

# Cases and Rulings in the News States A-M, Connecticut Department of Revenue Services, CT—Informational Publication 2015(12), Connecticut, (Jan. 12, 2015)

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State of Connecticut

Department of Revenue Services

## Getting Started in Business Informational Publication 2015(12)

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## 1 Getting Started

### Choose a Business Entity

An important step in forming a new business is to choose the type of business structure you will use. There are several types of business entities to choose from, including sole proprietorship, partnership, corporation, limited liability company, and limited partnership. Each has its own advantages and disadvantages, as well as tax consequences of which you should be aware.

The Department of Revenue Services (DRS) cannot advise you on choosing a business entity. You have to decide which of these entities best suits your business objectives and needs. You can get help in making this decision from a tax practitioner, such as an accountant, enrolled agent, or attorney, or one of the resource organizations listed in Chapter 10. A tax practitioner can also provide information about how to establish the business structure you choose.

### Business Income Tax Filing Requirements

***Depending upon the business structure you choose, you will need to file certain tax forms to report your business income.***

Depending on the business structure you choose, you will file certain tax forms to report your business income. We explain the Connecticut income tax requirements that apply to each business structure below. For federal tax information and filing requirements, contact the Internal Revenue Service (IRS). We list some helpful telephone numbers in Chapter 10.

#### A. Sole Proprietorship

A sole proprietorship is owned and operated by one individual (the sole proprietor). A sole proprietor reports income earned by the sole proprietorship on their individual income tax return. Because sole proprietors are not employees of their businesses and income taxes are not withheld from their income, estimated income tax payments may be required.

Use the following forms to report income from a sole proprietorship:

**Form CT-1040ES**, *Estimated Connecticut Income Tax Payment Coupon for Individuals*

If you expect to owe \$1,000 or more in Connecticut income tax for the year in addition to any Connecticut income tax withheld from earnings at another job or from a pension, you should make estimated payments. In general, four equal installments are due April 15, June 15, and September 15 of the current year, and January 15 of the following year. This requirement applies to residents and nonresidents who have income derived from or connected with Connecticut sources.

**Income derived from or connected with Connecticut sources** includes income from a business, trade, profession, or occupation carried on in Connecticut; income from any interest in real estate or personal property located in Connecticut; income from intangible personal property to the extent it is used in a business, trade, profession, or occupation carried on in Connecticut; and any gain or loss from the sale or disposition of an interest in an entity that owns property in Connecticut.

If your income varies throughout the year, you may benefit from using the annualized income installment method. If you use this method, the size of the installments may vary depending upon the amount of income earned during each quarter. See **Informational Publication 2011(26)**, *Estimated Connecticut Income Taxes*. If you need information about the annualized income installment method, see **Informational Publication 2012(16)**, *A Guide to Calculating Your Annualized Estimated Income Tax Installments and Worksheet CT-1040 AES*. Visit the DRS website at [www.ct.gov/DRS](http://www.ct.gov/DRS) to obtain these publications.

**Form CT-1040**, *Connecticut Resident Income Tax Return*, or **Form CT-1040NR/PY**, *Connecticut Nonresident and Part-Year Resident Income Tax Return*

After your taxable year ends, you must file a Connecticut income tax return on or before the fifteenth day of the fourth month following the close of your taxable year. Connecticut residents report their income on Form CT-1040. Nonresidents and part-year residents use Form CT-1040NR/PY. For most taxpayers, the income tax return is due on or before April 15.

Most Connecticut taxpayers may use the **Taxpayer Service Center (TSC)** to file Connecticut income tax returns electronically. You may file your Connecticut income tax return through the **TSC** if all of the following are true:

- You filed a Connecticut income tax return in the last three years; **or**

You never filed a Connecticut income tax return, but you have a valid Connecticut driver's license or Connecticut non-driver ID;

- Your filing status is the same as the last return DRS has on file;

- You are not filing **Form CT-1040CRC**, *Claim of Right Credit*; **and**

- You have no more than ten W-2 or 1099 forms that show Connecticut income tax withheld.

## **B. Partnership**

A partnership is the formal relationship between two or more persons who join together to carry on a trade or business. The terms of the partnership are generally stated in a formal partnership agreement. Partnerships are not subject to an entity-level tax and their items of income and deductions pass through to their partners. Partnerships may, in certain circumstances, be required to make composite income tax payments on behalf of their partners that are either nonresident noncorporate members or pass-through entities (P/E). See **Informational Publication 2006(22)**, *Connecticut Income Tax Changes Affecting Pass-Through Entities*. A partnership must apply for a Federal Employer Identification Number (FEIN) from the IRS and register as a partnership with DRS for Connecticut tax purposes.

An association of two or more people is not required to apply for a FEIN and, with no partnership agreement, should not register as a partnership for Connecticut tax purposes. For example, persons who are mere co-owners of property that is maintained, kept in repair, and rented have not created a partnership for federal tax purposes and should not register as a partnership for Connecticut tax purposes.

Where spouses are in an unincorporated business together, the business may, depending on the circumstances, be treated either as a partnership or a sole proprietorship for federal income tax purposes.

**Treatment as a partnership:** If spouses carry on the unincorporated business together, with each spouse materially participating and sharing in the profits and losses, the spouses will most likely be treated as partners in a partnership for federal income tax purposes whether or not they have a formal partnership agreement. "If spouses carry on a business together and share in the profits and losses, they may be partners whether or not they have a formal partnership agreement. If so, they should report income or loss from the business on Form 1065. They should not report the income on Form 1040, Schedule C, in the name of one spouse as a sole proprietor." (IRS Publication 541, Partnerships). Similar instructions are in IRS Publication 334, Tax Guide for Small Business.

**Treatment as a sole proprietorship:** If one spouse is an employee of (and not the partner of) the other spouse, the unincorporated business will most likely be treated as a sole proprietorship for federal income tax purposes. “The wages for the services of an individual who works for his or her spouse in a trade or business are subject to income tax withholding and social security and Medicare taxes ...” (IRS Publication 15 (Circular E), Employer's Tax Guide).

The proper federal tax classification of an unincorporated business as either a partnership or a sole proprietorship dictates how the business should register for Connecticut tax purposes.

A partnership with income from Connecticut sources must file **Form CT-1065/CT-1120SI**, *Connecticut Composite Income Tax Return*. **Income derived from or connected with Connecticut sources** includes income from a business, trade, profession, or occupation carried on in Connecticut; income from any interest in real estate or personal property located in Connecticut; and income from intangible personal property to the extent it is used in a business, trade, profession, or occupation carried on in Connecticut.

### C. Corporation

A corporation is an entity created under state law with a legal existence separate and apart from its shareholders. If you intend to form a corporation or if your out-of-state corporation intends to transact business in Connecticut, you should also contact the Connecticut Office of the Secretary of the State (SOTS). See Chapter 9.

C corporations pay the corporation business tax for the privilege of conducting business in a corporate capacity in Connecticut. A C corporation is a corporation that has not made an election to be an S corporation for federal income tax purposes. S corporations are discussed on Page 6. If your corporation is a C corporation, use **Form REG-1**, *Business Taxes Registration Application*, to register for the corporation business tax. See *Register With DRS* on Page 7.

Corporations calculate their tax under two alternative methods, tax measured by net income and the minimum tax, and remit the higher tax.

**The tax measured by net income:** Federal net income is modified by certain additions and subtractions to compute Connecticut net income. Multistate corporations multiply their Connecticut net income by the appropriate apportionment fraction. The Connecticut net income or apportioned Connecticut net income for multistate corporations is taxed at 7.5%.

**The minimum tax:** The Connecticut minimum tax base is the average value of issued and outstanding capital stock, surplus, and undivided profits and surplus reserves reduced by the average value of any deficit carried on the balance sheet and holdings of stock of private (nongovernmental) corporations including treasury stock.

Multistate corporations multiply their Connecticut minimum tax base by an apportionment fraction based on the percentage of their intangible personal property and tangible personal property in the state. The Connecticut minimum tax base or apportioned Connecticut minimum tax base for multistate corporations is taxed at a rate of 3.1 mils (\$0.0031) per dollar. The minimum tax cannot be more than \$1,000,000 or less than \$250.

Every C corporation and every other entity taxed as a C corporation for federal income tax purposes must file a corporation business tax return with the DRS on or before the first day of the month following the due date of the company's corresponding federal income tax return for the income year (April 1 for calendar year taxpayers). In the case of any company that is not required to file a federal income tax return for the income year, the Connecticut corporation business tax return is due on or before the first day of the fourth month following the end of the income year.

1st installment — March 15	30% of the required annual payment
2nd installment — June 15	70% of the required annual payment
3rd installment — September 15	80% of the required annual payment
4th installment — December 15	100% of the required annual payment

A corporation whose estimated current year's tax exceeds \$1,000 must make estimated tax payments. The chart below shows the required estimated payments for all filers and the due dates for calendar year filers.

The required annual payment is 100% of the tax shown on the prior year's return without regard to any credit, or 90% of the tax shown on the current year's return, whichever is less. For more information regarding estimated business tax payments, see **Informational Publication 2014(14)**, *Q & A on Estimated Corporation Business Tax and Worksheet CT-1120AE*.

Corporation business tax credits are available to new and existing businesses. See the *Connecticut Business Tax Credits* page on the DRS website.

You may not use a tax credit to reduce a corporation's tax liability below \$250. In addition, the amount of tax credits otherwise allowable against the corporation business tax for any income year may not exceed 70% of the amount of tax due from the taxpayer prior to the application of the tax credits.

**S Corporations:** Every domestic S corporation is subject to the business entity tax and must file **Form OP-424**, *Business Entity Tax Return*. A foreign S corporation is subject to the business entity tax and must file Form OP-424 if it is transacting business in Connecticut and is required to obtain a certificate of authority from the Connecticut SOTS. See Chapter 9 and *Business Entity Tax (Form OP-424)* on Page 36.

S corporations are not subject to the corporation business tax. For federal and Connecticut tax purposes, S corporations are treated as pass-through entities. Except as noted below, S corporation shareholders who are individuals, estates, or trusts report their pro rata share of S corporation income on Form CT-1040, Form CT-1040NR/PY, or **Form CT-1041**, *Connecticut Income Tax Return for Trusts and Estates*.

Additionally, pass-through entities must file Form CT-1065/CT-1120SI on or before the fifteenth day of the fourth month after the close of its taxable year. S corporations and other pass-through entities may be required to make a composite income tax payment on behalf of their nonresident noncorporate members or their members that are pass-through entities. See **Informational Publication 2006(22)**, *Connecticut Income Tax Changes Affecting Pass-Through Entities*.

#### **D. Limited Liability Company**

A limited liability company (LLC), including a single member limited liability company (SMLLC), is another entity created under state law with a legal existence separate and apart from its members. If you intend to form an LLC or if your out-of-state LLC intends to transact business in Connecticut, you should contact the Connecticut SOTS. See Chapter 9.

The Connecticut tax treatment of an SMLLC and of an LLC with two or more members is the same as its federal tax treatment. Thus, if an SMLLC is disregarded as an entity separate from its owner for federal income tax purposes, it is disregarded for Connecticut income tax purposes and it is treated as a sole proprietorship, branch, or division of the owner. If an SMLLC is classified as a C corporation for federal income tax purposes, it is treated as a C corporation for Connecticut corporation business tax purposes. Similarly, if an LLC with two or more members is classified as a partnership for federal income tax purposes, it will be treated as a partnership for Connecticut income tax purposes. If an LLC with two or more members is classified as a C corporation for federal income tax purposes, it is treated as a C corporation for Connecticut corporation business tax purposes.

LLCs treated as partnerships for federal income tax purposes that have income, gain, loss, or deductions derived from or connected with Connecticut sources during the year, must file Form CT-1065/CT-1120SI. LLCs may, in some circumstances, be required to make composite income tax payments on behalf of their members who are either nonresident noncorporate members or P/Es. See **Informational Publication 2006(22)**, *Connecticut Income Tax Changes Affecting Pass-Through Entities*. SMLLCs that elect to be treated as a sole proprietorship, branch, or division are not required to file Form CT-1065/CT-1120SI. LLCs may also be subject to the business entity tax. See *Business Entity Tax (Form OP-424)* on Page 36.

#### **E. Limited Liability Partnership**

A partnership may register in Connecticut as a limited liability partnership (LLP). A partner of an LLP is generally not liable for any debts or obligations of the partnership or another partner or partners. An LLP is treated like a general partnership for federal purposes, and an individual partner's share of partnership debts and obligations relating to the everyday operations of the organization is not limited. LLPs may also be subject to the business entity tax. See *Business Entity Tax (Form OP-424)* on Page 36.

## Registering Your Business

In addition to registering with DRS, you may have other state or federal requirements when starting a new business. Visit **Connecticut's Business Response Center** at [www.ct-clic.com](http://www.ct-clic.com) for information, and also see Chapter 9 of this publication.

## Register With DRS

### Online Registration

You may register for most taxes online using the **TSC**. If you register online and there is a fee, you must make direct payment from your savings or checking account. Credit and debit card payments are not accepted for registration fees.

If you register for sales tax, room occupancy tax, or as an over-the-counter cigarette dealer (retailer), a temporary permit will be available to print immediately. Be sure to print a copy of the temporary permit for your records. Once you have the temporary permit, you may use it immediately.

After you complete the registration, you will receive a confirmation number that serves as an official acknowledgment that your application has been received by DRS and acts as your temporary tax identification number. You will receive your registration package with your permanent Connecticut tax registration number in approximately two business days.

Use **Form REG-1**, *Business Taxes Registration Application*, to obtain a Connecticut Tax Registration Number or to register for additional tax types under your current Connecticut Tax Registration Number.

Use Form REG-1 to register for any of these taxes:

- Admissions and Dues Tax Certificate \*\*
- Alcoholic Beverage Tax \*
- Aviation Fuel Dealer \*
- Bottle Deposit Initiator \*
- Business Entity Tax \*\*
- Business Use Tax \*\*
- Certified Competitive Video Service Provider Companies Tax \*
- Cigarette Distributor License \*
- Cigarette Dealer License (over the counter sales only) \*\*
- Cigarette Manufacturers \*
- Community Antenna Television System Companies Tax \*
- Corporation Business Tax \*\*
- Diesel Fuel Distributor License \*
- Dry Cleaning Surcharge \*\*
- Employer's Withholding Tax \*\*

Heating Oil Declaration Distributor \*  
Motor Vehicle Fuels Distributor \*  
Motor Vehicle Fuels Exporter \*  
Petroleum Products Gross Earnings \*  
Railroad Companies Tax \*  
Room Occupancy Permit \*\*  
Sales and Use Tax Permit \*\*  
Satellite Companies Tax \*  
Solid Waste Assessment \*  
Suppliers of Natural Gas \*  
Tax Paid Motor Vehicle Fuels Distributor License \*  
Tobacco Products Permit \*  
Utility Companies Tax \*

\*\* Register for these taxes using the **TSC**.

\* In addition to Form REG-1, you must complete and attach the appropriate addendum to Form REG-1 to register for the following taxes:

#### **REG-1 Addendum A**

- Cigarette taxes
- Tobacco products tax

#### **REG-1 Addendum B**

- Admissions and dues taxes
- Dry cleaning surcharge
- Rental surcharge
- Tourism surcharge

#### **REG-1 Addendum C**

- Motor fuels tax
- Petroleum products gross earnings tax

#### **REG-1 Addendum D**

- Alcoholic beverages tax

#### **REG-1 Addendum E**

- Bottle deposit initiator
- Certified competitive video service provider tax
- Community antenna television company tax
- Nursing home provider
- Railroad companies tax



- Satellite company tax
- Solid waste assessment
- Suppliers of natural gas
- Utility companies tax

### **Mail-In Registration**

Complete **Form REG-1**, *Business Taxes Registration Application*, and any applicable Addendum(s) and mail to:

Department of Revenue Services  
 PO Box 2937  
 Hartford, CT 06104-2937

If you owe a registration fee, you must include payment by check or money order with the application. You will receive your Connecticut tax registration number in the mail in two to three weeks.

### **Walk-In Registration**

You may file **Form REG-1** in person at any of the DRS offices:

10 Middle Street, Bridgeport, CT  
 25 Sigourney Street, Hartford, CT (only THIS office accepts cash)  
 401 West Thames Street, Building #700, Norwich, CT  
 55 West Main Street, Suite 100, Waterbury, CT

If you file in person, you will be issued a Connecticut Tax Registration Number **immediately**. You must bring photo identification, such as a driver's license, and a check or money order if you owe a registration fee. DRS does not accept credit or debit cards for registration fees. The application must be signed by the individual owner, partner, officer of the corporation, member of the limited liability company, or another person who has written power of attorney with the authority to sign.

If you apply in person, DRS also issues a temporary seller's permit **immediately**. Once you have a temporary seller's permit, you may begin making sales. DRS will mail you a permanent *Sales and Use Tax Permit* that is valid for five years.

