

Excise Tax Division Newsletter
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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@wy.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 with the tax return quarter beginning October 1, 2011 there will be the following sales, use and lodging tax rate changes in Wyoming.

- Campbell County's sales/use tax rate will increase to 6%.

- Effective October 1, 2011 the combined sales, use and lodging tax rate for Campbell County will be 8%.

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, 2012.

It is prudent to periodically check our website for notices of tax rate changes. It is possible that there will be rate changes effective January 1, 2012 that the department has not been notified of to date. You can access our tax rate charts on line at <http://revenue.state.wy.us> by clicking on the "Publications" tab in the red banner. Then scroll to "Sales and Use Tax Rates." We also have 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.

Department of Revenue Gillette Field Office has been relocated:

The Field Representative office in Gillette, WY is now located at; 551 Running W Suite 402 Gillette, WY 82718.

New Field Representative for Park and Big Horn Counties:

The department has hired a new Field Representative for Park and Big Horn Counties. Please join us in welcoming Naomi Burns to the Department of Revenue.

New Returns:

We have been sending out the new sales/use and lodging tax forms since May 2011. For the most part vendors seem to be completing them without

too much difficulty; however we have noticed a few issues we would like to offer some assistance with.

All licensed vendors that file monthly or quarterly, should be receiving a form 41-1 from the department. This form will be pre-populated with the jurisdictional information (Counties) that you reported tax due in the previous filing period. If no sales tax, use tax or excess tax is due in a pre-populated jurisdiction for the current filing period, please enter zeros in columns 4, 5, 6, and 7 on that jurisdictional line.

Column 4 (Sales Tax Due): This column is used to report all sales tax due on sales made during the reporting period. This figure would include all sales to your customers as well as those items that a vendor may have removed from a tax free inventory to use in a taxable sale or service. **Example:** A grocery store purchases its inventory on a wholesale for resale basis (without the payment of sales tax) because the tax will be collected from their customers on the taxable items. If the grocery store removes cleaning supplies from their shelves to use to clean the store; the grocery store then owes sales tax on that inventory removed for their own use. The store would owe sales tax based on their wholesale cost of the items.

Column 5 (Use Tax Due) is used when a vendor makes purchases outside the State of Wyoming, where no tax was charged at the time of purchase, and brings those items into the State for storage, use, or consumption. These purchases would include things like, office supplies, cleaning supplies and/or equipment you as a vendor use to conduct your business. **Example:** A business purchases a computer on-line to use to track their sales. If the on-line

company doesn't charge tax on the item the business owes use tax on the computer, as it was a purchase made outside the State of Wyoming, for use in the state. This amount is not included in the figures reported in lines A (Gross Sales & Services), B (Total Deductions) and C (Net Taxable Sales & Services). These lines only include figures subject to sales tax.

Should you need to add jurisdictions in Part II of the form 41 please be sure you complete both Column 1 (Jurisdiction Name Code) and Column 2 (Jurisdiction Digit Code). Remember that all sales and use tax due is reported at the County level. This means that the first two digits of the digit code will be the county number and the second two digits will always be 00. **Example:** Laramie County; In Column 1 enter: LARA, in Column 2 enter: 0200.

Please complete all lines in Part I Summary. If all lines (A through I) are not completed your return will have to be rejected. The department cannot enter figures for you or presume that by leaving the lines blank you are attempting to indicate nothing is due for that line. Entering a zero ensures the form is read properly.

Should you need to add additional Jurisdictional information on a form 41-2 please total the Net taxes due in Column 7 and place the total on line 1 of the supplemental form. That total is then reported on Line K of the form 41-1.

Lodging Vendors:

If you are a lodging vendor located in a jurisdiction that has enacted a lodging tax you must complete a form 41-3 to report your lodging tax. The sales tax due on your lodging services will be reported on the form 41, and the lodging tax due on your lodging services must be reported on the form 41-3. **Example:** Lodging services rendered in Sweetwater County. The 6% sales tax will be reported on the

form 41 in Column 4. The 2% lodging tax will be reported on the form 41-3 (Lodging Supplemental form) in Column 4. The total tax due on lodging services is then entered on Line E of the form 41.

WYIFS Filers:

We have had great response to our new electronic filing system. We hope you are finding this system easy to use and convenient. Using this system allows you to file your sales/use and lodging tax returns 24/7 and you can even schedule your ACH payment to come out of your account at the end of the month. You may also choose to pay with a check and print a payment voucher from the system to send with your payment.

If you are utilizing our WYIFS System please be sure to keep your information updated. Our WYIFS system allows you to manage your own information. You can update, add or delete bank account information. You also have the ability to update your e-mail address. The e-mail address on your WYIFS account is extremely important, as this is the address to which all confirmations are sent. If you are not receiving confirmations from WYIFS please verify that your e-mail address is correctly entered in the WYIFS system. You may also want to check to make sure the confirmations are not being sent to your spam or other type of security filter.

If you have questions concerning WYIFS or would like additional information about this system, please review our user guides on our web site at <http://revenue.state.wy.us>. Once on our home page click on "Forms" in the red banner, under the heading Excise (Sales, Use Cigarette and Estate Tax) click on ETS Training and an expanded menu will appear, with all the WYIFS user manuals listed. You may also contact the Vendor Operations Section of the Excise Tax Division or your local Field Representative for assistance.

Monthly Account Statements:

Monthly account statements are sent to each vendor that has a balance (debit or credit) on their account every month. If you receive a statement indicating a credit or debit on your account, please check your records. If you believe the notice is in error and you should not have a balance, please notify the department so we may review your account. Our returns are scanned into the system and put through character recognition software. It is possible that an error could be made, and occasionally not get resolved before the account statements have been created. On a quarterly basis any credit on vendors' accounts will be pre-populated on line H of your form 41. This allows vendors to utilize the credit against any tax owed for that period. If you don't have any tax to remit for that period you may use the credit on a future return.

Vendor Compensation:

Effective with the January 2012 reporting period vendors will be allowed to take a credit on their return to help offset the cost of reporting sales/use tax due to the state. In order to be eligible to take the credit tax due must be reported and paid by the 15th day of the month the tax is due, and your account must be in good standing. This means that all returns must be filed and the account must not have an outstanding balance due. Please take time to review the notices you receive from the department and clear up any balances due on your account prior to January 2012, so you may take advantage of the vendor compensation credit. Vendors will be allowed to take a credit of 1.95% of the amount of tax due for the first \$6250.00 of tax due and 1% of the amount of tax due for any amount exceeding \$6250.00, if the tax is paid on or before the 15th. The credit cannot exceed \$500.00 in any month.