



# TAXING ISSUES

WYOMING DEPARTMENT OF REVENUE

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Excise Tax Division

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Excise Tax Division Newsletter  
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## *In This Issue:*

- *Tax Rate Changes*
- *Information for WYIFS Filers*
- *Exemption Certificate Information*
- *Third Party Drop Shipping*
- *Educational Webinars*

*This publication is not an official taxability ruling. Your specific facts must be reviewed in detail before we can make official taxability rulings. Please direct your written inquiries for such rulings to the department at the address or fax number listed above. Or e-mail your inquiry to: [dor\\_taxability@wyo.gov](mailto:dor_taxability@wyo.gov) Please be sure to include all pertinent facts in your inquiry. We will respond with written guidance for your particular business transactions.*

## **Tax Rate Changes:**

### **Present:**

- Effective October 1, 2018 the sales/use tax rate in Carbon County will decrease to 5% as the Specific Purpose Option Tax will be collected. The combined sales/use and lodging tax rate for Carbon County effective October 1, 2018 will be 7%.

### **Future:**

## **Future Tax Rate Changes:**

*Pursuant to W.S. 39-15-207(c) and 39-16-207(c) notice is given of the following future tax rate changes.*

The Department is not aware of any sales, use or lodging tax rate changes for the tax return quarter beginning January 1, 2019. It is prudent to periodically check DOR's website for notices of tax rate changes. It is possible to have additional rate changes effective January 1, 2019, as the Department might not receive all notifications prior to the printing of this publication. Access our tax rate charts on line at <http://revenue.wyo.gov>. From the Home page, find the "Excise (Sales & Use) Tax Division," click on "Publications" click on Sales & Use Tax Rate Charts. Additionally, there is a Zip Code Directory which combines a listing of all zip codes in Wyoming with the associated sales tax rates. This document is in an Excel format.

**Please Note:** Tax rate changes are effective the first day of a calendar quarter after providing sixty days notice to all vendors. This newsletter and DOR's website serves as the notice to vendors of the tax rate changes. Sales tax rate charts are only updated as rate changes occur.

## **Attention WYIFS Filers:**

When filing a return using the Department's electronic filing system (WYIFS) vendors should only utilize the box "Check here if there are no sales, sales tax, or use tax to report" if there were no sales at all for that reporting period. If the business had sales but all sales were exempt from sales tax, please click on the continue button, enter zero in the "Amount of Taxable Sales" field, enter the amount of purchases subject to use tax, and any excess tax due for each jurisdiction, then click continue. On the summary page is where the business's gross sales and services (line 1) and total deductions (line 2) will be entered. These figures will net to zero when all the business's sales are exempt from sales tax. It is important for vendors to report the gross sales and deductions even if it nets to zero tax due for the reporting period. Example: A car dealership which only sells vehicles does not collect sales tax from their customers, as the tax is collected by the county treasurer prior to first registration in Wyoming. The car dealership would still report the gross sales and deductions for each filing period. The dealership

would not utilize the box “Check here if there are no sales, sales tax or use tax to report. Sales were made; but the dealer is not the party to collect the tax on those sales.

**Documentation Required for Exempt Purchases:**

Vendors selling to customers claiming a sales tax exemption are required to obtain a Streamlined Sales/Use Tax Agreement Certificate of Exemption from their customers. The selling vendor must keep the exemption certificate in their business records for at least three years for audit purposes. In order for the certificate to be valid for claiming the exemption, the seller should verify that the certificate is completed in its entirety. This means all sections must contain valid responses and the certificate must be signed. If utilizing the wholesale for resale exemption, the purchaser should indicate the type of business in section four, select G “Resale” in section five and indicate their sales/use tax license number on the line provided. A governmental entity should select 18 “Government” in section four and choose either A “Federal Government” or B “State or local government” in section five and indicate the department or agency in the line provided. The government agency will not have any kind of exempt number to include on the form as they are exempt by statute. Similarly, a religious or charitable organization is exempt from paying sales tax upon supplying the completed exemption certificate to the seller. In this case, the organization selects the most appropriate type of business in section four, and in section five selects “E” or “F,”

whichever is most appropriate. Like Government agencies, these organizations will not have a tax exempt number to show on the form as they are not required to seek prior approval from the Department to utilize the exemption. Please note: the exemption certificate is the only document a purchaser is required to provide the seller to make tax exempt purchases. The certificate is also the only document the seller is required to maintain in their business records as proof of tax exempt sales. Please view the Streamlined Sales/Use Tax Agreement Certificate of Exemption form with instructions on DOR’s website at <http://revenue.wyo.gov>

**Third Party Drop Shipping Transactions:**

We have recently received multiple questions concerning third party drop shipment transactions. The department views third party drop shipping as a series of transactions where the supplier/manufacturer sells his product to a vendor for subsequent resale but ships the item to the vendor’s customer directly. The first transaction is between the vendor and the supplier/manufacturer. The vendor would make the purchase on a wholesale for resale basis, by supplying the supplier/manufacturer with an exemption certificate from Wyoming or another state where they are licensed to purchase for resale, indicating the purchase is for resale. The second transaction is between the vendor and the Wyoming customer. This is the retail transaction where we would expect sales tax to be due and payable. If the vendor is licensed

to collect Wyoming sales tax, the final customer would remit the tax to the vendor who in turn would remit the tax to our department on his periodic sales/use tax return. However, if the vendor is not licensed to collect Wyoming sales tax, the tax would be handled between the final customer and our office directly, once the goods are received in the state. The tax liability in this second transaction would never rest on the supplier as the supplier is only acting as a shipping agent to the final customer, not acting as the vendor selling the product.

**Educational Webinars:**

The Department has the following Sales/Use Tax Webinars scheduled through the end of 2017.

- Mining Industry; October 11, 2018.
- Manufacturing Industry; October 25, 2018.
- Construction Industry; November 8, 2018.
- Lodging Industry; November 15, 2018.
- Oil & Gas Industry; December 6, 2018.
- General Sales/Use Tax; December 13, 2018.

**Field Offices:**

The area code prefix is 307 for all of our field offices.

Casper	266-3621
Cheyenne	777-5211
Gillette	682-6061
Riverton	856-1185
Laramie	742-4207
Powell	754-2686
Rock Springs	382-4531
Sheridan	674-8559
Jackson	734-9354
Torrington	532-5566