You must furnish a general description of your business activities on Form REG-1. If your business is a sole proprietorship, you must provide your Social Security Number (SSN) and your business' FEIN. If it is a partnership, corporation, limited liability company, or limited liability partnership, you must provide the company's FEIN and the names, SSNs, and addresses of the partners, officers, or members. If there are more than four partners, officers, or members, attach a list of the remaining names, SSNs, and addresses to Form REG-1.

### **Changes to Your Registration**

You must notify the DRS Registration Unit if any of the following changes to your business occur:

- Change to the business name or address;
- Change in business owners, including adding or deleting partners or changing corporate officers;
- Change to business structure (incorporating your business, forming a partnership, etc.);
- Addition of new tax liabilities or deletion of tax liabilities for which you are no longer liable; **or**
- Addition of new business locations or the sale or closure of one or more existing locations.

You can make a change to your mailing address, physical location address, or contact information using the **TSC** for any tax type for which you are registered. You can also close accounts with DRS on the **TSC**. Visit the DRS website at [www.ct.gov/TSC](http://www.ct.gov/TSC).

## Purchasing an Existing Business

If you purchase an existing business, you should consult a practitioner or business advisor to be certain you take all the steps necessary to protect your interests. In certain cases, the tax liabilities of the former owner can become your liabilities if you do not take precautions. You are also required to get your own Connecticut *Sales and Use Tax Permit*. You may not use the *Sales and Use Tax Permit* issued to the previous owner. See *Who Must Obtain A Sales and Use Tax Permit* on Page 10.

## Successor Liability

If you purchase an existing business, you may be held personally liable for the former owner's sales and use tax, income tax withholding, or admissions and dues tax liabilities. To avoid this problem, notify DRS by letter of the impending purchase at least 90 days before the closing and request a *Tax Clearance Certificate for Sales and Use Taxes* or *Tax Clearance Certificate for Admissions and Dues Tax*. DRS issues clearances **only** to the purchaser, not to the seller.

For more information about the tax clearance certificates, see **Informational Publication 2011(16)**, *Successor Liability for Sales and Use Taxes, Admissions and Dues Tax, and Connecticut Income Tax Withholding*, or call the DRS Public Services Unit at 860-541-7544.

## 2 Register to Make Sales in Connecticut

### Who Must Obtain a Sales and Use Tax Permit

You must obtain a *Sales and Use Tax Permit* from the Department of Revenue Services (DRS) if you intend to engage in any of the following activities in Connecticut:

- Sale, rental, or lease of goods;
- Sale of a taxable service; **or**
- Operating a hotel, motel, or lodging house.

**You must obtain a Sales and Use Tax Permit before making any sales.**

You must obtain a *Sales and Use Tax Permit* **before** making any sales. If you purchase an existing business, you may **not** use the *Sales and Use Tax Permit* issued to the previous owner; you **must** obtain a new *Sales and Use Tax Permit*. If you will have more than a single place of business, you **must** obtain and display a *Sales and Use Tax Permit* for **each** location.

The requirement to obtain a permit applies to individuals, corporations, partnerships, and all other business entities that will make sales in this state, regardless of the number of sales made or the amount of tax collected. These rules do not apply to *casual sales* or *isolated sales*, which are infrequent sales of a nonrecurring nature made by a person not engaged in the business of selling tangible personal property or taxable services. Manufacturers and wholesalers, as well as retailers, must obtain a permit.

As a seller, you are responsible for collecting sales and use taxes and you are liable for their payment whether or not you collect them as required from your customers. You must file returns and pay the full amount of tax due to DRS.

If a business is located outside the state, but has any physical presence in Connecticut (owning or leasing real or tangible personal property, maintaining an office, or having employees or agents present in this state), it must register to collect Connecticut use tax on sales to Connecticut customers and must obtain a Connecticut *Sales and Use Tax Permit*.

If the business does not have any physical presence in Connecticut, but wishes to register to collect Connecticut use tax, it may also register for a permit. Use **REG-7, Application for Authority to Collect Connecticut Use Tax**, to register with DRS. There is no fee to register.

An out-of-state business that is not required to register as a retailer in Connecticut that sells tangible personal property at wholesale prices to independent sales representatives (“distributors”) who resell the merchandise at retail or wholesale may make a request to enter into a Multilevel Marketing Agreement with DRS. This Agreement authorizes the business to collect Connecticut use tax from the distributors and report the tax to DRS. Under this Agreement, the distributors are authorized to collect from their customers a Connecticut use tax reimbursement on the distributors' sales of the merchandise.

Send a request to enter a Multilevel Marketing Agreement to:

Department of Revenue Services  
Office of Counsel  
25 Sigourney Street  
Hartford, CT 06106

You may instead email such a request to **legal.division@po.state.ct.us**

Requests to enter a Multilevel Marketing Agreement must include the business' name, its d/b/a name (if any), a contact person and address for any notices under the agreement to be sent to, the name and title of the person who will sign the Agreement on behalf of the business, and a starting date for the Agreement. If the business has not already registered with DRS as a retailer, the business will need to file a **REG-7, Application for Authority to Collect Connecticut Use Tax**.

## How to Obtain a Sales and Use Tax Permit

To register for sales and use taxes, use **Form REG-1, Business Taxes Registration Application**. Form REG-1 is also used to register for most other state taxes administered by DRS.

Applicants pay a \$100 fee with the application (plus an additional \$50 fee for a retail cigarette dealer's license if you will be selling cigarettes) to register for a *Sales and Use Tax Permit*. No additional fee is charged to register for room occupancy tax if you are registered or are registering for sales and use taxes.

You **cannot** assign or transfer your permit. If you close or discontinue business, you **must** file a final sales and use tax return and return the permit for that location to the DRS Operations Division. If you are selling your business, see *Successor Liability* on Page 9.

## Penalties for Failing to Obtain a Sales and Use Tax Permit

DRS will impose penalties for failure to obtain or renew a seller's permit while continuing to conduct sales. A penalty of \$250 applies for the first day you engage in business without a seller's permit, and a penalty of \$100 for each following day that you engage in business without a seller's permit. The penalty may be waived if you prove that the failure to obtain or renew the seller's permit was due to reasonable cause and was not intentional or due to neglect.

## Renewal

Your *Sales and Use Tax Permit* expires every five years but will be automatically renewed and mailed to you, provided your business has no outstanding liabilities. If your permit is lost or destroyed, you may request a replacement by writing to:

Department of Revenue Services  
Operations Division

PO Box 2937  
Hartford CT 06104-2937

Be sure to include your Connecticut Tax Registration Number in all correspondence with DRS. There is no charge for renewal or replacement of your Sales and Use Tax Permit.

If DRS determines that taxes are owed to the State of Connecticut and that all administrative or judicial remedies are exhausted or have lapsed, DRS will not issue or renew a license or seller's permit until you pay the taxes or make an arrangement with DRS to pay the taxes. In addition, this rule applies to cigarette dealer's, distributor's, or manufacturer's licenses, and to tobacco products distributor's and unclassified importer's licenses.

### 3 Sales Subject to Tax

#### Sales Tax, Use Tax, and Room Occupancy Tax

The **sales tax** is a tax imposed on the retailer for the privilege of doing business in the state.

The rate of 6.35% applies to the retail sale, lease, or rental of most goods and taxable services. However, see *Special Rates Apply to Certain Sales*, below. There are no additional sales taxes imposed by local jurisdictions in Connecticut.

***If you sell goods or taxable services in Connecticut, you are required by law to charge and collect the Connecticut sales tax.***

If you sell goods or taxable services in Connecticut, the law requires you to charge and collect Connecticut sales tax. You must also file timely returns and pay the sales tax to the Department of Revenue Services (DRS) whether or not you collected the tax as required from your customers. If no tax is due or no business activity was conducted for a particular period, you must still file a sales and use tax return for that period.

**Use tax** is due when you make taxable purchases but do not pay Connecticut sales tax. Any individual or business purchasing taxable goods or services for use in Connecticut without paying Connecticut sales tax **must** pay use tax. If you paid no tax because the purchase was made from an out-of-state mail order company, the use tax due is equal to the Connecticut sales tax due on the sale if it occurred in Connecticut. If another state's tax was properly paid on purchases made in that state, the use tax due is limited to the amount, if any, by which the Connecticut tax exceeds the tax already paid. Goods or services that are not subject to Connecticut sales tax are not subject to use tax.

**Example:** You purchased a \$1,000 computer in another state, took title to the computer in that state, and paid a \$50 tax to that state. If you bought the computer for use in Connecticut, you owe Connecticut use tax. The Connecticut tax of \$63.50 reduces to \$13.50 after allowing a \$50 credit for sales tax paid to the other state. If no tax was paid to the other state, the Connecticut use tax is \$63.50.

Use tax applies to any purchases of taxable goods and services made by a business except those purchases made for resale. The tax applies to the purchase or lease of assets such as furniture, equipment, machines, instruments, and computers and to the purchase of consumable goods such as office supplies, paper, stationery items, certain publications, prewritten software, and books. Use tax also applies to purchases of promotional items, items given away to customers free of charge, as well as to taxable services used by the business such as vehicle repair, landscaping, janitorial, or snow removal services. Use tax does not apply to items held for resale that retailers remove from inventory and donate to the United States or its agencies; Connecticut, its political subdivisions or their agencies; or any Internal Revenue Code (I.R.C.) §501(c)(3) organization.

If you made purchases in connection with carrying on a trade, occupation, business, or profession that is not otherwise required to register to collect sales tax, you must register for business use tax by completing **Form REG-1, Business Taxes Registration Application**. Your business must report taxable purchases on **Form OS-114, Sales and Use Tax Return**, for the reporting period in which you made the taxable purchase.

If you made purchases as an individual and not in connection with a business, you must report taxable purchases made in the preceding year on your Connecticut income tax return or on **Form OP-186, Connecticut Individual Use Tax Return**. See **Informational Publication 2011(15), Q & A on the Connecticut Individual Use Tax**.

The **room occupancy tax** of 15% is imposed on the occupancy charges for 30 consecutive days or less of a room in a hotel, motel, or rooming house. Beginning on the thirty-first consecutive day of occupancy by the same person, the tax no longer applies. The rental of a room that does not have sleeping facilities for a business meeting, conference, or seminar is not taxable provided meals are not served in the meeting room. If meals are served in the meeting room, the total charges for the meeting room and the meals are subject to 6.35% sales and use taxes. See **Policy Statement 2003(1), Application of Sales and Use Taxes and the Room Occupancy Tax to the Hotel and Motel Industry**.

### **Special Tax Rates Apply to Certain Sales**

- The rate for the sale of computer and data processing services is 1%.
- A rate of 7% applies to the following:
  1. Most motor vehicles with a sales price of more than \$50,000. See **Special Notice 2011(10), 2011 Legislative Changes Affecting Motor Vehicles**, for additional guidance;
  2. Items of jewelry, whether real or imitation, with a sales price of more than \$5,000; and
  3. Articles of clothing or footwear intended to be worn on or about the human body, or a handbag, luggage, umbrella, wallet or watch, with a sales price of more than \$1,000.
- A rate of 9.35% applies to the rental or leasing of a passenger motor vehicle for a period of 30 consecutive calendar days or less.
- The Manufacturing Recovery Act of 1992 (the MRA), codified as Conn. Gen. Stat. §12-412i, provides a partial exemption from the sales and use taxes to qualifying manufacturers, fabricators, processors, and qualifying independent contractors. The partial exemption is provided as a 50% percent reduction of the gross receipts or sales price to calculate sales and use taxes on purchases of machinery, equipment, materials, tools, fuels, repair, replacement, component, and enhancement parts. See **Informational Publication 2009(13), Sales and Use Taxes Guide for Manufacturers, Fabricators, and Processors**.
- The sales tax rate is 4 ½% on the sale of a motor vehicle to a nonresident member, or a member and his or her spouse jointly, of the armed forces of the United States stationed on full-time active duty in Connecticut. The nonresident member of the armed forces must complete **CERT-135, Reduced Sales and Use Tax Rate for Motor Vehicles Purchased by Nonresident Military Personnel and Their Spouses**, and provide it to the Connecticut retailer. See **Policy Statement 2001(4), Sales of Motor Vehicles to Nonresident Military Personnel and Joint Sales of Motor Vehicles to Nonresident Military Personnel and Their Spouses**.

### **Taxability of Sales of Goods**

Connecticut sales or use tax applies to any transaction where title to the goods being sold transfers from the seller to the buyer in Connecticut. Connecticut use tax applies to any transaction where title to the goods transfers outside Connecticut, but the goods are intended to be used in and are brought into Connecticut.

A sale made by a Connecticut seller is **not** subject to Connecticut sales tax if the purchaser:

- Does not come to a Connecticut location but instead contacts the Connecticut seller by telephone or mail to place the order and the item is delivered to an out-of-state address using a vehicle owned or rented by the Connecticut seller or by common carrier such as Federal Express, the U.S. Postal Service, or another shipping service; or

- Comes to a Connecticut location, purchases the item, but does not take title to the item in Connecticut, instead arranging with the Connecticut seller to ship the item using a vehicle owned or rented by the Connecticut seller or by common carrier to its out-of-state address.

A sale made by a Connecticut seller is subject to Connecticut sales tax if the purchaser comes to a Connecticut location and **takes actual possession** of the item in Connecticut. This is the case even if the purchaser then takes the item in his own vehicle to an out-of-state location or arranges to have the item picked up from the Connecticut seller and delivered to an out-of-state location by common carrier.

If the Connecticut seller delivers the item to a location in another state in a vehicle owned or rented by the seller, it is likely that the physical presence of the Connecticut seller in the other state constitutes doing business in that state and makes the transaction subject to that state's tax. The Connecticut seller may be required to also obtain a seller's permit from that state and collect the tax. Contact that state for more information.

### **Buy Connecticut Provision**

Businesses may apply to DRS for a refund of sales and use taxes paid on tangible personal property purchased from a Connecticut retailer when those goods will be:

- Shipped outside of Connecticut within three years of the date of purchase for exclusive use outside of Connecticut by common or contract carrier; or
- Incorporated into other property to be shipped outside of Connecticut for exclusive use outside of Connecticut within three years of the date of purchase.

This is the Buy Connecticut provision. You may claim the refund using **Form AU-526, Sales and Use Tax Refund Application for Purchases Made Under the "Buy Connecticut" Provision**, by April 1 of the calendar year after the year when the purchase was made. This provision also allows the Commissioner of Revenue Services to issue permits that enable qualified purchasers to purchase the property without payment of the taxes otherwise imposed by the Sales and Use Taxes Act. See **Special Notice 2001(5), The "Buy Connecticut" Provision**.

