

RESOLUTION NO. 2017-08-_____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

A RESOLUTION BY THE CITY OF TONTITOWN, ARKANSAS SUPPORTING FEDERAL AND STATE LEGISLATION TO ENSURE THE PROPER ASSESSMENT AND COLLECTION OF SALES TAX FROM ALL INTERNET/ONLINE SALES THEREBY CREATING A FAIR AND FREE MARKET FOR ALL BUSINESS AND CONSUMERS REGARDLESS OF THE LOCATION OF THE BUSINESS FROM WHICH THE PURCHASE WAS MADE.

WHEREAS, the City of Tontitown recognizes that legislation frequently referred to as the Marketplace Fairness and Remote Transaction Parity Act (“this Legislation”) is being considered by the United States Congress; and

WHEREAS, similar legislation was considered by the Arkansas General Assembly during the 2017 regular legislative session¹; and

WHEREAS, this legislation would give states the authority to enforce local and state taxes that are already in place and owed by out-of-state online retailers; and

WHEREAS, this legislation would require retailers to collect and remit sales tax to state and local governments for out-of-state online sales; and

WHEREAS, all businesses, regardless of their physical location, should be required to collect and remit state and local sales tax; and

WHEREAS, the playing field, as it currently stands, favors out-of-state internet retailers that exploit a pre-internet loophole, allowing them to evade collecting state and local sales tax even though they sell the same products in the same communities as local merchants do; and

WHEREAS, as it currently stands, stores with a local retailer must collect sales tax while online stores do not, thereby enabling online stores to undercut local retail prices; and

WHEREAS, this legislation is not a new tax or a tax increase, but rather enables states to collect taxes that are already due; and

WHEREAS, this legislation would generate more sales, pay more sales tax to the state treasury, encourage more local retailers, create jobs for local workers and infuse more money into local economies throughout the State of Arkansas.

¹ Senate Bill 140 of 2017;

<http://www.arkleg.state.ar.us/assembly/2017/2017R/Pages/BillInformation.aspx?measureno=SB140>

NOW, THEREFORE, BE IT HEREBY RESOLVED:

Section 1. That the City Council of the City of Tontitown urges members of the Arkansas Congressional Delegation and the Arkansas Legislature to work for passage and vote in favor of legislation requiring the collection and remittance of state and local sales tax by all retailers thus making for competition in a true free market and giving every business an equal opportunity to compete, innovate and create jobs.

Section 2. Moreover, the City Council of the City of Tontitown does hereby urge Governor Asa Hutchison to call for a special session as quickly as possible to address the most important issue for the benefit of the state's local retail businesses and its citizens.

PASSED and **APPROVED** this _____ day of _____, 2017.

APPROVED:

Paul Colvin, Jr., Mayor

ATTEST:

Rhonda Ardemagni, City Recorder-Treasurer