional period.

 $\underline{revenue.state.mn.us/sales-during-transitional-periods-transitional-sales}$

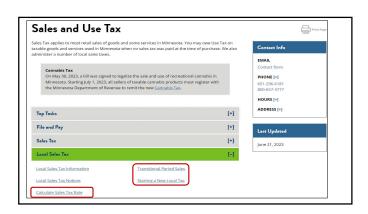
Tools to Find Tax Rates

We offer a variety of tools including:

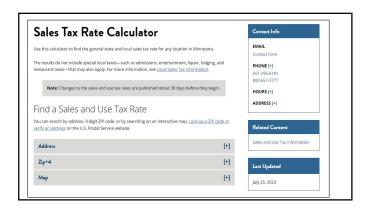
- Local Sales Tax Rate
- Twin Cities Area Local Tax Rate
- Sales Tax Rate Calculators
- Sales Tax Rate Map
- Sales Tax Rate Spreadsheet
- Sales Tax API (Application Program Interface)





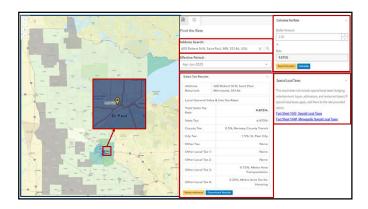
















Who needs to register?

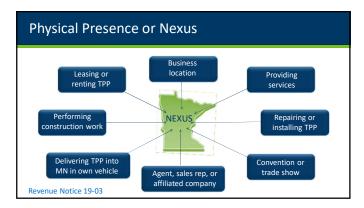
Part 2

Who Needs to Register?

You must register in Minnesota if you:

- Have a taxable presence or nexus in Minnesota
- Remote sellers who exceed the Small Seller Exception
- Make purchases subject to use tax





Remote Sellers A remote seller is any business that sells products into Minnesota without having a physical presence in Minnesota. Examples: • Internet Sellers • Sales over the telephone • Mail order/catalog companies **Small Seller Exception** The Small Seller Exception applies to remote sellers who do NOT meet either of the following thresholds in the previous 12 months: • 200 or more retail sales shipped into Minnesota • Retail sales shipped into Minnesota that total more than \$100,00 revenue.state.mn.us/sales-tax-faqs-remote-sellers Who is a Marketplace Provider? A Marketplace Provider is any person, other than the seller, who facilitates a retail sale by: • Listing or advertising the seller's products; and • Processing the payments from the customer, either directly or indirectly through a third party revenue.state.mn.us/sales-tax-marketplace-providers

Sales Through Marketplace Providers	
You only sell through a Marketplace	
 If the Marketplace collects on your behalf, you do not need to register 	
If the Marketplace does not collect sales tax on your behalf, you must register and collect the tax unless you meet the Small Seller Translation Translation Translation Translation Translation Translation Translation	
Exception	
Sales Through Marketplace Providers	
You sell through a Marketplace, your own website, and	
through other sources • If all retail sales into Minnesota combined exceed the Small Seller	
Exception, you must collect and remit tax for all sales not reported by the Marketplace	
How do I register?	
Part 3	

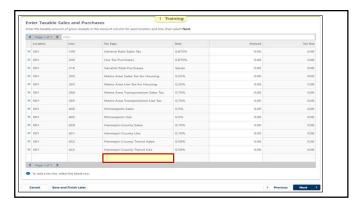
Minnesota Tax ID Number

- Minnesota Department of Revenue's Business Center
 - $^{\circ} \ \ \textbf{Register online} \ \ (\underline{\textbf{https://www.mndor.state.mn.us/tp/eservices/_/}})$
 - o Register by phone (651-282-5225 or 1-800-657-3605)
- Streamlined Sales Tax Registration
 System (SSTRS) Streamlined Sales Tax Registration System
- Certified Service Provider (CSP)



Registering for New Local Taxes

- Automatic registration for those with ZIP Codes in the local taxing jurisdiction
- Online through e-Services
- Phone



Recordkeeping

Part 4

Recordkeeping Basics

Use a recordkeeping system that:

- Incorporates Generally Accepted Accounting Principles (GAAP)
- Tracks the data you need
- Easy to maintain
- Works for your business



Recordkeeping Basics

Make sure that you:

- Record each transaction the same
- Do not mix personal and business transactions
- Do not mix business records, if you have more than one business
- Use the appropriate accounting method (cash or accrual)

Sales Documentation You should retain documents that detail the following: • Date of the transaction • Description of the item(s) • Sales price • Where the sale was sourced Sales tax collected • Exemption certificate received **Purchase Documentation** Record this information: • Date of purchase • Invoice number • Vendor's name • Description of the item(s) • Taxable amount • Amount of state and local sales or use tax paid

Resources

Are you looking for additional resources?

WW

Visit our website at revenue.state.mn.us

Sales and Use Tax Contact Information

• Sales taxability questions

Email: salesuse.tech@state.mn.us

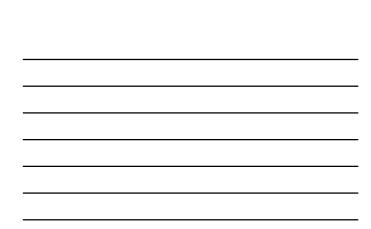
• Sales and Use Tax account questions

Email: salesuse.tax@state.mn.us
• Telephone assistance

Phone: 651-296-6181 or 1-800-657-3777 (toll free)

revenue.state.mn.us/get-sales-tax-help





Email Updates with GovDelivery Get the latest tax updates • Choose the updates you want, by tax and publication type • Choose notification frequency • Sign in directly or use the Facebook or Google links **Course Review** During this course, we discussed... • What taxes apply to the transaction based on where the sale is sourced • New and recent changes to local sales and use taxes • Who must register for, collect, and remit state and local taxes • How to register for a local tax using e-Services • The documentation necessary for sales and use tax records • Resources that answer sales and use tax questions

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