Considering a Broader Sales & Use Tax Base

Annette Nellen
Professor, San José State University

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CA Sales & Use Tax Weaknesses

- Base is too narrow
- Rate is too high
- Use tax gap
- Pyramiding
Today’s SUT base

- Tangible personal property
  - Some exemptions such as food and items purchased for resale
- 21 “services” (such as gift wrapping, printing, tuxedo rental, video rental)
- By statutory formulation, excludes:
  - Intangibles
  - Services
Why broaden - 1

1. Opportunity to lower our high rate
2. Equalize varying forms of personal consumption (fairness)
3. Fix poorly designed exemptions
4. Address base erosion
5. Improve distribution of the tax burden
Why broaden - 2

6. Make it a more stable tax
7. Reduce complexity and improve fairness
8. Improve economic development at local level
9. Keep up with other states
10. Need for periodic review
What to add to base

- Review existing statutory exemptions that are not for businesses
- Add:
  - Personal services, particularly those consumed by high income individuals
  - Intangible equivalent of TPP (unless purchaser is a business)
Implementation considerations:

- Improve public’s understanding of current situation
- REDUCE THE RATE TOO!!
- Transition in the changes
- Focus on personal services (avoid services primarily used by businesses)
Implementation considerations

- Consider any needed relief for low-income individuals
- Avoid definitional issues (aim for “all or nothing” approach rather than unworkable definitions)
- Implement simplified compliance techniques for small businesses
- Compensate vendors for start-up costs
- Don’t create budget problems such as by earmarking
In summary

- CA has tax **base** problems
  - Can’t solve with rate increases – will only make systems more unfair, volatile and inefficient
- Be strategic and methodical in making SUT base changes – not all changes at once, but follow a plan
- Lower the rate when base is broadened
  - Makes it clear base broadening isn’t just for revenue needs, but to improve and modernize the tax system
- Follow principles of good tax policy