### **Sales of Taxable Services**

The services that are subject to sales and use tax are specifically enumerated as taxable by statute include:

- Advertising or public relations services not related to the development of media advertising or cooperative direct mail advertising;
- Business analysis, management, management consulting, and public relations services, excluding any environmental consulting services or services rendered in connection with aircraft leased or owned by a certificated air carrier or in connection with an aircraft with a maximum certificated take-off weight of 6000 pounds or more;
- Cable and satellite television services;
- Computer and data processing services including but not limited to charges for online access to computer services (but excluding Internet access services and services rendered in connection with the creation, development, hosting, or maintenance of all or part of a website on the World Wide Web). See *Special Rates Apply to Certain Sales* on Page 12, **Policy Statement 2004(2), Sales and Use Taxes on Internet Access Services and On-Line Sales of Goods and Services**, and **Policy Statement 2006(8), Sales and Use Taxes on Computer-Related Services and Sales of Tangible Personal Property**;
- Certain contractor services to real property. See **Informational Publication 2006(35), Building Contractors' Guide to Sales and Use Taxes**;
- Services in connection with cosmetic medical procedures. See **Special Notice 2011(9), 2011 Legislative Changes Affecting Sales and Use Tax**;

- Credit information and reporting services;
- Employment agencies and agencies providing personnel services. See **Policy Statement 2007(7)**, *Taxation of Services by Employment Agencies and Agencies Providing Personnel Services*;
- Exterminating services;
- Flight instruction and chartering by a certificated air carrier. See **Policy Statement 94(8.1)**, *Aircraft Chartering and Flight Instruction Services*;
- Furniture reupholstering and repair services;
- Health and athletic club services. Yoga instruction provided at a yoga studio is included in taxable health and athletic club services. See **Special Notice 2007(1)**, *Sales and Use Taxes on Health and Athletic Club Services*, and **Special Notice 2011(9)**, *2011 Legislative Changes Affecting Sales and Use Tax*;
- Intrastate transportation services. See **Special Notice 2011(9)**, *2011 Legislative Changes Affecting Sales and Use Tax*;
- Janitorial services including the cleaning of homes, offices, and commercial property. See **Informational Publication 2006(35)**, *Building Contractors' Guide to Sales and Use Taxes*;
- Landscaping and horticulture services;
- Lobbying or consulting services for the purpose of representing a client's interests in relation to any Connecticut state or local governmental bodies;
- Locksmith services;
- Maintenance services to real property. See **Informational Publication 2006(35)**, *Building Contractors' Guide to Sales and Use Taxes*;
- Manicure and pedicure services, regardless of where performed, including airbrushing, fills, full sets, nail sculpting, paraffin treatments and polishes. See **Special Notice 2011(9)**, *2011 Legislative Changes Affecting Sales and Use Tax*;
- Miscellaneous personal services (U.S. industries 532220, 812191, 812199, or 812990 in the NAICS manual), exclusive of services rendered by licensed massage therapists and licensed hypertrichologists. See **Special Notice 2001(2)**, *Miscellaneous Personal Services*;
- Motor vehicle repairs including any type of repair, painting, or replacement to the body or operating parts of a motor vehicle;
- Motor vehicle storage services, including storage of motor homes, campers and camp trailers;
- Motor vehicle towing and road services. See **Special Notice 2011(9)**, *2011 Legislative Changes Affecting Sales and Use Tax*;
- Packing and crating services, other than those provided in connection with the sale of tangible personal property by the retailer of such property;
- Painting and lettering services;
- Parking services in a lot with 30 or more spaces, other than metered space, and space in certain municipal railroad parking lots;
- Patient care services by a hospital;
- Personnel training services when the training service provider is engaged by an employer to provide job-related training to personnel whose primary workplace is located in Connecticut. Tax does not apply when the training service is provided by an institution of higher education licensed or accredited by the Connecticut Board of Governors of Higher Education or Office of Higher Education. See **Policy Statement 2000(4)**, *Sales and Use Taxes on Charges for Personnel Training Services*;

- Pet grooming and boarding services and pet obedience services. See **Special Notice 2011(9)**, *2011 Legislative Changes Affecting Sales and Use Tax*;
- Photographic studio services;
- Piped-in music provided to business or professional establishments;
- Prepaid telephone calling services including prepaid calling cards, and the recharge of the service. In addition to sales tax, retailers of prepaid telephone calling services must collect the prepaid wireless E 9-1-1 fee; see **Special Notice 2013(2)**, *Changes to the Prepaid Wireless E 9-1-1 Fee*;
- Private investigation, protection, patrol work, watchman, and armored car services, exclusive of these services provided by off-duty police officers and firefighters. Sales of coin and currency services provided to a financial service company by or through another financial service company are excluded from taxable private investigation, protection, patrol work, watchman, and armored car services;
- Producing, fabricating, processing, printing or imprinting tangible personal property for consumers who provide, either directly or indirectly, the materials used, including, but not limited to, sign construction, photofinishing, duplicating and photocopying;
- Radio or television repair services;
- Repair services to electrical or electronic devices including but not limited to air conditioning and refrigeration equipment;
- Repair or maintenance services to tangible personal property (other than services to vessels and shoe repair);
- Sales agent services for selling tangible personal property, except for the services of a consignee selling works of art or clothing, the services of an auctioneer, or marine vessel brokerage services provided by marine vessel brokers selling vessels for their owners;
- Services to industrial, commercial, and income-producing real property including but not limited to management, repair, and renovation services, and including voluntary evaluation, prevention, treatment, containment, or removal of hazardous waste or other contaminants of air, water, or soil. See **Informational Publication 2006(35)**, *Building Contractors' Guide to Sales and Use Taxes*;
- Spa services, regardless of where performed, including body waxing and wraps, peels, scrubs and facials;
- Stenographic services;
- Storage or mooring of any noncommercial vessel on land or in the water, **except** the nonseasonal (October 1 through May 31) dry or wet storage or mooring of noncommercial vessels;
- Storage of tangible personal property. See **Special Notice 2002(9.1)**, *Sales and Use Taxes on the Furnishing of Space for Storage*;
- Swimming pool cleaning and maintenance services;
- Telecommunications services;
- Telephone answering services;
- Warranty and service contracts for any item of tangible personal property; **and**
- Window cleaning services. See **Informational Publication 2006(35)**, *Building Contractors' Guide to Sales and Use Taxes*.

Visit the DRS website at [www.ct.gov/DRS](http://www.ct.gov/DRS) to download and print any publication referred to above. See *Connecticut Tax Forms, Publications, and Certificates*, on Page 44.

#### **4 Exemptions From Sales and Use Taxes**



Some sales of goods and services are exempt from the sales and use tax by statute. Other sales may be exempt because the purchaser is an organization that is exempt from paying tax by statute. This section explains both types of exempt transactions. (Purchases and sales for resale are explained in Chapter 5.)

## Keeping Records of Exempt Sales

***If a sale is being made in Connecticut, you may not accept an exemption certificate issued by another state.***

If you make sales of goods or services exempt from tax, keep careful records to support the exemption or you may be liable for payment of the tax. Many, but not all, exemptions require the use of a specific Connecticut tax exemption certificate the purchaser must complete and provide to the seller. If you are making a sale in Connecticut, do not accept an exemption certificate issued by another state. Keep copies of exemption certificates for a minimum of six years.

## Single Purchase or Blanket Certificate

An exemption certificate may be issued for a single exempt purchase or may be used for a continuing line of purchases of the same type provided the certificate is marked *Blanket Certificate*. Most blanket certificates are valid for three years from the issue date if the exemption remains in effect.

## Responsibility of Those Accepting or Issuing Certificates

You should accept an exemption certificate only if you can accept in good faith that the statements made by the purchaser are true and accurate. If you have reason to believe the information on the certificate is incorrect and you do not charge the tax, you may be liable for payment of the tax plus penalty and interest. Likewise, a purchaser who gives a false or fraudulent exemption certificate may also be subject to civil and criminal penalties.

## Statutory Exemptions for Certain Sales

The list below includes many of the goods exempt from sales and use taxes. These exemptions are commonly used by businesses and their customers. If an exemption certificate is required, it is noted below.

- **Agricultural exemption for items sold exclusively for use in agricultural production:** The purchaser must have a current Farmer Tax Exemption Permit issued for a two-year period by DRS and should provide you with a copy of the permit for your records. See *Farmers* on Page 22.

### ***Conn. Gen. Stat. §12-412(63)***

- **Aircraft:** See *Motor vehicles, aircraft, and vessels* on Page 19.

- **Biotechnology industry:** Machinery, equipment, tools, materials, supplies, and fuel used in the biotechnology industry. The purchaser must complete CERT-129, Exemption for Items Used Directly in the Biotechnology Industry. See **Policy Statement 98(8)**, *Exemption from Sales and Use Taxes for Items Used Directly in the Biotechnology Industry*.

### ***Conn. Gen. Stat. §12-412(89)***

- **Audio or video production or broadcasting:** Filmed and taped television and radio programs and any materials becoming part of films or tapes broadcast to the general public or used for medical or surgical training; motion picture or video production equipment or sound recording equipment purchased or leased for production activities relating to master tapes, records, or films produced for commercial entertainment, advertising, or educational purposes; and certain equipment used by television and radio stations. See **Policy Statement 2006(9)**, *Sales Tax Exemptions for Purchases for Use in Audio or Video Production*.

### ***Conn. Gen. Stat. §12-412(44)***

- Child car seats

**Conn. Gen. Stat. §12-412(108)**

**You cannot use the sales and use tax return to claim business or personal expenses incurred as the cost of doing business (for example, fuel purchased for use in motor vehicles used by the business; office supplies; office rent; electricity, gas, or heating fuel used by the business, etc.).**

- Clothing, fabric, and apparel

1. Articles of clothing or footwear costing under \$50 each are exempt on and after July 1, 2015. See **Special Notice 2014(3)**, *2014 Legislative Changes to Sales and Use Taxes and Admissions Tax*, and **Special Notice 2003(3)**, *Sales and Use Taxes on Retail Sales of Clothing*.

**Conn. Gen. Stat. §12-412(119)**

2. Bicycle helmets.

**Conn. Gen. Stat. §12-412(102)**

3. Safety apparel, which is defined as any item of clothing or protective equipment worn by an employee for protection during the course of the employee's employment. See **Policy Statement 2004(4)**, *Sales and Use Tax Exemption for Safety Apparel*.

**Conn. Gen. Stat. §12-412(91)**

4. One Week Exclusion for Clothing and Footwear. There is an exclusion from tax for the week from the third Sunday in August until the following Saturday for sales of clothing and footwear costing under \$300. See **Informational Publication 2012(12)**, *Annual One Week Sales and Use Tax Exclusion for Clothing and Footwear Costing Less Than \$300*.

**Conn. Gen. Stat. §12-407e**

- Commercial fishing

1. Materials, rope, fishing nets, tools, and fuel or any substitute, used directly in the commercial fishing industry.

**Conn. Gen. Stat. §12-412(18)**

2. Commercial fishing vessels and machinery or equipment for use on the vessels. The purchaser must have a current Commercial Fisherman Exemption Permit, issued for a two-year period by DRS. See *Fishermen* on Page 22.

**Conn. Gen. Stat. §12-412(40)**

- Compact fluorescent light bulbs.

**Conn. Gen. Stat. §12-412k**

• **College textbooks:** The exemption for college textbooks includes sales to students at private occupational schools authorized under Conn. Gen. Stat. §§10a-22a through 10a-22k. See **Special Notice 2000(9)**, *Sales and Use Tax Exemption on College Textbooks*.

**Conn. Gen. Stat. §12-412(109)**

- Current United States and Connecticut flags

**Conn. Gen. Stat. §12-412(23)**

- Firearm safety devices

**Conn. Gen. Stat. §12-412(101)**

- Food products for human consumption

1. The exemption does not include meals, carbonated beverages, candy, and alcoholic beverages. The exemption does include sales of candy, confectionery, and nonalcoholic beverages in schools

and sales of candy, confectionery, beverages, and other items to persons in health care facilities. Also exempt are food products sold through coin-operated vending machines, meals delivered to the elderly, disabled, or homebound, and purchases made with supplemental nutrition assistance program benefits. See **Policy Statement 2002(2)**, *Sales and Use Taxes on Meals*.

**Conn. Gen. Stat. §12-412(13) and Conn. Gen. Stat. §12-412(27), (46), and (57)**

2. Vegetable seeds suitable for planting to produce food for human consumption.  
**Conn. Gen. Stat. §12-412(96)**

• **Fuel**

1. Aviation fuel.  
**Conn. Gen. Stat. §12-412(59) and (75)**
2. Diesel fuel used in portable power system generators larger than 150 kilowatts.  
**Conn. Gen. Stat. §12-412(107)**
3. Marine fuel.  
**Conn. Gen. Stat. §12-412(79)**
4. Motor vehicle fuel.  
**Conn. Gen. Stat. §12-412(15)**
5. Fuel for heating purposes is exempt when used in:
  - a. Residential dwellings; or
  - b. Any metered building, location, or premises used directly in agricultural production or the fabrication of a finished product to be sold; or
  - c. An industrial manufacturing plant provided that not less than 75% of the fuel used in the metered building, location, or premises is used for production, fabrication, or manufacturing. The purchaser must complete **CERT-115**, *Exempt Purchases of Gas, Electricity, and Heating Fuel*.

**Conn. Gen. Stat. §12-412(16)**

• **Magazines, including publications which only contain puzzles, by subscription.** See **Policy Statement 2006(6)**, *Sales and Use Taxes on Magazines and Newspapers*.

**Conn. Gen. Stat. §12-412(114)**

• **Manufacturing, fabricating, and processing:** See **Informational Publication 2009(13)**, *Sales and Use Taxes Guide for Manufacturers, Fabricators and Processors*.

1. Machinery used in manufacturing, and repair, replacement, component, and enhancement parts for the machinery. The purchaser must complete **CERT-101**, *Machinery, Component Parts, and Replacement and Repair Parts of Machinery Used Directly in a Manufacturing Process*.  
**Conn. Gen. Stat. §12-412(34)**
2. Component parts for the assembly of manufacturing machinery. The purchaser must complete CERT-101.  
**Conn. Gen. Stat. §12-412(73)**
3. Materials, tools, and fuel. The purchaser must complete **CERT-100**, *Materials, Tools, and Fuel*.  
**Conn. Gen. Stat. §12-412(18)**
4. Partial exemption for materials, tools, fuels, machinery, and equipment used in manufacturing (Manufacturing Recovery Act of 1992). The purchaser must complete **CERT-108**, *Partial Exemption of Materials, Tools, and Fuel*, or **CERT-109**, *Partial Exemption for Machinery, Equipment, or Repair and Replacement Parts*.  
**Conn. Gen. Stat. §12-412i**
5. Certain calibration services for manufacturing machinery, equipment, or instrumentation.  
**Conn. Gen. Stat. §12-412(104)**

• **Medical goods and equipment**

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1. Prescription medicines, syringes, and needles.  
**Conn. Gen. Stat. §12-412(4)**
2. Oxygen, blood, or blood plasma for medical use in humans or animals.  
**Conn. Gen. Stat. §12-412(19)**
3. Artificial devices that become a brace, support, supplement, correction, or substitute for a bodily structure or functioning portion of the body including but not limited to artificial limbs and eyes and repair services to these devices.  
**Conn. Gen. Stat. §12-412(19)**
4. Hearing aids, canes, crutches, walkers, and wheel chairs and repair services to these items.  
**Conn. Gen. Stat. §12-412(19)**
5. Vital life support equipment including oxygen supply equipment used for humans or animals, kidney dialysis machines, apnea monitors, and repair services rendered to these items.  
**Conn. Gen. Stat. §12-412(19)**
6. Custom-made wigs or hairpieces for persons with medically diagnosed total and permanent hair loss from disease or the treatment of disease.  
**Conn. Gen. Stat. §12-412(19)**
7. Support hose specially designed to aid in the circulation of blood, purchased by persons with medical need for the hose.  
**Conn. Gen. Stat. §12-412(19)**
8. Closed circuit television equipment used as reading aids by visually impaired persons.  
**Conn. Gen. Stat. §12-412(19)**
9. Diabetic supplies (test strips and tablets, lancets, and glucose monitoring equipment).  
**Conn. Gen. Stat. §12-412(54)**
10. Telephone equipment designed exclusively for deaf or blind persons.  
**Conn. Gen. Stat. §12-412(38)**
11. Disposable pads used for incontinence (adult diapers and underpads).  
**Conn. Gen. Stat. §12-412(53)**
12. Inclined stairway chairlifts for persons with disabilities; repair, replacement, and enhancement parts; and repair services for the chairlifts.  
**Conn. Gen. Stat. §12-412(19)**
13. Medical equipment (such as corrective supports, wheelchairs, and equipment used to support vital life functions), including repair service and repair, replacement, and enhancement parts whether purchased separately or with the item.  
**Conn. Gen. Stat. §12-412(19)**
14. Glucose monitoring equipment, including repair, replacement, and enhancement parts whether purchased separately or with the item.  
**Conn. Gen. Stat. §12-412(54)**

• **Motor vehicles, aircraft, and vessels**

1. Flyable aircraft sold by a manufacturer of aircraft located in this state to certificated or licensed carriers engaged in interstate or foreign commerce or to nonresidents for use exclusively outside Connecticut. Purchasers must complete **Affidavit SUT-16a-3**.  
**Conn. Gen. Stat. §12-412(20)**
2. Aircraft having a maximum certificated takeoff weight of 6,000 pounds or more.  
**Conn. Gen. Stat. §12-412(99)**
3. Repair or replacement parts exclusively for use in aircraft **and** aircraft repair services. The purchaser must complete **CERT-110, Aircraft Repair Services - Aircraft Repair and Replacement Parts**.  
**Conn. Gen. Stat. §12-412(76) and (77)**

4. Motor vehicles purchased but not registered in this state by persons who are nonresidents and do not maintain a permanent place of abode in Connecticut. The purchaser must complete **CERT-125**, *Sales and Use Tax Exemption for Motor Vehicle Purchased by a Nonresident of Connecticut*.  
**Conn. Gen. Stat. §12-412(60)**
5. Motor vehicles or vessels sold in connection with the organization, reorganization or liquidation of an incorporated business, provided the last taxable sale or use of the motor vehicle or vessel was subjected to sales or use tax and the purchaser is the incorporated business or its stockholder.  
**Conn. Gen. Stat. §12-431(a)**
6. Motor vehicles sold in connection with the organization or termination of a partnership or limited liability company, provided the last taxable sale or use of the motor vehicle was subjected to sales or use tax and the purchaser is the partnership or limited liability company, as the case may be, or a partner or member thereof, as the case may be.  
**Conn. Gen. Stat. §12-431(a)**
7. Commercial trucks, truck tractors, tractors, semitrailers, and vehicles used in combination with commercial trucks, truck tractors, tractors, and semitrailers that have a gross vehicle weight rating in excess of 26,000 pounds; or are operated actively and exclusively during the one-year period beginning on the date of purchase for the carriage of interstate freight under a certificate or permit issued by the Interstate Commerce Commission or its successor agency.  
**Conn. Gen. Stat. §12-412(70)**
8. Equipment installed in motor vehicles for persons with physical disabilities, including repair, replacement, and enhancement parts whether purchased separately or with the item. When a motor vehicle in which special equipment has previously been installed for the use of a person with physical disabilities is sold for use by such a person, use tax is due on the total purchase price of the vehicle less the portion of the price attributable to the special equipment.  
**Conn. Gen. Stat. §12-412(80); Conn. Gen. Stat. §12-431(3)**
9. Commercial fishing vessels and machinery or equipment for use on the vessels. See *Fishermen* on Page 22.  
**Conn. Gen. Stat. §12-412(40)**
10. Vessels that will be docked in Connecticut for 60 or fewer days in a calendar year.  
**Conn. Gen. Stat. §12-408(1)(E)(ii)**
11. Vessels purchased by nonresidents who maintain no permanent place of abode in Connecticut and who will not register them in Connecticut. The purchaser must complete **CERT-139**, *Sales and Use Tax Exemption for a Vessel Purchased by a Nonresident of Connecticut*. See **Informational Publication 2006(12)**, *Q&A on Purchases of Vessels*.  
**Conn. Gen. Stat. §12-412(60)**
12. Repair and maintenance services to vessels.  
**Conn. Gen. Stat. §12-408(1)** and **Conn. Gen. Stat. §12-411(1)**
13. Fabrication labor to existing vessels.  
**Conn. Gen. Stat. §12-408(1)**
14. Property tax payments under motor vehicle leases (but only if separately stated on the bill to the lessee from the lessor).  
**Conn. Gen. Stat. §12-412(49)**

• **Newspapers.** See **Policy Statement 2006(6)**, *Sales and Use Taxes on Magazines and Newspapers*.

