ESSB 5814
Listening Session for Custom Software
Facilitated by Mike Harper

Welcome! We will begin shortly.

Please note: All attendees are muted on entry.

Before we get started

- All attendees are **muted** upon entry and cameras are disabled.
- To provide a comment do one of the following:
  - **Please raise your hand**. The raise hand feature is located under the React icon, next to React icon, or under the More… button.
  - **Type it in the chat**. Please do not chat confidential tax information.
- Transcription will be enabled. Please review the Zoom notification and click OK.
- Closed captions can be turned on by clicking "CC" or "Show captions".
- Technical issues? Chat *Kelly Maurer* for help.

Introductions

- Welcome: Tim Jennrich, Senior Assistant Director, Tax Policy
- Facilitators:
  - Mike Harper, Interpretations and Technical Advice
  - Chelsea Brenegan, Interpretations and Technical Advice
- Chat moderators are:
  - Kelly Maurer, Customer Experience and Communications
  - Eileen Ansley, Customer Experience and Communications
  - Darlene Warner, Interpretations and Technical Advice

Agenda

- Purpose of this listening session
- Overview of Custom Software
- Get your feedback and input on:
  - Issues we have identified
  - Any additional issues you may have
- Wrap up and next steps

ESSB 5814 takes effect October 1

- Rulemaking typically takes **6–9 months**, we will not be able to complete that process before the effective date.

- We will issue **interim guidance** starting in **September**.

- Permanent guidance may take the form of a rule or an Excise Tax Advisory (ETA).

- We are working as quickly as possible to support businesses in implementing the bill's provisions.

Thank you for your patience.

Why are we holding listening sessions?

- Clarify the issues that we already know about and are working on.
- Get feedback on issues we have identified so far.
- Identify additional issues.

Custom software and the customization of prewritten software

Includes:

- Charges for the right to access and use custom software.
- Customization of prewritten computer software where possession is maintained by the seller or a third party.
- The right to access and use custom software, and customization of prewritten computer software to perform data processing.

Known Issue for Custom Software

How should the location of the sale of custom software, or the customization of prewritten software, be determined?

General Questions for Custom Software

- What issue(s) do you want to raise?

- Do you have suggestions on how the law should apply to your business activities?
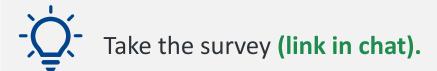
Next steps

1 Review the information gathered during listening sessions and incorporate in guidance.
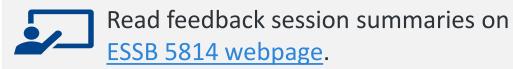
2 Publish interim guidance documents as they are finalized starting in September.

3 Continue to actively engage with interested parties as we work to create permanent guidance.

Thank you for attending!

Provide more feedback

Take the survey **(link in chat).**

Read feedback session summaries on ESSB 5814 webpage.

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