EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Department of Revenue

Title of rule and other identifying information:

WAC 458-20-144 Printing industry.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: JoAnne Gordon

Agency: Department of Revenue

Address: Post Office Box 47453
Olympia, Washington 98504-7453
FAX (360) 586-5543

E-mail: joanneg@dor.wa.gov

AND RECEIVED BY January 23, 2006

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The proposed amendment to WAC 458-20-144 (Rule 144) incorporates provisions of chapter 514, Laws of 2005.

Reasons supporting proposal: See Attachment.

Statutory authority for adoption: RCW 82.32.300 and RCW 82.01.060(2)

Statute being implemented: RCW 82.08.010 and Chapter 514, Laws of 2005

Is rule necessary because of a:

Federal Law?	☐ Yes	☒ No
Federal Court Decision?	☐ Yes	☒ No
State Court Decision?	☐ Yes	☒ No

If yes, CITATION:

Date

Name (Type or print)
Alan R. Lynn

Signature

Title
Rules Coordinator

CODE REVISER USE ONLY

Filed: November 17, 2005

Time: 2:21 p.m.

WSR: 05-23-105

This information was input by DOR.

Name of proponent: (person or organization) Department of Revenue

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	JoAnne Gordon	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-6121
Implementation....	Alan R. Lynn	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-6125
Enforcement.....	Janis P. Bianchi	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-6131

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Attachment for CR 105 Filing
WAC 458-20-144 Printing industry

<u>Purpose:</u>

Background:

WAC 458-20-144 (Rule 144) explains the B&O and retail sales tax reporting responsibilities of persons engaged in printing activities. This rule was revised in January 2005, with an effective date of July 1, 2005.

The major revision to Rules 144 was the removal of language stating that a deduction from the measure of tax for both B&O and retail sales tax purposes was available where a mailing bureau purchased postage for a customer and charged that customer for the postage. The January 2005 revision explained that amounts received from a customer for postage costs incurred by the seller are, under the law, included in the measure of both taxes.

Effective July 1, 2005, the Department adopted revisions to Rule 144 on an emergency basis to reflect chapter 514, Laws of 2005, which provide a B&O tax deduction and retail sales and use tax exemptions for delivery charges made for the delivery of direct mail if the charges are separately stated. These provisions of chapter 514 took effect May 16, 2005 and supercede the instructions included in the January 2005 rule actions regarding charges for postage costs.

Current rule making action:

The Department is undertaking the current rule action to incorporate the provisions of chapter 514 in permanent Rule 144.