**Conn. Gen. Stat. §12-412(114)**

• **Nonprescription drugs and medicines** will be exempt for sales occurring on and after April 1, 2015. See **Special Notice 2014(3)**, *2014 Legislative Changes to the Sales and Use Taxes, Room Occupancy Tax, Prepaid Wireless E 9-1-1 Fee and Admissions Tax*.

**Conn. Gen. Stat. §12-412(120)**

• **Pollution control equipment used in the operation of air pollution control facilities or in the operation of facilities for the treatment of industrial waste that are approved by the Department of Environmental Protection.** Purchasers must complete **CERT-117**, *Purchases of Tangible Personal Property Incorporated Into or Consumed in Air Pollution Control Facilities*, or **CERT-124**, *Purchases of Tangible Personal Property Incorporated Into or Consumed in Water Pollution Control Facilities*. See **Policy Statement 99(2)**, *Tax Exemptions for Certain Air Pollution Control Equipment*, and **Policy Statement 2014(1)**, *Tax Exemptions for Certain Water Pollution Control Equipment*.

**Conn. Gen. Stat. §12-412(21) and (22)**

• **Personal property used in burial or cremation with value up to \$2,500 for any single funeral; and caskets.** **Conn. Gen. Stat. §12-412(55)**

• **Printing equipment**

1. Machinery, equipment, tools, materials, and supplies used in commercial printing.

**Conn. Gen. Stat. §12-412(71)**

2. Machinery, equipment, tools, materials, and supplies for typesetting, color separation, finished copy, or similar products. Purchasers using either exemption must complete **CERT-120**, *Machinery, Equipment, Tools, Materials, and Supplies Used in the Production of Printed Material or in Prepress Production*. See **Policy Statement 2001(7)**, *Purchases of Machinery, Equipment, Tools, Material, and Supplies by Commercial Printers and Publishers*.

**Conn. Gen. Stat. §12-412(72)**

• **Printed material manufactured for a purchaser in Connecticut to be delivered for use outside the state within 30 days following delivery.** The purchaser must provide a Printed Material Certificate.

**Conn. Gen. Stat. §12-412(31)**

• **Rare or antique coins**

**Conn. Gen. Stat. §12-412(45)**

• **Sales to a telecommunications company or community antenna television company of equipment used to provide telecommunications, high-speed data transmission, or broad-band Internet services.**

**Conn. Gen. Stat. §12-412(112)**

• **Shoe repair services**

**Conn. Gen. Stat. §12-412(105)**

• **Certain services rendered at the residence of a disabled person: Landscaping and horticulture services, window cleaning, and maintenance services rendered at the residence of a person eligible for and currently receiving total disability benefits under the Social Security Act.** The purchaser must complete **CERT-121**, *Exemption for Landscaping and Horticulture Services, Window Cleaning Services, and Maintenance Services Provided to Recipients of Total Disability Benefits*.

**Conn. Gen. Stat. §12-412(85)**

• **Ice storage systems for cooling:** See **Special Notice 2007(7)**, *2007 Legislation Granting a Connecticut Sales and Use Tax Exemption for Sales of Solar Heating Systems, Solar Electricity Generating Systems, and Ice Storage Cooling Systems*.

**Conn. Gen. Stat. §12-412(118)**

• **Solar energy electricity generating systems, passive or active solar water or space heating systems, and geothermal resource systems:** See **SN 2007(7)**.

**Conn. Gen. Stat. §12-412(117)**

• **Use tax exemption for retailers:** Items held for resale that retailers remove from inventory and donate to the United States or its agencies; Connecticut, its political subdivisions, or their agencies; or any I.R.C. §501(c)(3) organization.

**Conn. Gen. Stat. §12-413(4)**

• **Utility exemptions:**

1. Gas or electricity for residential use. Sales for use directly in agricultural production, fabrication of a finished product to be sold, or in manufacturing production in a metered premises at which not less than 75% of the gas or electricity is used for agricultural, fabrication, or manufacturing purposes.

The purchaser must complete **CERT-115, Exempt Purchases of Gas, Electricity, and Heating Fuel**. See **Policy Statement 94(3.2)**, *Gas and Electricity Purchased for Residential Use or for Use in Agricultural Production, in the Fabrication of Finished Products to Be Sold, or in an Industrial Manufacturing Plant*.

**Conn. Gen. Stat. §12-412(3) and (16)**

2. The first \$150 in electric charges to a business are exempt for any month of service.
3. Water, steam, and telegraph services when delivered to consumers through mains, lines, pipes, or bottles.

• **Vending machine sales:** Sales of any items costing 50 cents or less and sales of food products in vending machines.

**Conn. Gen. Stat. §12-412(27)**

• **Weatherization products.** Sales of residential weatherization products are exempt. See **Special Notice 2007(4)**, *2007 Legislation Affecting the Sales Tax on Home Weatherization Products*.

**Conn. Gen. Stat. §12-412k**

## Exempt Organizations

Some qualifying organizations and entities are permitted by law to make purchases without paying sales and use taxes. In general, to qualify for exemption, these purchases must follow these rules:

- The purchase must be made for the exclusive use of the organization (not for the convenience or use of individual members or officers);
- The payment must be from the organization's own funds. Purchases made with cash (except for purchases for \$10 or less), personal checks, or personal credit cards are not eligible for exemption. However, credit cards issued in the name of the exempt organization may be used. Payment of the credit card charges **must** be paid by a check drawn on the exempt organization's checking account; **and**
- The purchase must be accompanied by a properly completed exemption certificate or other documentation of exemption.

Purchasing cards (P-cards) issued by a State of Connecticut agency or municipality may be used to make tax-exempt purchases of goods or services although issued in the name of an agency or municipal employee. See **Policy Statement 2010(7)**, *Tax Exempt Purchases by Connecticut State Agencies and Municipalities*.

## Qualifying Exempt Organizations

Examples of exempt organizations include but are not limited to:

- The State of Connecticut, its political subdivisions (cities and towns), and Connecticut state and municipal agencies (including Connecticut public schools) may purchase goods and services other than meals or lodging exempt from tax by using **CERT-134, Exempt Purchases by Qualifying Governmental Agencies**, or providing the Governmental Agency Exemption Number issued by DRS. The exemption does not apply to other states, their

political subdivisions, or their agencies. See **Policy Statement 2010(7)**, *Tax Exempt Purchases by Connecticut State Agencies and Municipalities*.

- The U.S. government, its agencies, and instrumentalities may make exempt purchases of goods and services other than meals or lodging using CERT-134. See **Policy Statement 2009(2)**, *Retailer's Acceptance of U.S. Government "GSA Smart Pay 2" Charge Cards for Exempt Purchases*, and **Policy Statement 2011(4)**, *Sales and Use Tax Exemptions for Diplomatic Personnel*.
- Qualifying exempt organizations may make purchases of goods and services without paying sales tax by using **CERT-119**, *Purchases of Tangible Personal Property and Services by Qualifying Exempt Organizations*.

A qualifying exempt organization is one that was issued a determination letter or group exemption letter by the IRS that establishes the organization as exempt under I.R.C. §501(c)(3) or (13). A qualifying exempt organization may have been issued a Sales and Use Tax Exemption Permit (an E-Number) by DRS that it can present to the seller to purchase goods and services tax exempt. DRS no longer issues exemption permits to exempt organizations. A qualifying organization that does not have an E-Number from DRS attaches the first page of its I.R.C. §501(c) determination letter to the CERT-119 that the organization presents to the seller to purchase goods and services exempt from sales tax.

The exemption does not apply to organizations with exemption permits issued by other states unless the organization provides a copy of its federal determination letter or group exemption letter.

In most instances, CERT-119 **cannot** be used to purchase meals or lodging exempt from tax. See **Policy Statement 2006(3)**, *Purchases of Meals or Lodging by Exempt Entities*, **CERT-112**, *Exempt Purchases of Meals or Lodging By Exempt Entities*, and **CERT-122**, *Refund of Tax Paid on Purchases of Meals or Lodging by Exempt Entities*.

- Nonprofit charitable hospitals, nonprofit nursing homes, nonprofit rest homes, and nonprofit residential care homes may purchase goods and services without paying sales tax by using CERT-119 (for nonprofit charitable hospitals only), or **CERT-113**, *Purchases of Tangible Personal Property and Services by a Nonprofit Charitable Hospital, Nonprofit Nursing Home, Nonprofit Rest Home or Nonprofit Residential Care Home*. See **Informational Publication 2002(11)**, *Nonprofit Hospitals, Nonprofit Nursing Homes, Nonprofit Rest Homes, and Nonprofit Residential Care Homes*.

## **Federally Recognized Indian Tribes**

Federally recognized Indian tribes located in Connecticut (the Mashantucket Pequot Tribe and the Mohegan Indian Tribe) may make exempt purchases of goods and services provided the goods and services are used by the tribes within Indian country.

The Mashantucket Pequot and the Mohegan Tribes must use **CERT-127**, *Exempt Purchases by an Enrolled Member or by the Tribal Government of the Mashantucket Pequot Tribe or Mohegan Tribe*.

Contractors making purchases of tangible personal property used exclusively for construction projects on either reservation must use **CERT-128**, *Exempt Purchases by Contractors in Connection With Construction Projects on the Mashantucket Pequot or Mohegan Reservations*.

## **Farmers**

Farmers issued a Farmer Tax Exemption Permit for a two-year period by DRS can make purchases of goods (not services) to be used exclusively in agricultural production by presenting a valid permit to the retailer. Permits are issued for a two-year period and are valid from October 1 until September 30. Farmers may use the permit as a *Blanket Certificate* and may use it to make qualifying purchases for the entire period from the same retailer.

Start-up farmers can obtain an exemption permit without meeting the previous year income requirements. See **Informational Publication 2010(16)**, *Farmer's Guide to Sales and Use Taxes, Motor Vehicle Fuels Tax, Estimated Income Tax, and Withholding Tax*.



## Fishermen

Fishermen issued a Commercial Fisherman Exemption Permit by DRS can make qualifying purchases of materials, rope, fishing nets, tools, and fuel used directly in the fishing industry, any vessel used exclusively in commercial fishing, and any machinery or equipment for use on a commercial fishing vessel, by presenting a copy of the current permit to the retailer.

The exemption does not apply to repair and replacement parts for vessels and equipment or to raw materials (lumber, steel, etc.) to be used in the construction of vessels or equipment. Permits are issued for a two-year period and are effective from July 1 through June 30. The permit can be treated like a Blanket Certificate and may be used to make qualifying purchases for the entire period from the same retailer.

Conn. Gen. Stat. §12-412(40) relieves a start-up fisherman of the 50% previous year income requirements if the fisherman intends to carry on commercial fishing as a trade or business for at least two years after a permit is issued. See **Informational Publication 2009(14)**, *Fisherman's Guide to Sales and Use Taxes and Estimated Income Tax*.

## 5 Sales for Resale

***If the purchaser does not give you a resale certificate, you must charge sales tax.***

If you purchase goods or services and intend to resell them or physically incorporate them into another product or service you will sell, you must issue a resale certificate or you must pay sales tax to the seller. As a seller of goods or services, you may also accept a resale certificate from other retailers. If the purchaser does not give you a resale certificate or other exemption certificate, you must charge sales tax. See **Informational Publication 2009(15)**, *Notice to Retailers on Sales and Use Tax Resale Certificates*.

## Who May Issue a Resale Certificate

The issuer of the resale certificate (the purchaser) must be a person who:

- Is engaged in the business of selling tangible personal property or selling a taxable service;
- Has been issued a *Sales and Use Tax Permit* by the Department of Revenue Services (DRS) or by the revenue agency of another jurisdiction; **and**
- At the time of purchase, intends to resell the goods or services in the regular course of business, resell goods that become an integral or component part of a final product to be sold, or resell services enumerated in Conn. Gen. Stat. §12-407(a)(37) that become an integral and inseparable part of services enumerated under Conn. Gen. Stat. §12-407(a)(37).

Contractors who purchase materials for use in construction projects (such as lumber, nails, etc.) may **not** use a resale certificate to purchase these goods. Contractors are the consumers of the goods and must pay tax to the seller. See **Informational Publication 2006(35)**, *Building Contractors' Guide to Sales and Use Taxes*.

## What Information Must Be Included on a Resale Certificate

The purchaser should complete a *Connecticut Sales and Use Tax Resale Certificate* available from the DRS website at **[www.ct.gov/DRS](http://www.ct.gov/DRS)**, or a certificate that substantially resembles the official DRS form.

The certificate must include the following information:

- The seller's name and address;
- The signature of the purchaser;
- The purchaser's name and address;
- A description of the type of property or service sold by the purchaser in the regular course of business;

- The tax registration number assigned to the purchaser, which appears on the purchaser's Connecticut *Sales and Use Tax Permit*; **and**
- A description of the property or service being purchased from the seller.

Retailers making sales in Connecticut should not accept a resale certificate or exemption certificate issued by another state. DRS accepts the Multistate Tax Commission's *Uniform Sales and Use Tax Certificate – Multijurisdiction* as a valid resale certificate. DRS does not recognize this certificate as an exemption certificate for any purpose other than a resale certificate.

### **Certain Out-of-State Businesses**

If the purchaser is an out-of-state business not required to be registered in Connecticut because it makes no sales in Connecticut, the purchaser may use the tax identification number issued by the state in which it does business when completing the Connecticut resale certificate. If the purchaser has no tax identification number because the home state does not have a sales tax, the federal identification number should be provided.

### **Blanket Certificate or Single Purchase for Resale**

The resale certificate may be used to make a single purchase for resale or it may be used to make a continuing line of purchases of the same type of goods or services for resale if the form is marked *Blanket Certificate*. A blanket certificate is valid for up to three years from the date it is issued if during that time the purchaser continues to resell the products or services described on the certificate.

### **Your Responsibilities When You Use or Accept a Resale Certificate**

The misuse of a resale certificate can result in civil and criminal penalties. Whether you use a resale certificate to make a purchase or accept a resale certificate from someone making a purchase, you should be aware of your responsibilities.

Responsibilities when using a resale certificate as a **purchaser**:

- Use a resale certificate only if, at the time of purchase, you intend to:
  1. Resell the goods or services in the regular course of business;
  2. Resell goods that become an integral or component part of a final product to be sold; or
  3. Resell the service without change, enumerated in Conn. Gen. Stat. §12-407(a)(37) that becomes an integral and inseparable part of services enumerated under Conn. Gen. Stat. §12-407(a)(37).
- If you are purchasing items from a seller, some that are for resale and some that will be used by the business (such as office supplies, office furniture etc.) or for personal use, clearly identify the items not being purchased for resale and pay the sales tax to the seller.
- If you purchase an item with the intention of reselling it, but you later remove it from inventory for personal or business use, you must report the purchase price on your sales and use tax return for the period in which you made the use and pay the use tax.

Responsibilities when accepting a resale certificate as a **seller**:

- Be sure you identify the type of business the purchaser is engaged in. If the goods or services you are selling are not normally sold by that type of business, you should question the use of the certificate.
- Sellers must act in good faith when accepting a resale certificate. The certificate is considered to be taken in good faith if the tangible personal property purchased is similar to or of the same general character as property the seller could reasonably assume would be sold by the purchaser in the regular course of business.

**Example:** If the owner of a retail computer store purchases computers from you, you can feel confident the purchase is for resale. However, if the computers are purchased by the owner of a grocery store, you should question whether the purchase is truly for resale. If you cannot accept the resale certificate in

good faith because you have reason to believe the goods will not be resold, you should reject the resale certificate and charge the purchaser sales tax.

- Keep the resale certificate with your records of sales for at least six years. If the purchaser uses a blanket certificate, be sure to keep records that adequately connect the purchases throughout the period to the blanket certificate.

