



DEPARTMENT OF REVENUE

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March 5, 1999

GSA/FSS/FCXC
ATTN: GSA SmartPay Program
1941 Jefferson Davis Highway, Room 507
Arlington, VA 22202

This letter is in reply to your fax to our office dated February 24, 1999. We apologize for our delay in responding.

Please find enclosed a copy of pages 1 and 2 of our January, 1999 newsletter. This is our current advisory. Please be assured that we will continue to recognize purchases made by government issued credit cards as exempt, so long as, the governmental agency directly pays the bill to the credit card company. Please note that we have not rescinded the requirement for the Federal Government to provide a tax exemption certificate when a Federal Government credit card is used as the method of purchase.

The newsletter containing the article "Government Issued Credit Cards" was sent to our licensed vendors the first week of February, 1999. Please consider this our position on the subject and advise accordingly.

We hope that this helps. Please let us know if we can be of any further assistance. You can contact either of us at (307)777-5200.

Sincerely,

Handwritten signature of Robert C. Tompkins in black ink.

Robert C. Tompkins
Taxpayer Services Manager
Excise Tax Division

Handwritten signature of Joyce C. Stewart in black ink.

Joyce C. Stewart
Administrator
Excise Tax Division

Fax Numbers

DOR Main (307)777-7722 Ad Valorem (307)777-7722 Excise Tax Division (307)777-3632 Mineral Tax Division (307)777-7849 Liquor Division (307)777-6255



TAXING ISSUES

WYOMING DEPARTMENT OF REVENUE

Vol. 2 No. 1

Excise Tax Division

January 1999

Excise Tax Division Newsletter
Herschler Building
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In this Edition

- Coins are not taxable.
- Government issued credit cards---some exempt, some not.
- Meet the staff of Region 1.

Correction

Please note that we are retracting the information included in the November edition pertaining to the sale of coins. Our previous advice should be disregarded as we have since found an Attorney General opinion that is contrary to what we told you in the November newsletter. We intend to honor this old AG opinion. Therefore, **the sale of coins is not a taxable transaction.** We will consider coins to be "intangible personal property." Please contact Rob Tompkins if you

need further information on this matter.

Meet Region 1

As discussed in the last edition, we have reorganized the Excise Tax Division to better service accounts. Our staff are now organized around regions and have particular counties assigned to each work team. Over the next few editions we will introduce you to each of the teams.

The featured team this edition is the Region 1 team. This team handles all accounts arising out of Lincoln, Sublette, Sweetwater, Teton, and Uinta counties.

Region 1 is supervised by Laureena Evans. Laureena is officed here in Cheyenne as are the team's two taxability technicians. Carla Rae Figgins and a soon to be selected technician provide much assistance to Laureena and the two field staff. This team includes two field offices. The Rock Springs office is staffed by Randy Shauers and the Thayne office by Steven Simpson.

This is a well seasoned group of staff who work diligently to handle the large variety of issues presented to them each day. Feel free to contact Laureena or any of the other team members for any of your sales or use tax questions or questions about your account. Phone numbers are listed at the bottom of this newsletter.

Tax Rate Change

Effective January 1, 1999 Albany County's lodging tax rate increased to 3%.

Interest Rate Change

Effective January 1, 1999 our interest rate for delinquent accounts increased to 12.5%. This rate is annually established

by the State Treasurer, according to a statutory formula.

Government Issued Credit Cards

Goods and services sold to government employees using a government issued credit card are sometimes exempt from the sales tax.

There are a variety of cards used by state and federal agencies. Some of these cards are directly billed to the government and paid by same. In these cases, the government employee involved does not receive the bill and does not have to pay it based on a reimbursement. The card is used by the employee but is paid directly by the government agency involved. In these cases, the otherwise taxable transaction is exempt from the sales tax.

Cards that are not directly billed to and paid by a government agency are not exempt from the tax. This can be confusing as the government employee might use a government issued credit card to pay for the taxable transaction.

In these cases the employee receives the bill directly and is therefore the purchaser of the goods or services, rather than the government agency. These are taxable transactions.

You should ask the government employee using such cards the following question: "Do you pay the credit card company directly and receive reimbursement from the government agency?"

January 1999

If the answer is "yes," this is not an exempt transaction. Charge the sales tax. If the answer is "no," the transaction is exempt. Do not collect the sales tax.

Remember, all exempt transactions require that you collect a signed exemption certificate from the purchaser. This is ETS form 101. These forms are available on our web site or in any of our field offices.

Here are a few tips to help you identify government issued cards which are directly paid by the government agency (no tax due).

- The Wyoming Department of Transportation is the only Wyoming state agency that issues a direct pay credit card to its employees. These Visa cards begin with: 4610 4200 or 4454 5045. Purchases made with these cards are exempt from the sales tax.
- The federal government has substantially changed its credit card program as of November 30, 1998. The I.M.P.A.C. purchase cards (American Express and Discover travel cards and Wright Express fleet cards) are no longer in use. New cards are currently being issued. You can see samples of the new cards on the GSA internet site located at: <http://pub.fss.gsa.gov/services/gsa-smartpay>
- The federal agency credit cards which are directly billed (purchases not taxable) begin with 8699 (Voyager) and 5568 (MasterCard).
- Diplomatic Tax Exemption Program: The U.S. Department of State issues tax exemption cards to certain foreign government personnel and offices. There are two kinds: tax

exemption cards for personal purchases and tax exemption cards for Mission (official) business. The plastic cards, which are the size of credit cards and have a picture of the government employee on it, are valid nationwide. These cards are used at the point of sale for exemption from state and local sales, restaurant, lodging and similar taxes normally charged to customers. No sales tax is due if these cards are used.

Please note that some of these diplomatic cards have restrictions on tax-free purchases. These are identified on the face of the card. The cards are not transferable, only the person whose photograph appears on the front side of the card may use it. You may ask for additional identification if you are unsure.

Tax Rulings

Sales and use tax are "transaction taxes" and as such our taxability advice to you can change depending on the facts you present. Therefore, we encourage you to write us and specify your taxability question. Include as much detail as possible. We will send you a written response which you can rely on in an audit situation.

Taxpayer Education Program

We strive to keep sellers and purchasers informed about sales and use tax issues. That's quite a challenge given the number of issues involved and the fact that we service approximately 30,000 licensees and 450,000 purchasers. We will continue to use a variety of tools to assist in this ongoing education program. This newsletter, tax bulletins, our internet site, one-to-one taxpayer training, and group seminars are all part of our education program.

We would be happy to work with your business and provide any assistance or training you might need. Contact our

office for more information about this program.

We are on the Internet!

The DOR home page address is <http://revenue.state.wy.us>. Once at the site, go to the "Excise Tax Division" for sales and use tax information. You will find forms, rules and regulations, tax guides, and a variety of other useful information.

We are cutting costs!

In our continuing effort to cut the costs of government we will soon change the type of form we send you to report your sales and use tax. The current forms 10 and 11 are quite expensive to produce due to the self carboning copy attached to them (the one you keep for your records).

We are eliminating the self carboning copy and replacing it with a worksheet that you can keep as your copy. We will continue to mail you the necessary forms each reporting period.

We hope this change doesn't create too many problems for you. We will continue to look for ways to keep the costs of our administration down.

DOR Field Offices:

Casper	266-3621
Cheyenne	777-5211
Gillette	682-6061
Lander	332-3370
Laramie	742-4207
Powell	754-2686
Rock Springs	382-4531
Sheridan	674-8559
Thayne	883-2934
Torrington	532-5566