

RESOLUTION NO. ___ (SAMPLE RESOLUTION)

**A RESOLUTION BY THE (CITY OR TOWN) OF _____
SUPPORTING FEDERAL AND STATE LEGISLATION TO ENSURE THE
PROPER ASSESSMENT AND COLLECTION OF SALES TAX FROM ALL
INTERNET/ONLINE SALES THEREBY CREATING A FAIR AND FREE
MARKET FOR ALL BUSINESSES AND CONSUMERS REGARDLESS OF
THE LOCATION OF THE BUSINESS FROM WHICH THE PURCHASE
WAS MADE.**

WHEREAS, the (city or town) of _____ recognizes that legislation frequently referred to as the Marketplace Fairness and Remote Transactions Parity Act (“This Legislation”) is being considered by the United States Congress; and,

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

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

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

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

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

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

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

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

NOW, THEREFORE BE IT RESOLVED BY THE (CITY OR TOWN) OF _____,
ARKANSAS:

Section 1: That we do hereby urge members of the Arkansas Congressional Delegation and the Arkansas Legislature to work for passage and vote in favor of legislation requiring the collection and remittance of state and local sales tax by all retailers thus making for competition

¹ Senate Bill 140 of 2017;

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

in a true free market and giving every business an equal opportunity to compete, innovate and create jobs.

Section 2: Moreover, we do hereby urge Governor Asa Hutchinson to call for a special session as quickly as possible to address this most important issue for the benefit of the state's local retail businesses and its citizens.

_____ **APPROVED** _____

Date Adopted

Mayor

ATTEST: _____

Recorder or City Clerk