## Penalties for Improper Use of a Resale Certificate

Resale certificates are subject to review by DRS. DRS will make audit assessments against sellers who do not accept a resale certificate in good faith. The good faith of the seller will be questioned if the seller knows of facts that suggest the purchaser does not intend to resell the property. Those who issue improper certificates are also subject to penalties. A person who willfully delivers a false

## 6 Reporting and Record Keeping

### Calculating Sales and Use Taxes

Sales and use taxes are computed on the selling price of the goods or services. The selling price includes expenses related to the sale, such as the charges for shipping the goods to the purchaser (for example, charges for U.S. postage), handling charges, charges for labor, and charges for any other services that are part of the sale, whether or not separately stated on the invoice. See *Shipping and Delivery Charges*, below.

You must compute the tax in one of the following ways:

- Tax included, in which case the sales receipt must be marked “tax included;” **or**
- Tax added to the sales price and separately stated on the sales receipt.

Report the gross receipts (actual sales price, not including tax) of all sales on **Form OS-114, Sales and Use Tax Return**, for the reporting period. Therefore, if you bill your customers **tax included**, multiply the total bill by 94% to calculate the cost of the goods or services without the 6.35% tax. The result is the gross receipts of the sale.

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Example for a sale at the 6.35% rate:	
Billed amount (tax included)	\$100.00
Multiplication factor (94%)	x 0.94
Gross receipts of sale	<hr/> \$ 94.00

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If you bill your customers “tax included,” you must keep accurate records of the gross receipts of the sale. If the customer requests a bill on which the tax is itemized, you must provide a bill.

### When the Sale Is Made

In general, sales and use taxes apply when a sale is made. A sale is made when the customer purchases and takes delivery of the products or when a service is rendered.

A customer purchases an item when the customer **pays in full** for the item. **Pays in full** means the customer pays the full purchase price or is fully charged for the purchase price. Delivery is made when the retailer delivers the product to the customer at the retailer's establishment or at the customer's location or places the product in shipment to the customer. The following rules apply to determine when the sale of a product takes place.

If a customer orders an item from a retailer and pays in full for the item at the time of the order, the sale is made when the order is placed whether or not the item is currently in stock. If a customer orders an item from a retailer that is not currently in stock, does not pay a deposit, and pays in full when the item is delivered to the customer, the sale is made when the retailer delivers the item to the customer. If a customer orders an item from a retailer that is not currently in stock, pays a deposit to the retailer, and pays in full when the item is delivered to the customer, the sale is made when the retailer delivers the item to the customer.

## Mail Order, Telephone, and Internet Sales

Sales and use taxes apply to the sale of items sold by mail order, telephone, or Internet.

## Layaway Sales

A layaway sale is made when the customer puts a deposit on the item and the retailer removes it from inventory.

## Custom Orders

If a customer places a custom order for an item and pays in full for the item at the time the order is placed, the sale is made when the custom order is placed.

If the customer places a custom order for an item, pays a deposit at the time the custom order is placed, and pays in full for the custom order when the item is delivered to the customer, the sale is made when the retailer delivers the item to the customer at the retailer's establishment or at the customer's location or places the item in shipment to the customer regardless of when the order is placed.

If a customer places a custom order for an item without making a deposit and does not pay in full for the custom order until the item is delivered to the customer, the sale is made when the retailer delivers the item to the customer at the retailer's establishment or at the customer's location or places the item in shipment to the customer regardless of when the order is placed.

## Shipping and Delivery Charges

Shipping and delivery charges (including U.S. postage) made by a retailer to a customer are subject to sales and use taxes when connected with the sale of **taxable** tangible personal property or services. The tax applies even if the charges are separately stated and regardless of whether the shipping or delivery is provided by the seller or by a third party.

No tax is due on shipping and delivery charges connected with any sale **not** subject to sales or use tax.

**Example:** Shipping or delivery charges related to sales for resale or sales of exempt items are not taxable.

Likewise, charges for mailing or delivery services are not subject to tax if they are connected with the sale of nontaxable services. Special rules apply when calculating sales tax where the order contains both taxable and nontaxable goods.

**Taxable and Nontaxable Items:** Where freight charges apply to both taxable and nontaxable items that are separately listed on an invoice, the tax on freight should be prorated using the same measure used to determine the shipping charges. For example, if weight is used to determine the shipping charges, then weight is used to determine the proration of tax. Likewise, if sales price is used to determine the freight charges, then sales price is used to determine the proration of the tax.

**Example 1:** A delivery fee of \$75 is charged for shipment of 100 lbs. of taxable and nontaxable goods (\$0.75 per lb.). The taxable goods weigh 60 lbs. The portion of the freight charge attributed to the delivery of the taxable goods is \$45 (60 lbs. x \$0.75 per lb.). Therefore, only \$45 of the \$75 delivery fee should be included in the calculation of sales and use taxes.

**Example 2:** A delivery fee of \$30 is charged for shipment of \$200 of taxable and nontaxable merchandise (\$0.15 per dollar value of merchandise). The cost of the taxable merchandise is \$120. The portion of the freight charge attributed to the delivery of the taxable merchandise is \$18 (\$120 x \$0.15). Therefore, only \$18 of the \$30 delivery fee should be included in the calculation of sales and use taxes.

## Coupons

Sales and use taxes **do not** apply to the full face value or higher value assigned by the retailer of any coupon used by the purchaser to reduce the price paid to the retailer. This includes manufacturer's coupons (whether or not reimbursable), store coupons, scan cards, or other discounts that result in a reduced price to the consumer.

**Example:** A supermarket advertises a weekly special on laundry detergent, reducing the price from \$5.99 to \$4.99 if the customer uses the store's scan card. A customer purchases the laundry detergent using the store's scan card and a manufacturer's coupon with a face value of \$0.50. In addition, the store triples the value of the manufacturer's coupon, increasing the value by another \$1.00. The final price of the detergent to the customer is \$3.49. The sales tax due on the purchase of the detergent is \$0.22, which is 6.35% of \$3.49 (\$5.99 minus the scan card price reduction of \$1.00, minus the \$0.50 face value of the coupon and minus the \$1.00 from the tripling of the face value of the coupon).

See **Policy Statement 2007(5)**, *Sales Tax Treatment of Coupons, Scan Cards, Cash Equivalents, Promotional Items, and Rebates*.

## **Rebates**

The initial purchase of an item of tangible personal property or taxable service and the honoring of a rebate claim by the manufacturer are two separate and distinct transactions. Even though the purchaser may later obtain a cash rebate from the manufacturer or other third party, the rebate does not reduce the sales price paid for the item.

Manufacturers of motor vehicles frequently offer cash rebates on particular models to purchasers who then typically assign the rebates to the dealership to reduce the amount the purchasers pay for the vehicles. In addition, the motor vehicle dealers may offer their own discounts on vehicles. Although discounts offered by dealers may be excluded from the gross receipts subject to sales tax, rebates paid by manufacturers must be included in the measure of tax even if the purchasers assign them to the dealers to reduce the amount the purchasers pay for the vehicles.

**Example:** An automobile manufacturer offers a \$1,000 rebate on one of its models. In addition, the dealership offers a \$500 discount on the same model, which it terms a dealer rebate. A customer buying a \$30,000 car assigns his right to the manufacturer's rebate to the dealership reducing the amount he must pay for the car by a total of \$1,500. The sales tax due on the transaction is 6.35% of \$29,500 (\$30,000 - \$500) or \$1,873.25. Even though the manufacturer's rebate of \$1,000 reduces the amount paid by the customer, it may not be used to reduce the measure of tax.

See **Policy Statement 2007(5)**, *Sales Tax Treatment of Coupons, Scan Cards, Cash Equivalents, Promotional Items, and Rebates*.

## **Trade-Ins**

The value of trade-ins of all like-kind items is excluded from sales and use taxes. The exclusion extends to any property a retailer accepts and intends to resell. Specific rules apply for trade-in allowances for motor vehicles, snowmobiles, vessels, and farm tractors as described in Conn. Gen. Stat. §12-430(4), and for certain construction equipment as described in Conn. Gen. Stat. §12-430(a).

See **Informational Publication 2011(17)**, *Sales and Use Taxes on Returned Goods, Even Exchanges, and Trade-Ins*.

## **Even Exchanges of Goods**

If a customer purchases a taxable item of tangible personal property from a retailer and exchanges it for an identical or similar item of tangible personal property priced the same, there is no tax due on the exchange even if the original item is exchanged after 90 days from the date of purchase.

For purposes of an even exchange, an identical or similar item is the same type of commodity priced the same even if the item given in exchange is manufactured by a different company than the item originally purchased.

See **Informational Publication 2011(17)**, *Sales and Use Taxes on Returned Goods, Even Exchanges, and Trade-Ins*.

## **Sale and Leaseback Arrangements**

Sales and use taxes do not apply to the original sale of tangible personal property in a sale and leaseback arrangement if within 120 days from the original sale the original purchaser sells or contracts to sell the property to a retailer that will lease it back to the original purchaser in a taxable lease. DRS has issued **CERT-137**, *Sales and Use Tax Certificate for Sale and Leaseback Arrangements*, for use by purchasers and retailers in sale and leaseback transactions. See **Special Notice 2002(15)**, *Sales and Use Taxes on Sale and Leaseback Arrangements*.

## **Returned Merchandise**

Tax does not apply to any portion of the amount charged for goods returned by the purchaser provided the item is returned within 90 days from the date of purchase. If you accept returned merchandise within 90 days of the sale, you must refund the sales tax if the purchaser presents the slip showing the date of sale and the tax charged. If you have already reported the tax on Form OS-114, you may report the refund of the tax on the sales and use tax return as a deduction from sales on Line 52 of the return.

A retailer must maintain detailed records to support a deduction for canceled sales within 90 days. Any returns of goods made after the 90-day period are not eligible for this deduction.

See **Informational Publication 2011(17)**, *Sales and Use Taxes on Returned Goods, Even Exchanges, and Trade-Ins*.

## **Restocking Fees**

If a customer returns a taxable item for a refund within 90 days of the sale and you charge the customer a restocking fee, the sales tax refund is on the net amount of the refund after any charge for the restocking fee.

**Example:** If the sales price of the returned item was \$20 and the restocking fee was \$5, you would refund \$15.95 (6.35% of \$15 = \$.95).

However, tax may be refunded only if the item is returned within 90 days of the date of the original sale. If the item is returned after 90 days, you cannot refund any part of the tax.

## **Taxability of the Sales of Services**

Sales and use taxes apply to any transaction where a taxable service is used or consumed in Connecticut. This generally means that if the service recipient is located in Connecticut or if the service recipient has more than one location and the location that uses or consumes the service is in Connecticut, the service is taxable.

## **Shops with Common Registers**

Shops with common registers include shops that rent space to other vendors to display their goods and that collect and remit tax to DRS for these vendors. The shops do not own the vendors' goods. Customers making purchases from the various vendors pay for the merchandise at registers owned and operated by the shop. In this situation, the shop is not purchasing goods for resale and the vendor is not selling the items to the shop for resale.

Both the shop and the vendor must obtain a Connecticut *Sales and Use Tax Permit*. The shop and the vendor are held jointly and severally liable for the payment of sales tax. The shop must include all sales as gross

receipts on Form OS-114, Line 1 and pay the sales tax on behalf of the vendors. Each vendor must file Form OS-114 and report the gross receipts of the sales made on its behalf through the shop on Line 1 and deduct the sales using Line A, *Other Adjustments*. Include on Line A the statement "Sales made and tax collected by (name of shop and the shop's Connecticut Tax Registration Number)."

### Consignment Sales

A consignment sale is one in which the retailer, also known as consignee, agrees to sell goods for the owner of the goods, or consignor. In return for selling the goods, the consignor pays the consignee a commission or fee.

The consignee must collect the sales and use tax from the purchaser if the item being sold is subject to tax. In addition, the consignee charges sales tax on the commission or fee received for making the sale unless the commission is for the sale of a work of art or for articles of clothing.

The shop and the vendor are held jointly and severally liable for the payment of sales tax. The consignee reports the gross receipts from the sale of the tangible goods on Form OS-114, Line 1. The gross receipts from the commission or fee are reported on Line 3 of the return as a taxable service.

If the consignor or owner is also a retailer, the consignor must also report the sale of the goods on Form OS-114, but may deduct it on Line A, *Other Adjustments*. Include on Line A the statement "Sales made and tax collected by (name of consignee and the consignee's Connecticut Tax Registration Number)."

### Reimbursable Expenses

When a business provides a taxable service in Connecticut and bills the customer for both the service and any reimbursable expenses used and consumed by the service provider in providing its services, such as postage, delivery charges, food, travel, and lodging, the entire bill is subject to sales tax.

**Example:** An advertising agency renders its taxable services to a company located in Connecticut and presents the following bill.

Advertising services	\$10,000
Travel	1,000
Meals	300
Lodging	900
Total	<u>\$12,200</u>

The entire bill of \$12,200 is subject to the 6.35% sales tax.

There is an exception to this general rule. When the seller of services incurs any expense for the sole benefit of and use by the service recipient, the reimbursement of the expense is not subject to tax. Examples are when a building contractor pays for a building permit for the building owner, town recording fees, and travel tickets purchased by the service provider for travel by the service recipient and used by the service recipient.

The distinction between expenses used and consumed by a service provider and expenses used solely by and that solely benefit the service recipient is not in any way related to whether the service recipient is contractually obligated or otherwise required to reimburse the service provider for the expenses. Instead, as explained above, the taxability of an item that is the basis for an expense incurred by a service provider is determined by how the item is used.

### Reporting Sales: Accrual and Cash Basis

In general, sellers of goods and taxable services must report sales on the **accrual basis**. All sales must be reported for the reporting period in which the sale is made, not for the period when the customer pays for the purchase.

**Example:** If a sale is made on March 30 and payment is received on April 12, the sale must be reported and tax paid for the reporting period ending March 31.

Sellers whose only sales are of certain taxable services and who file with the Internal Revenue Service (IRS) on a cash basis may also be able to report their sales of those services to DRS on the **cash basis**. This means they can report the sale for the reporting period in which payment for the service is received rather than when the sale is made. Contact DRS for more information about who may file on the cash basis.

### Quarterly, Monthly, or Annual Reporting Periods

DRS will notify you, upon registration, whether you will be required to file on a monthly or quarterly basis. A return must be filed for every period, even if no business was conducted for that period. If you expect your annual tax liability to be \$1,000 or less, you may request permission to file an annual return. For each reporting period, file a sales and use tax return to report sales made during the period and make payment of taxes due. To request a change in your filing status, mail a request to:

Department of Revenue Services  
PO Box 2937  
Hartford CT 06104-2937

### Filing Timely Returns

Taxpayers are responsible for filing a timely return whether they are a monthly, quarterly, or annual filer. The due date for Form OS-114 is the twentieth day of the month following the reporting period. Electronic filing is the easiest, most secure way to file your return on time. All taxpayers (except annual filers) must file electronically and make a tax payment by electronic funds transfer. See **Informational Publication 2014(15)**, *Filing and Paying Connecticut Taxes Electronically*.

The **Taxpayer Service Center (TSC)** is a free service that enables taxpayers to use the DRS website at **www.ct.gov/TSC** to file a return and make a tax payment. The **TSC** is more accurate than paper filing because the computer catches most errors immediately and provides the opportunity to correct them. It then provides immediate confirmation that DRS has received the return. The **TSC** supports many different browsers and should work with your smart phone or tablet as well as your personal computer. The DRS walk-in units can assist with these filings and many public libraries offer computers and access to the internet that you can use to file your returns via the **TSC** website.

Any business registered with DRS for the following taxes must electronically file its business tax returns through the **TSC** and the associated taxes by electronic funds transfer (EFT):

- Admissions and dues tax;
- Attorney occupational tax;
- Business entity tax;
- Business use tax (excluding annual filers);
- Composite income tax;
- Corporation business tax (excluding combined returns);
- Prepaid wireless E 9-1-1 fee;
- Room occupancy tax;
- Sales and use taxes (excluding annual filers); **or**
- Withholding tax.



In addition, you may file through the **TSC** if you are registered for any of a number of other Connecticut taxes. See **IP 2014(15)**, *Filing and Paying Connecticut Taxes Electronically*.

The **TSC** also offers Telefile, a file-by-phone option, for the following forms:

- **Form CT-WH**, *Withholding Tax Payment Form*;
- **Form CT-941**, *Connecticut Quarterly Reconciliation of Withholding*;
- **Form OS-114**, *Sales and Use Tax Return*; and
- **Form OP-210**, *Room Occupancy Tax Return*.

Visit the DRS website at [www.ct.gov/TSC](http://www.ct.gov/TSC) for more information.

