



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do NOT use for expedited rule making

**Agency:** Department of Revenue

**Subject of possible rule making:** The Department is considering a possible new rule to be adopted in Chapter 458-20 WAC, explaining certain small business relief provided to eligible taxpayers implementing new local retail sale tax sourcing requirements under RCW 82.32.730 and RCW 82.32.490. An "eligible taxpayer" is a taxpayer that:

- (a) Immediately before July 1, 2008, was registered with the Department and engaged in making sales of tangible personal property that the taxpayer delivered to physical locations away from its place of business; and
- (b) During the calendar year in which RCW 82.14.490 becomes effective:
  - (i) Has a physical presence in Washington;
  - (ii) Has gross income of the business less than five hundred thousand dollars;
  - (iii) Has at least five percent of its gross income from sales subject to sales tax derived from sales of tangible personal property delivered to physical locations away from its place of business; and
  - (iv) Has at least one percent of its gross income from sales subject to sales tax derived from deliveries of tangible personal property to destinations in local jurisdictions imposing sales tax other than the one to which the taxpayer reported the most local sales tax.

This rule would implement RCW 82.32.760 and provide a schedule of monetary allowances to be paid to Certified Service Providers providing services under RCW 82.32.760.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 82.32.300, 82.01.060, RCW 82.32.715.

**Reasons why rules on this subject may be needed and what they might accomplish:** The Department believes a rule is needed to set monetary allowances payable by Washington to Certified Service Providers providing services to eligible taxpayers under RCW 82.32.760.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** N/A

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

X Other (describe) Parties interested in this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of possible rule changes is available for viewing and printing on our website at: <http://dor.wa.gov/content/FindALawOrRule/RuleMaking/agenda.aspx>. Written comments on and/or requests for copies of the rule may be directed to: Tim Jennrich, Interpretations and Technical Advice Division, P. O. Box 47453, Olympia, WA 98504-7453; e-mail: TimJe@dor.wa.gov; phone: (360) 570-6136; FAX (360)586-0127.

**Public meeting location:**

Capitol Plaza Building  
4<sup>th</sup> floor - Large Conference Room  
1025 Union Avenue SE  
Olympia, Washington

**Assistance for persons with disabilities:**

Contact Sandy Davis no later than 10 days before the meeting date. TTY 1-800-451-7985 or (360) 725-7499.

**Date:** March 21, 2008    **Time:** 9:30 am – 10:30 am PST

<b>Date</b>	<p><b>Filed: February 20, 2008</b></p> <p><b>Time: 10:30 a.m.</b></p> <p><b>WSR: 08-05-128</b></p> <p><b>The above information was input by DOR</b></p>
<b>Name (type or print)</b> Alan R. Lynn	
<b>Signature</b>	
<b>Title</b> Rules Coordinator	