### **Due Dates for Sales and Use Tax, Business Use Tax, Room Occupancy Tax, and Prepaid Wireless E 9-1-1 Fee Returns (Forms OS-114, OP-210, and OP-153)**

For **quarterly** filers, the reporting periods and due dates are:

#### **Quarterly Reporting Periods Due Dates**

<b>Quarterly Reporting Periods</b>	<b>Due Dates</b>
January 1 - March 31	April 20
April 1 - June 30	July 20
July 1 - September 30	October 20
October 1 - December 31	January 20

For **monthly** filers, the reporting periods and due dates are:

<b>Monthly Reporting Periods</b>	<b>Due Dates</b>
January 1 - January 31	February 20
February 1 - February 28/29	March 20
March 1 - March 31	April 20
April 1 - April 30	May 20
May 1 - May 31	June 20
June 1 - June 30	July 20
July 1 - July 31	August 20
August 1 - August 31	September 20
September 1 - September 30	October 20
October 1 - October 31	November 20
November 1 - November 30	December 20
December 1 - December 31	January 20

For **annual** filers beginning with period ending December 31, 2015, the reporting period and due date is:

<b>Annual Reporting Periods</b>	<b>Due Dates</b>
January 1 - December 31	January 20

If the due date falls on a Saturday, Sunday, or legal holiday the return will be considered timely if filed and paid by the next business day.

### **Due Dates for Withholding Tax Returns (All Forms CT-941 and CT-945)**

For **quarterly** filers, the reporting periods and due dates are:

<b>Quarterly Reporting Periods</b>	<b>Due Dates</b>
January 1 - March 31	April 30

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April 1 - June 30	July 31
July 1 - September 30	October 31
October 1 - December 31	January 31

For **monthly** filers, the reporting periods and due dates are:

<b>Monthly Reporting Periods</b>	<b>Due Dates</b>
January 1 - January 31	February 28/29
February 1 - February 28/29	March 31
March 1 - March 31	April 30
April 1 - April 30	May 31
May 1 - May 31	June 30
June 1 - June 30	July 31
July 1 - July 31	August 31
August 1 - August 31	September 30
September 1 - September 30	October 31
October 1 - October 31	November 30
November 1 - November 30	December 31
December 1 - December 31	January 31

For **annual** filers, the reporting period and due date is:

<b>Annual Reporting Period</b>	<b>Due Date</b>
January 1 - December 31	January 31

If the due date falls on a Saturday, Sunday, or legal holiday the return will be considered timely if filed and paid by the next business day.

**Seasonal Business:** If you operate a seasonal business (such as a beach concession) and only make sales at certain times of the year, you may request permission to file a return for only those periods when you are in operation. You must request seasonal filing status in writing and include the request with **Form REG-1, Business Taxes Registration Application**, or send it separately to the DRS Operations Bureau/Registration.

**Combined Returns:** In general, you must file a return for each business location. However, if a single business operates multiple locations, it may request permission to file a combined sales and use tax return for all locations. Send the written request to the DRS Operations Bureau/Registration.

You **must** file a return **even if you made no sales** during the reporting period and no taxes are due. If you made no sales and you made no purchases subject to use tax, enter zero sales, zero purchases, and zero taxes due. Sign the return and file it on time.

## Penalty and Interest

If you file your return late and a payment of tax is due, you are subject to additional charges for penalty and interest. The penalty for underpayment of tax is 15% of the tax not paid on or before the original due date of the return or \$50, whichever is greater.

If you are required to file a return electronically and pay by electronic transfer funds (EFT), you must use EFT to make payments. Payments by check does not meet your obligation to pay by EFT and subjects you to a 10% noncompliance penalty even if DRS's bank account is credited for the payment on or before the due date.

The following penalties will apply if a payment required to be remitted by electronic funds transfer (EFT) is late:

- 2% of the required tax due for EFT payments not more than 5 days late;
- 5% of the required EFT payments more than 5 days but not more than 15 days late; **and**

- 10% of the required EFT payments more than 15 days late.

The following graduated penalty amounts will apply if you fail to remit payments electronically:

- First offense – 10% penalty on the amount of the tax payment, but not more than \$2,500;
- Second offense – 10% penalty, but not more than \$10,000; and
- Third and subsequent offenses – 10% penalty

Late payments are subject to interest at the rate of 1% per month or fraction of a month from the due date until the tax is paid in full.

If payment is delayed for reasons beyond your control, you may request a waiver of the penalty by submitting a completed **Form DRS-PW**, *Request for Waiver of Civil Penalty*. See **Policy Statement 2014(4)**, *Requests for Waiver of Civil Penalties*.

See **Informational Publication 2014(15)**, *Filing and Paying Connecticut Taxes Electronically*.

### **Filing an Amended Return**

If you make a mistake or leave something off your return, you must correct the mistake by filing an amended return either by using the **TSC** or by completing a new Form OS-114. Check the box indicating that this is an amended return and complete it using the correct figures and information for the reporting period.

You must file an amended return claiming a refund of taxes already paid within three years of the original due date of the return. An explanation of the claim for refund must accompany the amended return. If tax was incorrectly collected from a customer, you must prove the sale was not subject to sales and use taxes or sales tax was otherwise paid in error and prove the tax was returned to the customer (a canceled check or receipted bill).

Alternatively, the retailer may provide DRS with copies of letters or memoranda issued to its purchasers in which it promises either to refund the tax to them, or for current, active customers of the retailer, to credit the refund amounts against amounts due from the purchasers.

If the retailer has not refunded the tax to its purchasers before DRS issues the refund to the retailer, then within 120 days after DRS issues the refund, the retailer must prove it has refunded or credited the refund amounts to its purchasers. A retailer must immediately return to DRS any amounts not refunded or credited to the retailer's purchasers within 120 days after DRS issues a refund.

Send the amended return to:

Department of Revenue Services  
Public Services Unit  
25 Sigourney St Ste 2  
Hartford CT 06106-5032

For information about DRS policies on issuing refunds of sales and use taxes, see **Policy Statement 98(5)**, *Sales and Use Tax Refund Policy*.

### **Closing a Business**

You must file a final sales and use tax return if you close your business. Check the box indicating that you are out of business and complete the return to report sales made and taxes due, if any. Enter the last date of business in the designated space, sign the return, and file it on time. Complete the back of your *Sales and Use Tax Permit* and return it in the same envelope with your final return. If you file or are required to file electronically, close your business through the **TSC** and destroy your *Sales and Use Tax Permit*.

You may also have to contact other state agencies, such as the Office of the Secretary of the State to properly close your Business Entity Tax and Corporation Tax accounts. If a business is not properly closed, future liabilities or obligations may be assessed. Visit *CT's Business Response Center* at [www.ct-clic.com](http://www.ct-clic.com) for information.

## Keeping Good Records

Every seller must keep accurate and complete records of all transactions subject to tax and all purchases made by the business for resale. These records will assist you when you file your federal and state tax returns and must be available if your business is audited. You **must** keep these records for at least six years. Records showing purchases made by the business for resale should show the disposition of that property. If the property is taken out of inventory and is no longer held for resale, records must show the payment of use tax by the business.

Other records you must keep include:

- Records of sales (sales receipts, cash register tapes, guest checks, invoices, etc.);
- Purchase records (invoices, cash disbursement journal);
- State and federal tax returns including schedules and worksheets;
- Documents that show price changes;
- General ledger;
- Sales, purchases, accounts receivable, and accounts payable journals; **and**
- Resale and exemption certificates and records of purchases made with certificates.

See Conn. Agencies Regs. §12-2-12 for more recordkeeping and record retention requirements.

## 7 Employer Information

If you employ one or more workers in your business, you may be required to register with the Department of Revenue Services (DRS) to withhold Connecticut income tax. Use **Form REG-1, *Business Taxes Registration Application***, to register for income tax withholding. If you are already registered for other state taxes (for example, sales and use taxes or corporation business tax), use Form REG-1 to add withholding tax to your registration.

If you acquire an existing business, you must complete Form REG-1 to obtain your own Connecticut Tax Registration Number. You cannot use the previous owner's registration number or withholding coupons.

## Income Subject to Withholding

All wages of a Connecticut resident are subject to Connecticut income tax even though the resident works outside of Connecticut. However, if the employee works in another state, Connecticut income tax must be withheld only to the extent the Connecticut tax **exceeds** the amount required to be withheld for the other state(s) for services performed there. Wages of a **nonresident** are subject to Connecticut income tax withholding if the wages are paid for services performed in Connecticut.

## Knowing How Much to Withhold

You determine how much tax to withhold by using the current Connecticut income tax withholding tables along with the information on **Form CT-W4, *Employee's Withholding Certificate***. You must have a completed Form CT-W4 on file for each of your employees.

## Reporting Requirements

You must file all withholding forms electronically and pay any associated taxes by electronic funds transfer. This requirement applies to forms and payments for tax periods beginning on or after January 1, 2014.

See **Informational Publication 2014(15)**, *Filing and Paying Connecticut Taxes Electronically*. For more information on payment by EFT, call 860-297-4973

### **Quarterly reconciliation**

If you are registered for Connecticut income tax withholding, you must file **Form CT-941**, *Connecticut Quarterly Reconciliation of Withholding*, each calendar quarter even if no tax is due or has been withheld for that quarter.

### **Annual reconciliation**

**Form CT-W3**, *Connecticut Annual Reconciliation of Withholding*, is due from you on or before the last day of February. No payment should be made with this form. You must file each state copy of federal Form W-2 (Copy 1 of the optional six-part federal Form W-2 or equivalent) reporting Connecticut wages paid during the previous calendar year with the annual reconciliation even if no Connecticut income tax was withheld.

### **Waiver of Requirement to File and Pay by EFT**

Any person, other than return preparers, required to file a return electronically or to pay the tax by EFT may request a waiver of the requirement. Submit the waiver request, **Form DRS-EWVR**, *Electronic Filing and Waiver Request*, to the Commissioner no later than 30 days before the due date of such required filing or required payment.

The Commissioner may waive the requirement if the Commissioner finds, based on information you provide, that the requirement to file and pay electronically would cause you undue hardship. The Commissioner will promptly notify you whether or not the waiver request has been granted. The Commissioner's decision is final and not subject to review or appeal. If your request is granted you may file a signed paper Connecticut tax return and make payments by means other than EFT.

The waiver is valid for 12 months from the date it is granted. See **Informational Publication 2014(15)**, *Filing and Paying Connecticut Taxes Electronically* and **Policy Statement 2011(3)**, *Request for Waiver of Electronic Filing and Payment Requirements*.

### **Penalties for Failure to Pay Electronically When Required**

A penalty is imposed for failure to pay by Electronic Funds Transfer (EFT). The penalty for the first failure is the lesser of 10% of the tax payment required to be made by EFT or \$2,500; for the second failure, the penalty is the lesser of 10% of the tax payment required to be made by EFT or \$10,000; for the third and subsequent failures, the penalty is 10% of the tax payment required to be made by EFT. To be considered timely, an EFT payment must be initiated on or before the due date of such payment. Any payment not considered timely will be subject to interest and late payment penalty.

### **Electronic Filing Through the Taxpayer Service Center ( TSC)**

File withholding information through the **TSC**. It is a free, fast, easy, and secure way to conduct business with the Department of Revenue Services (DRS). Go to [www.ct.gov/TSC](http://www.ct.gov/TSC).

### **Other Employer Requirements**

You must also register with the Internal Revenue Service (IRS) to withhold federal income tax and Social Security tax and with the Connecticut Department of Labor (DOL) for unemployment compensation tax. For more information on business requirements, see Chapters 8 and 9.

### **Withholding Rules for Seasonal Employers and Annual Filers**

If you operate your businesses on a seasonal basis, you may submit a written request to DRS for seasonal filer status. The request must include the quarter or quarters during which the business will be active each year.

New registrants may submit written requests for seasonal filer status with Form REG-1. If you are already registered for Connecticut income tax withholding you may mail the request for a change in filer status to:

Department of Revenue Services  
PO Box 2937  
Hartford CT 06104-2937

## 8 Other State Taxes

### Business Entity Tax (Form OP-424)

The business entity tax (BET) is a biennial tax of \$250 imposed on the following business types:

- S corporation (Qualified subchapter S subsidiaries (QSSS) are not liable for BET);
- Limited liability companies: an LLC or SMLLC that is, for federal income tax purposes, either;
  1. Treated as a partnership, if it has two or more members: or
  2. Disregarded as an entity separate from its owner, if it has a single member:
- Limited liability partnership (LLP); **and**
- Limited partnership (LP).

The BET applies to the business entities listed above if either:

- The entity was formed under Connecticut law; **or**
- The entity was not formed under Connecticut law but is required to register with or obtain a certificate of authority from the Connecticut Secretary of the State before transacting business in the state (regardless of whether or not the entities have complied with the requirement).

See **Special Notice 2013(1)**, *Legislative Changes to the Business Entity Tax*, and **Informational Publication 2008(26)**, *Q & A on the Business Entity Tax*.

### Controlling Interest Transfer Tax

Connecticut imposes a tax on the transfer of a controlling interest in an entity where the entity owns, directly or indirectly, Connecticut real property. Report this tax on **Form AU-330**, *Controlling Interest Transfer Taxes*.

### Admissions and Dues Tax

An **admissions tax** of 10% is imposed on the admission charge to any place of amusement, entertainment, or recreation including but not limited to theaters, amusement parks, fairgrounds, racetracks, dance halls, ballparks, golf courses, etc. The admissions tax rate on motion picture shows is 6%. Motion picture show admission charges of not more than \$5 are exempt.

A **dues tax** of 10% is imposed on any amount paid as dues or initiation fees to any social, athletic, or sporting club either owned or operated by its members. A club is exempt from the dues tax if the annual dues of every member and any initiation fee are each \$100 or less. See **Informational Publication 2003(11)**, *Q & A: The Dues Tax*.

### Motor Vehicle Fuels Tax

A tax is imposed on motor vehicle fuels used to propel motor vehicles on public highways or roads. The rate on gasoline and gasohol is subject to change. Refer to the DRS website at [www.ct.gov/DRS](http://www.ct.gov/DRS) for publications

related to legislation about the motor vehicle fuels tax. **Fuel** includes gasoline, gasohol, diesel, aviation fuel, and any other combustible gas or liquid that generates the power needed to propel a motor vehicle.

If you purchase, sell, or use petroleum products, you may need to register for either the motor vehicle fuels or petroleum products gross earnings tax, or both. Distributors of motor vehicle fuels are required to obtain a distributor's license prior to making sales of motor vehicle fuel. Distributors of motor vehicle fuels are also required to obtain and maintain a surety bond. See *Register With DRS* on Page 7.

Motor vehicle fuel distributors report monthly the number of gallons sold or used and remit the tax owed. The tax return and remittance are due no later than the twenty-fifth day of the month for the previous calendar month.

There are several exemptions from the motor vehicle fuels tax. These include but are not limited to fuel sold to the U.S. government, the State of Connecticut, and any Connecticut municipality or transit district when the fuel is used in vehicles owned and operated or leased and operated by any of the entities mentioned above.

### **Motor Carrier Road Tax**

A tax is imposed on the use of motor fuel by motor carriers operating **qualified motor vehicles** in Connecticut. The rate is equivalent to the Connecticut motor vehicle fuels tax rate. A **qualified motor vehicle** is a motor vehicle used, designed, or maintained for transportation of persons or property and:

- Has two axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds;
- Has three or more axles regardless of weight; **or**
- Is used in combination and the combined gross vehicle weight or registered gross vehicle weight exceeds 26,000 pounds.

Connecticut is a member of the International Fuel Tax Agreement (IFTA). IFTA is an agreement among jurisdictions (states of the United States and Canadian provinces) to simplify the reporting of the fuel use taxes by interstate carriers. All 48 contiguous states as well as ten Canadian provinces are members of the IFTA program.

Each motor carrier based in Connecticut that operates in at least one other IFTA jurisdiction must obtain a Connecticut IFTA license and decals. For carriers based in another jurisdiction that is also an IFTA member, the IFTA license and decals from that jurisdiction satisfy Connecticut license and decal requirements. Qualified motor vehicles based outside Connecticut in a non-IFTA jurisdiction or that operate only in Connecticut must obtain Connecticut fuel tax decals. Applications for registration may be obtained by contacting the DRS at **860-297-4872**. See **Informational Publication 2010(14)**, *State of Connecticut - International Fuel Tax Agreement (IFTA) Manual*.

### **Petroleum Products Gross Earnings Tax**

Companies that sell petroleum products are subject to the petroleum products gross earnings tax and must register with DRS for the tax. See *Register With DRS* on Page 7.

The tax is imposed on gross earnings derived from the first sale of petroleum products in Connecticut. The gross earnings tax on the first sale of gasoline or gasohol in Connecticut is capped at \$3.00 per gallon. The rate on petroleum products is subject to change. Refer to the DRS website at **[www.ct.gov/DRS](http://www.ct.gov/DRS)** for publications related to legislation about the petroleum products gross earnings tax, including the current tax rate.

**Gross earnings** include but are not limited to gross earnings tax billed, freight or transportation costs, demurrage, and other delivery charges. Gross earnings **do not** include the amount of state or federal excise taxes on motor vehicle fuel or diesel fuel.

Companies that import, or cause to be imported, **petroleum products** into Connecticut for sale, use, or consumption in Connecticut are also subject to the petroleum products gross earnings tax.

**Petroleum products** means those products that contain or are made from petroleum or petroleum derivatives, except paraffin or microcrystalline waxes. Petroleum products include acid oil, alkylates, aromatic chemicals,

asphalt and asphaltic materials, benzene, butadiene, petroleum coke, cosmetic grade mineral oil, gasoline, greases, hydrocarbon fluids, jet fuels, kerosene, liquefied petroleum gases, mineral jelly, mineral oil, mineral waxes, naphtha, naphthenic acids, fuel, lubricating and illuminating oils, nonmedicinal petrolatums, propane used in school buses, bituminous road materials, road oils, solvents and tar, or residuum.

There are several exemptions from the petroleum products gross earnings tax. These include but are not limited to the product commonly known as number 2 heating oil used exclusively for heating purposes or petroleum products used in a commercial fishing vessel that qualifies for exemption under Conn. Gen. Stat. §12-412.

Companies subject to the tax must file a quarterly **Form OP-161, *Petroleum Products Gross Earnings Tax Return***, on or before the last day of the month following the taxable period.

## **Cigarette Taxes**

All cigarettes sold in Connecticut are subject to an excise tax that is paid by the distributor. Cigarettes are also subject to the 6.35% sales and use taxes. Licensed distributors purchase stamps or heat-applied decals that are affixed to each pack of cigarettes to indicate the cigarette tax has been paid. A cigarette distributor's license is required by those stamping cigarettes. Licensed distributors are responsible for filing monthly reports with DRS no later than the twenty-fifth day of each month indicating their cigarette activity for the previous calendar month. A cigarette dealer's license is required by those making retail sales of cigarettes. The license is valid from October 1 through September 30 each year.

Restrictions have been placed on **gray market cigarettes**, most notably the prohibition on the sale or possession of those cigarettes by licensed cigarette distributors or licensed cigarette dealers in Connecticut.

**Gray market cigarettes** are those manufactured in the United States and intended to be sold outside the United States, but which illegally reenter the United States.

Licensed cigarette distributors and licensed cigarette dealers are prohibited from attaching Connecticut cigarette tax stamps to gray market cigarettes. See **Special Notice 99(8), *Sale and Possession of "Gray Market" Cigarettes***.

## **Collection of Sales Tax by Cigarette Stampers and Non-stamping Distributors**

Cigarette stampers and non-stamping distributors must collect sales tax on sales of cigarettes to licensed dealers, regardless of whether the dealer furnishes a resale certificate. Tax must be separately stated on invoices to dealers.

Stampers and non-stamping distributors report and remit the tax collected from licensed dealers on their sales tax returns.

When a licensed dealer sells cigarettes, it must collect and remit sales tax on the sales price it charges its customers. However, when the licensed dealer files its sales tax return, it will deduct the purchase price of cigarettes on which it paid sales tax to the stamper or non-stamping distributor on the back of the return.

See **Special Notice 2013(4), *2013 Legislative Changes Requiring Cigarette Stampers and Non-Stamping Distributors to Collect Sales Tax on Cigarettes***.

## **Tobacco Products Tax**

The tobacco products tax is an excise tax imposed on all non-cigarette tobacco products. The tax is imposed on the distributor or the unclassified importer at the time the tobacco product or snuff-tobacco product is manufactured, purchased, imported, received, or acquired in Connecticut. The tax rate on tobacco products (other than tobacco snuff products) is 50% of the wholesale sales price of such tobacco products.

The tax rate on cigars is 50% of the wholesale sales price, not to exceed 50 cents (\$0.50) per cigar.

The tax on tobacco snuff products is \$1.00 per ounce or fractional part of an ounce of snuff.



See *Register With DRS* on Page 7 for information on how to register for the tobacco products tax. The license is issued annually and expires on June 30. You must file a monthly **Form OP-300, Tobacco Products Tax Return**, no later than the twenty-fifth day of each month for the previous calendar month.

## Alcoholic Beverages Tax

The alcoholic beverages tax is an excise tax paid by each alcoholic beverage distributor on all sales of alcoholic beverages within Connecticut. All alcoholic beverages removed from inventory are taxable except for authorized adjustments or tax exempt sales. Alcoholic beverage distributors are also regulated by the Department of Consumer Protection. Applicable tax rates are:

<i>Beverage</i>	<i>Size</i>	<i>Tax Rate</i>
<b>Still Wines</b> - Not in excess of 21% alcohol by volume	Wine Gallon	\$0.72
<b>Still Wines Produced by Small Wineries</b> - Not in excess of 21% alcohol by volume	Wine Gallon	\$0.18
<b>Fortified Wines</b> in excess of 21% alcohol by volume and Sparkling Wines	Wine Gallon	\$1.80
<b>Beer and Other Malt Liquors</b> - Draft barrels only	Barrel	\$7.20
<b>Beer and Other Malt Liquors</b> - Other containers	Wine Gallon	\$0.24
<b>Distilled Liquors</b>	Wine Gallon	\$5.40
<b>Liquor Coolers</b> - Not more than 7% of alcohol by volume	Wine Gallon	\$2.46
<b>Alcohol</b> - in excess of 100 proof	Proof Gallon	\$5.40

## Tourism Surcharge

A surcharge of \$1 per day or portion of a day is imposed on every lessor for the rental or lease of a passenger motor vehicle delivered to a lessee in Connecticut (regardless of where the vehicle is subsequently used) for a term of 30 consecutive calendar days or less. The lessor collects reimbursement for the surcharge from the lessee. The surcharge is due and payable with **Form OP-337, Tourism Surcharge Return**, required to be filed quarterly or monthly if total yearly surcharge liability is \$4,000 or more. The return must show the number and rental period of all passenger motor vehicles leased by the lessor during the reporting period. See **Policy Statement 2002(5), The Motor Vehicle Rental Surcharge and the Tourism Account Surcharge**.

## Rental Surcharge

A 3% rental surcharge is imposed on the rental of each private passenger motor vehicle or rental truck in Connecticut by a rental company for a term of 30 consecutive calendar days or less. Additionally, a 1.5% rental surcharge is imposed on the rental of machinery without an operator for a term of 30 consecutive calendar days or less.

On or before February 15, each rental company must file **Form OP-383, Rental Surcharge Annual Report**, with DRS and report the total rental surcharge actually collected on the rental of private passenger vehicles, rental trucks, or pieces of machinery without an operator by the rental company during the calendar year. Each rental company must also remit with Form OP-383 the portion of the rental surcharge collected that **exceeds** the sum of:

1. The personal property tax it actually paid during the year to a Connecticut municipality or municipalities on private passenger vehicles, rental trucks, or pieces of machinery rented by it to lessees during the year; **and**
2. The registration, licensing, and titling fees it actually paid to the Connecticut Department of Motor Vehicles (DMV) on the private passenger motor vehicles, rental trucks, or pieces of machinery.

See **Policy Statement 2007(3)**, *Rental Surcharge - Daily Rental of Machinery*, and **Policy Statement 2002(5)**, *The Motor Vehicle Rental Surcharge and the Tourism Account Surcharge*.

## Dry Cleaning Surcharge

The dry cleaning surcharge of 1% of gross receipts from sales of dry cleaning services is used to fund grants to dry cleaning establishments for the containment and removal or mitigation of environmental pollution resulting from dry cleaning. The surcharge is due quarterly with **Form OP-374**, *Dry Cleaning Establishment Surcharge Return*.

## Beverage Container Deposit Initiators

Distributors or manufacturers who sell beverages subject to the Connecticut Bottle Bill to dealers in Connecticut (“deposit initiators”) **must** collect beverage container deposits. Deposit initiators **must** maintain a separate bank account in which to deposit the monies they collect. Each deposit initiator files a quarterly report on **Form OP-515**, *Beverage Container Deposit Report*, and remits the amount left unclaimed after refunds are paid to customers and bank fees are deducted. **Form OP-515 must be filed electronically through the TSC.**

## Prepaid Wireless E 9-1-1 Fee

The prepaid wireless E 9-1-1 fee is imposed on each sale of prepaid wireless telecommunications service by a retailer. Use **Form OP-153**, *Prepaid Wireless E 9-1-1 Fee Return*, to report and remit the fee, using the same filing period as for sales and use tax except that annual filers **must** file the Form OP-153 each quarter. Retailers may keep 1% of the Prepaid Wireless E 9-1-1 Fee they collect. See **Special Notice 2013(2)**, *Changes to the Prepaid Wireless E 9-1-1 Fee*.

## 9 Permits, Licenses, and Other Requirements

In addition to understanding the requirements of the Department of Revenue Services (DRS), a new business owner should become familiar with the requirements of other state agencies, municipalities, and the federal government. This chapter provides an overview of some of these requirements and refers you to other agencies you should contact for more information.

### Permits and Licenses

Certain businesses are subject to regulation by the state or the federal government, or both, and may be required to obtain a permit or license to operate. **CT's Business Response Center (CBRC)** is a program initiated by the Office of Policy and Management (OPM) and the Department of Economic and Community Development, and is overseen by the Connecticut Economic Resource Center, Inc. **CBRC** can provide you with information about state permits, licenses, initial and annual fees, and other information about the application process. You can contact CBRC at 1-800-392-2122. The CBRC website is an online, searchable database of over 900 licenses, permits, and registrations administered by 25 Connecticut state agencies. Visit the CBRC website at **www.ct-clic.com**.

### Federal Tax Requirements

Contact the Internal Revenue Service (IRS) for information about federal tax liabilities and requirements. Federal taxes that may apply to your business include income tax, self-employment tax, employment taxes, and excise taxes. Visit **www.irs.gov/Help-&-Resources** for answers and contact information.

The IRS has free publications for small businesses. You may order IRS Publication 334, *Tax Guide for Small Business*, and IRS Publication 583, *Starting a Business and Keeping Records*. Visit the IRS website at **www.irs.gov/formspubs** or call the IRS at 1-800-829-3676 to order federal tax forms and publications.

## Requirements of Other State Agencies and Municipalities

Other state agencies administer the following Connecticut taxes:

- Corporation franchise tax;
- Unemployment compensation tax; **and**
- Motor vehicle fees.

Each municipality administers a property tax on real and tangible personal property.

## Office of the Secretary of the State (SOTS)

### Corporation franchise tax

The SOTS collects a franchise tax from Connecticut corporations. Conn. Gen. Stat. §33-618 establishes the corporate franchise tax.

- **Domestic corporations:** A domestic corporation must pay a franchise tax to the SOTS at the time of incorporation and at the time of any increase in the number of shares of authorized capital stock.

In addition to the corporation franchise tax, there are other fees for incorporating a domestic corporation such as for:

1. Filing the certificate of incorporation;
  2. Filing the organization report;
  3. Filing the annual report which is due every year on or before the last business day of the month in which the anniversary date of incorporation occurs; **and**
  4. Obtaining a certified copy of a corporate document.
- **Foreign corporations:** A corporation organized outside the state may obtain a certificate of authority to transact business in Connecticut by filing an application with the SOTS and appointing a registered agent to accept service of process. Applications may be obtained from the SOTS and must be accompanied by a filing fee and a certificate of legal existence from the state of its incorporation. Foreign corporations must file annual reports due on or before the last business day of the month that is the anniversary date of the filing of the application for certificate of authority. The annual report and license fee is payable upon filing of the annual report.

Visit the SOTS website at [www.ct.gov/sots](http://www.ct.gov/sots) or contact the SOTS at 860-509-6000 for more information about the corporation franchise tax and other fees.

## Department of Labor (DOL)

### Unemployment Compensation Tax

The DOL administers the Unemployment Compensation Tax. For more information and registration forms, visit the DOL website at [www.ct.gov/dol](http://www.ct.gov/dol), call the DOL at 860-263-6550, or write to:

Connecticut Department of Labor  
Employer Status Unit  
200 Folly Brook Boulevard  
Wethersfield CT 06109

- Employers engaged in covered activities are subject to the Unemployment Compensation Act if:
  1. During a calendar quarter of the current or preceding calendar year, they paid wages totaling \$1,500 or more, **or**

2. During the current or preceding calendar year, they had one or more employees at any time in each of 20 calendar weeks.
- Agricultural employers are subject to the Act if:
    1. During any calendar quarter of the current or preceding calendar year, they paid cash wages totaling \$20,000 or more; **or**
    2. During the current or preceding calendar year, they had ten or more employees at any time in each of 20 calendar weeks.
  - Domestic employers are subject to the Act if they paid cash wages totaling \$1,000 or more during any calendar quarter of the current or preceding calendar year.
  - The Unemployment Compensation Fund is financed through a benefit ratio system. For employers who qualify to be experience-rated (those who have been chargeable with benefits for at least one year ending June 30), taxes are based on:
    1. The benefit ratio of each employer, which determine the charged tax rate; **and**
    2. Unemployment compensation fund reserves, which determine a fund solvency tax rate.

These rates are recalculated annually for qualified employers. An employer's charged tax rate is the ratio of charges during the applicable experience period to the taxable payroll for the same period. The fund solvency tax rate may increase an employer's total contribution rate depending on the solvency of the unemployment compensation fund. Calculated annually, it applies uniformly to all employers who qualify for experience rating.

An employer who has not been subject to the Act for a sufficient period of time to be experience-rated pays contributions at a rate that is the higher of 1% of taxable wages or the Connecticut five-year benefit cost rate. An employer's taxable wages consist of the sum of employees' wages not in excess of \$15,000.

## Department of Motor Vehicles (DMV)

### Motor Vehicle Fees

Motor vehicle registration is administered by the DMV. For more information on motor vehicle fees, visit the DMV website at [www.ct.gov/dmv](http://www.ct.gov/dmv), call the DMV at 1-800-842-8222 (Connecticut calls from outside the Greater Hartford calling area only) or 860-263-5700 (from anywhere), **or** write to:

Connecticut Department of Motor Vehicles  
60 State Street  
Wethersfield CT 06161

There is a two-year registration fee for private passenger cars used for business purposes. Upon renewal, there is an additional Clean Air Act fee for all classes of motor vehicles. Driver licenses are renewed every six years and commercial driver licenses are renewed every four years.

Annual registration fees for commercial motor vehicles are based on the vehicle gross weight. Both motorized units, tractors and trailers, must be registered. There are fixed annual fees for saw rigs, spray rigs, and well drillers. Permanently mounted cranes require a fee by gross weight. There is a registration fee per year (not prorated) for **heavy-duty vehicles** (55,000 lbs. gross weight and over). Overweight vehicles require a special permit from the Connecticut Department of Transportation.

Specific registration classes exist for taxis, liveries, and buses, each with special requirements and fees.

## Office of Policy and Management (OPM)

### Property Tax

The property tax is not administered by DRS, but by each Connecticut municipality. For more information on the property tax, visit the OPM website at or write to:

Intergovernmental Policy Division  
Office of Policy and Management  
450 Capitol Avenue  
Hartford CT 06106-1379

You can obtain specific information from the city or town assessor where the business will be located.

Each company pays an ad valorem property tax to the community in which it has real or personal property. Manufacturing inventories of finished goods and goods in process are exempt, as are mercantile inventories.

**Assessment Date:** October 1 is the annual assessment date. Not later than November 1, each company must file a declaration of its personal property with the local assessor. Personal property and motor vehicles are revalued annually. Real property is revalued every four years. Increases in assessed values of real property resulting from revaluation may be phased-in for up to four years at the community's option.

Any municipality with a population in excess of 35,000 persons may establish a special service district to construct, own, operate, and maintain public improvements, and to provide within that district the services a municipality is authorized to provide (except elementary and secondary education). The district may levy a property tax to be administered by the municipality.

**Exemptions:** Newly acquired manufacturing machinery and equipment, including property used in the production of motion pictures, videos, and sound recordings, may be exempt from the property tax for a five-year period. New commercial motor vehicles used exclusively for the interstate or intrastate transport of freight for hire may also be exempt for a five-year period. Both exemptions must be claimed annually between October 1 and November 1. Applications for exemption and personal property declaration forms are available from the local assessor.

Connecticut has a free port law that permits goods shipped in from out-of-state to remain free of local property taxes while stored in a public warehouse not owned by the seller or buyer provided the goods remain in their original packages.

## 10 For More Help

The following agencies can help you in planning and starting your new business.

### Connecticut Department of Revenue Services (DRS)

Visit the DRS website at [www.ct.gov/DRS](http://www.ct.gov/DRS) or call DRS at **1-800-382-9463** (Connecticut calls outside the Greater Hartford calling area only) or **860-297-5962** (from anywhere) for tax information and other services during business hours, Monday through Friday, 8:30 a.m. to 4:30 p.m. For walk-in assistance, visit any of the DRS offices .

### Internal Revenue Service (IRS)

Visit the **IRS** website at [www.irs.gov](http://www.irs.gov) or call the IRS to order federal tax forms and publications or for federal tax information. **IRS Toll-Free Telephone Numbers**

Federal Tax Information .....	1-800-829-1040
Tele-Tax (recorded tax information) .....	1-800-829-4477
Federal Tax Forms and Publications .....	1-800-829-3676
Telecommunications Device for the Deaf .....	1-800-829-4059

## **Resource Organizations to Assist Businesses**

### **Community Accounting Aid & Services, Inc.**

965 East Main Street  
Meriden CT 06450  
Telephone: 203-235-2333 ext. 7146  
Website: [www.communityaccountingaid.org](http://www.communityaccountingaid.org)

### **Connecticut Small Business Development Center State Headquarters Storrs**

University of Connecticut  
2100 Hillside Road, U1094  
Storrs CT 06269-1094  
Telephone: 1-855-428-7232  
Website: [www.ctsbdc.org](http://www.ctsbdc.org)

### **Hartford Economic Development Corporation**

15 Lewis Street, Suite 204  
Hartford CT 06103  
Telephone: 860-527-1301  
Website: [www.hedcoinc.com](http://www.hedcoinc.com)

### **CT's Business Response Center**

805 Brook Street - Bldg. 4  
Rocky Hill CT 06067  
Telephone: 1-800-392-2122  
Websites: [www.ct-clic.com](http://www.ct-clic.com)

### **Connecticut Innovations**

865 Brook Street  
Rocky Hill CT 06067  
Telephone: 888-337-5454 or 860-563-5851  
Website: [www.ctinnovations.com](http://www.ctinnovations.com)

### **U.S. Small Business Administration**

330 Main Street  
Hartford CT 06106  
Telephone: 860-240-4700  
Website: [www.sba.gov](http://www.sba.gov)

## **Appendix**

## Connecticut Tax Forms, Publications, and Certificates

The following forms, publications, and certificates are of interest to most business people. The publication numbers referenced are updated at the time of printing, but the information may change. Look for the most current version on the DRS website at [www.ct.gov/DRS](http://www.ct.gov/DRS).

### Sales and Use Taxes

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OS-114	.....	Sales and Use Tax Return
O-88	.....	Instructions for Form OS-114, Sales and Use Tax Return
OP-186	.....	Connecticut Individual Use Tax Return
IP 2014(5.2)	..	Topical Index to Rulings and Administrative Pronouncements Affecting Sales and Use Taxes
IP 2010(16)	..	Farmer's Guide to Sales & Use Taxes, Motor Vehicle Fuels Tax, Estimated Income Taxes, and Withholding Tax
IP 2009(13)	..	Sales and Use Taxes Guide for Manufacturers, Fabricators, and Processors
IP 2009(14)	..	Fisherman's Guide to Sales and Use Taxes and Estimated Income Tax
IP 2009(15)	..	Notice to Retailers on Sales and Use Taxes Resale Certificates
IP 2009(33)	..	Q & A on the Connecticut Individual Use Tax
IP 2008(11)	..	Exemptions From Admissions Tax
IP 2007(10)	..	Sales and Use Tax Exemptions for Prescription and Nonprescription Drugs and Medicines and Health-Related Products
IP 2006(13)	..	Sales and Use Taxes on Returned Goods, Even Exchanges, and Trade-Ins
IP 2006(35)	..	Building Contractors Guide to Sales and Use Taxes
IP 2003(11)	..	Q & A: The Dues Tax
IP 2003(31)	..	Q & A on the Connecticut Use Tax for Businesses and Professions
IP 2002(11)	..	Nonprofit Hospitals, Nonprofit Nursing Homes, Nonprofit Rest Homes, and Nonprofit Residential Care Homes
IP 2002(16)	..	Successor Liability for Sales and Use Taxes and Admissions and Dues Tax
PS 2007(5)	..	Sales Tax Treatment of Coupons, Scan Cards, Cash Equivalents, Promotional Items, and Rebates
PS 2007(7)	..	Taxation of Services by Employment Agencies and Agencies Providing Personnel Services
PS 2006(4)	..	Tax Exempt Purchases by Connecticut State Agencies
PS 2006(8)	..	Sales and Use Taxes on Computer-Related Services and Sales of Tangible Personal Property
PS 2004(4)	..	Sales and Use Tax Exemption for Safety Apparel
PS 2003(1)	..	Application of Sales and Use Taxes and the Room Occupancy Tax to the Hotel and Motel Industry
PS 2002(2)	..	Sales and Use Taxes on Meals
PS 2002(3)	..	Sales and Use Tax Exemption for Sales by Eleemosynary Organizations and Elementary and Secondary Schools
PS 2002(6)	..	Sales and Use Tax Exemptions for Low and Moderate Income Housing Facilities
PS 2001(2)	..	Room Occupancy Tax and Sales and Use Tax on Campground and Cottage Rentals
PS 2001(4)	..	Sales of Motor Vehicles to Nonresident Military Personnel and Joint Sales of Motor Vehicles to Nonresident Military Personnel and Their Spouses
PS 2001(5)	..	Sales and Use Tax Exemptions for Food Sold Through Coin-Operated Vending Machines
PS 2001(9)	..	Sales and Use Taxes on Sales and Purchases Made by Veterinarians

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PS 2001(11)	Admissions Tax Exclusion for Health Clubs
PS 2000(4)	.. Sales and Use Tax on Charges for Personnel Training Services
PS 98(5)	..... Sales and Use Tax Refund Policy
PS 98(8)	..... Exemption From Sales and Use Taxes for Items Used Directly in the Biotechnology Industry
SN 2007(1)	.. Sales and Use Taxes on Health and Athletic Club Services
SN 2003(1)	.. Exempt Sales of Food and Beverages at Schools and Care Facilities
SN 2003(3)	.. Sales and Use Taxes on Retail Sales of Clothing
SN 2002(9.1)	..... Sales and Use Taxes on the Furnishing of Space for Storage
SN 2002(15)	Sales and Use Taxes on Sale and Leaseback Arrangements
SN 2001(2)	.. Miscellaneous Personal Services
SN 2001(5)	.. The “Buy Connecticut” Provision
SN 2000(9)	.. Sales and Use Tax Exemption for College Textbooks

### Miscellaneous

••	..... Online Guide to Connecticut Business Tax Credits
REG-1	..... Business Taxes Registration Application
LGL-001	..... Power of Attorney
LGL-002	..... Request for Disclosure of Tax Return or Tax Return Information
LGL-003	..... Limited Power of Attorney
CT-8822	..... Change of Address
IP 2013(1)	..... Connecticut Employer's Tax Guide, Circular CT
IP 2014(4.2)	..... Numerical Index to Rulings and Administrative Pronouncements as Affected, if at all, by Later-Issued Rulings and Pronouncements
IP 2014(6.2)	..... Topical Index to Rulings and Administrative Pronouncements Covering Miscellaneous Taxes and Administrative Topics
IP 2010(14)	..... State of Connecticut-International Fuel Tax Agreement (IFTA) Manual
IP 2010(20)	..... Business Taxes
IP 2008(26)	..... Q & A on Business Entity Tax
IP 2001(20)	..... Q & A Concerning Freedom of Information Act Requests
IP 2000(27)	..... Procedures to Request Disclosure of Tax Returns and Tax Return Information
PS 2008(2)	..... Procedures in Handling Requests for Issuance of Rulings
PS 2012(2)	..... Designated Private Delivery Services and Designated Types of Services
PS 2008(4)	..... Your Rights as a Connecticut Taxpayer
PS 2002(5)	..... The Motor Vehicle Rental Surcharge and the Tourism Account Surcharge
PS 92(12.1)	..... Limited Liability Companies
SN 99(3)	..... Effect of Federal Law Changes on the Taxation of Limited Liability Companies and S Corporations and Their Shareholders
SN 99(8)	..... Sale and Possession of “Gray Market” Cigarettes

### Sales and Use Taxes Exemption Certificates

•	..... Sales & Use Tax Resale Certificate (Regulations 1 & 23)
CERT-100	.... Materials, Tools, and Fuel
CERT-101	.... Machinery, Component Parts, and Replacement and Repair Parts of Machinery Used Directly in a Manufacturing Process
CERT-102	.... Certified Rehabilitation Certificate for Certified Historic Structures



CERT-103	.... Residential Condominium Association
CERT-104	.... Services Certificate for New Construction
CERT-105	.... Commercial Motor Vehicle Purchased Within Connecticut for Use Exclusively in the Carriage of Freight in Interstate Commerce
CERT-106	.... Claim for Refund of Use Tax Paid on a Motor Vehicle Purchased From Other Than a Motor Vehicle Dealer
CERT-108	.... Partial Exemption for Materials, Tools, and Fuels
CERT-109	.... Partial Exemption for Machinery, Equipment, or Repair and Replacement Parts
CERT-110	.... Aircraft Repair Services — Aircraft Repair and Replacement Parts
CERT-111	.... Machinery, Equipment, Materials, Tools, and Fuel Used by an Aircraft Manufacturer Operating an Aircraft Manufacturing Facility
CERT-112	.... Exempt Purchases of Meals or Lodging by Exempt Entities
CERT-113	.... Purchases of Tangible Personal Property and Services by a Nonprofit Charitable Hospital, Nonprofit Nursing Home, Nonprofit Rest Home, or Nonprofit Residential Care Home
CERT-114	.... Commercial Motor Vehicle or Motor Bus Purchased Within Connecticut for Use in Interstate Commerce as an Interstate Motor Bus
CERT-115	.... Exempt Purchases of Gas, Electricity, and Heating Fuel
CERT-116	.... Exempt Petroleum Products Certificate
CERT-117	.... Purchases of Tangible Personal Property Incorporated Into or Consumed in Air Pollution Control Facilities
CERT-119	.... Purchases of Tangible Personal Property and Services by Qualifying Exempt Organizations
CERT-120	.... Machinery, Equipment, Tools, Materials, and Supplies Used in the Production of Printed Materials or in Prepress Production
CERT-121	.... Exemption for Landscaping and Horticulture Services, Window Cleaning Services, and Maintenance Services Provided to Recipients of Total Disability Benefits
CERT-122	.... Refund of Tax Paid on Purchases of Meals or Lodging by Exempt Entities
CERT-123	.... Blanket Certificate for Exempt Qualifying Purchases of Meals or Lodging by an Exempt Organization or Qualifying Governmental Agency
CERT-124	.... Purchases of Tangible Personal Property Incorporated Into or Consumed in Water Pollution Control Facilities
CERT-125	.... Sales and Use Tax Exemption for a Motor Vehicle Purchased by a Nonresident of Connecticut
CERT-126	.... Exempt Purchases of Tangible Personal Property or Services for Low and Moderate Income Housing Facilities
CERT-127	.... Exempt Purchases by an Enrolled Member or by the Tribal Government of the Mashantucket Pequot Tribe or Mohegan Tribe
CERT-128	.... Exempt Purchases by Contractors in Connection With Construction Projects in Indian Country of the Mashantucket Pequot or Mohegan Tribes
CERT-129	.... Exemption for Items Used Directly in the Biotechnology Industry
CERT-130	.... Sales and Use Tax Exemption for Purchases by Water Companies
CERT-131	.... Exemption for Projects of the Connecticut Resources Recovery Authority and Solid Waste-to-Energy Facilities
CERT-132	.... Sales and Use Tax Exemption for Purchases Made Under the Buy Connecticut Provision
CERT-133	.... Contractor's Exempt Purchase Certificate for a Renovation Contract With a Direct Payment Permit Holder
CERT-134	.... Exempt Purchases by Qualifying Governmental Agencies

CERT-135	.....	Reduced Sales and Use Tax Rate for Motor Vehicles Purchased by Nonresident Military Personnel and Their Spouses
CERT-136	.....	Purchases of Items by Eleemosynary Organizations and Schools That Will Be Resold Tax-Exempt for \$20 or Less
CERT-137	....	Sales and Use Tax Certificate for Sale and Leaseback Arrangements
CERT-138	....	Purchases for Use in Audio and Video Production or Broadcasting
CERT-139	.....	Sales and Use Tax Exemption for a Vessel Purchased by a Nonresident of Connecticut
CERT-140	.....	Solar Heating Systems, Solar Electricity Generating Systems, and Ice Storage Cooling Systems
CERT-141	....	Contractor's Exempt Purchase Certificate
•	.....	Printed Material Certificate

## Withholding Tax

CT-WH	.....	Connecticut Withholding Tax Payment Form
CT-941	.....	Connecticut Quarterly Reconciliation of Withholding
CT-941X	.....	Amended Connecticut Reconciliation of Withholding
CT-8109	.....	Connecticut Withholding Tax Payment Form for Nonpayroll Amounts
CT-945	.....	Connecticut Annual Reconciliation of Withholding for Nonpayroll Amounts
CT-W3	.....	Connecticut Annual Reconciliation of Withholding
CT-W4	.....	Employee's Withholding Certificate
CT-1096	.....	Connecticut Annual Summary and Transmittal of Information Returns
CT-W4P	.....	Withholding Certificate for Pension or Annuity Payments
CT-W4NA	...	Employee's Withholding Certificate – Nonresident Apportionment

- **Denotes no form number.**
- • **Denotes online information.**

## Effect on Other Documents

This publication modifies and supersedes **Informational Publication 2006(11)**, *Getting Started in Business*, **Informational Publication 2003(26)**, *Q & A on Sales and Use Taxes for a New Business*, and the paragraph entitled “Expenses to Be Included in the Measure of Sales and Use Taxes” in **Special Notice 93(2)**, *Sales and Use Tax Charges Made by Service Providers after AirKaman, Inc. v. Groppo and 1992 Conn. Pub. Acts 17 (May Spec. Sess.)*.

## Effect of This Document

An Informational Publication issued by the Department of Revenue Services (DRS) addresses frequently asked questions about a current position, policy, or practice, usually in a less technical question and answer format.

## For More Information

Call DRS during business hours, Monday through Friday:

- **1-800-382-9463** (Connecticut calls from outside the Greater Hartford calling area only); or
- **860-297-5962** (from anywhere)

TTY, TDD, and Text Telephone users only may transmit inquiries anytime by calling 860-297-4911.

## Forms and Publications

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Visit the DRS website at [www.ct.gov/DRS](http://www.ct.gov/DRS) to download and print Connecticut tax forms and publications.

### **Paperless Filing/Payment Methods (fast, easy, free, and confidential)**

Business and individual taxpayers can use the Taxpayer Service Center ( **TSC**) at [www.ct.gov/TSC](http://www.ct.gov/TSC) to file a variety of tax returns, update account information, and make payments online.

**File Electronically:** You can choose first-time filer information and filing assistance or log directly into the **TSC** to file returns and pay taxes.

**Pay Electronically:** You can pay taxes for tax returns that cannot be filed through the **TSC**. Log in and select the *Make Payment Only* option. Designate a payment date up to the due date of the tax and mail a paper return to complete the filing process.

### **DRS E-Alerts Service**

Get connected to the latest news from DRS. Receive notification by email of changes to legislation, policies, and procedures. **DRS E-Alerts** provide information for employer's withholding tax, News – Press Releases, and Top 100 Delinquency List. Visit the DRS website at [www.ct.gov/DRS](http://www.ct.gov/DRS) and select *e-alerts* from the left navigation bar.

### **Internet**

#### **Tax Information**

The **TSC** includes a comprehensive FAQ database with more than 600 searchable answers. Search by category, tax type, keyword, or phrase.

#### **Forms and Publications**

Connecticut forms and publications may be viewed, downloaded, or printed by visiting [www.ct.gov/DRS](http://www.ct.gov/DRS) the DRS website.

### **Phone**

#### **Tax Information**

For telephone assistance, call our Taxpayer Services Division at **1-800-382-9463** (Connecticut calls outside the Greater Hartford calling area only); or **860-297-5962** (from anywhere).

#### **Forms and Publications**

**1-800-382-9463** (Connecticut calls outside the Greater Hartford calling area only) and select *Option 2*; or **860-297-4753** (from anywhere).

### **Email**

#### **Tax Information**

Send routine tax questions to [drs@po.state.ct.us](mailto:drs@po.state.ct.us) (do not send account related inquiries). For account-related questions, including bill and refund inquiries, use the **Secure Mailbox** feature by logging into the DRS **TSC**.

#### **Forms and Publications**

Email requests, including your name, address (street, city, state, and ZIP code), and the name or number of the tax product to [ctforms.drs@po.state.ct.us](mailto:ctforms.drs@po.state.ct.us)

## **Walk-In**

Free personal taxpayer assistance and forms are available by visiting our Hartford office at 25 Sigourney Street, Hartford CT. Walk-in assistance is available Monday through Friday, 8:30 a.m. to 4:00 p.m. Directions to DRS Hartford office are available using our phone menu or visiting the DRS website. If you require special accommodations, please advise the DRS representative.

## **Federal Tax Information**

For questions about **federal taxes**, visit **www.irs.gov** or call the Internal Revenue Service (IRS) at 1-800-829-1040. To order **federal tax forms**, call 1-800-829-3676.

## **Statewide Services**

Visit the **ConneCT** website at **www.ct.gov** for information on statewide services and programs.

**Informational Publication 2015(12)**, *Getting Started in Business*

State of Connecticut

Department of Revenue Services

25 Sigourney St Ste 2

Hartford CT 06106

Issued: 01/12/2015