

FYI – For Your Information

Out-of-State Sales Tax-Exempt Organizations Doing Business in Colorado

General Information

Colorado allows out-of-state tax-exempt organizations to use the exemption certificate issued by their home state taxing authorities when doing business with Colorado vendors on an occasional basis. No advance notice to the Colorado Department of Revenue is required.

Out-of-state tax-exempt organizations are allowed to make sales tax-exempt purchases upon providing the vendor with a tax exemption number or some other documentation of tax-exempt status from another state.

A titled representative of the organization should be prepared to assume full legal responsibility for the organization's tax-exempt purchases in Colorado should the Department later determine that sales tax should have been paid. The representative will be required to sign an affidavit attesting to the organization's tax-exempt status and that the item or service purchased meets both requirements outlined below. The vendor might also request positive identification from the representative.

Limits to the sales tax exemption

Tax-exempt organizations may purchase otherwise taxable goods and services without paying Colorado state-administered sales taxes only if **both** of the following requirements are met:

1. Payment is made from the organization's funds and no reimbursement will be made to the organization through direct payment, collection or donation from any person(s) for the use or consumption of the goods or services; **and**
2. The items or services purchased are used in conjunction with the organization's regular religious, charitable, educational or governmental activities.

If the transaction does not meet both the above requirements, the vendor is legally obligated to charge the organization sales tax.

If a dispute arises between the vendor and the organization as to whether a sale is taxable, state law requires the vendor to charge the tax and the purchasing organization to pay it. [§39-26-102 (22), C.R.S.] The organization may file a "Claim for Refund" (DR 0137), which is available upon request from the Department of Revenue, or on the Web at www.taxcolorado.com If the Department subsequently determines that the sale was nontaxable, the organization will receive a refund for taxes paid.



Colorado Department of Revenue
Taxpayer Service Division
1375 Sherman St.
Denver, Colorado 80261

Forms and other services:
(303) 238-FAST (3278)
Assistance:
(303) 238-SERV (7378)
www.taxcolorado.com

FURTHER INFORMATION

- See also FYI Sales 1 “How To Document Sales to Retailers, Tax-Exempt Organizations and Direct Pay Permit Holders”

FYIs and commonly used forms are available on the Web at www.taxcolorado.com

FYIs provide general information concerning a variety of Colorado tax topics in simple and straightforward language. Although the FYIs represent a good faith effort to provide accurate and complete tax information, the information is not binding on the Colorado Department of Revenue, nor does it replace, alter, or supersede Colorado law and regulations. The Executive Director, who by statute is the only person having the authority to bind the Department, has not formally reviewed and/or approved these FYIs.

TEXAS SALES AND USE TAX EXEMPTION CERTIFICATION

| | | |
|---|--|---|
| Name of purchaser, firm or agency Stephen F. Austin State University | | TX Tax ID 37557557552-FEI: 75-6002514 |
| Address (Street & number, P.O. Box or Route Number) 2124 Wilson Dr., P.O. Box 13030 | | Phone (Area code and number) 936-468-2206 |
| City, State, ZIP code Nacogdoches, TX 75962 | | |

I, the purchaser named above, claim an exemption from payment of sales and use taxes (for the purchase of taxable items described below or on the attached order or invoice) from :

Seller: _____

Street Address: _____ City, State, ZIP code: _____

Description of items to be purchased or on the attached order of invoice:


All Goods and Services

Purchaser claims this exemption for the following reasons:

State agency, Tax Exempt, Higher Education

I understand that I will be liable for payment of sales or use taxes which may become due for failure to comply with the provisions of the Tax Code: Limited Sales, Excise , and Use Tax Act; Municipal Sales and Use Tax act; Sales and Use Taxes for Special Purpose Taxing Authorities; County Sales and Use Tax Act, County Health Services Sales and Use Tax; The Texas Health and Safety Code; Special Provisions Relating to Hospital Districts, Emergency Services Districts, and Emergency Services Districts in counties with a population of 125,000 or less.

I understand that it is a criminal offense to give an exemption certificate to the seller for taxable items that I know, at the time of purchase, will be used in a manner other than that express in this certificate and, depending on the amount of tax evaded, the offense may range from a Class C misdemeanor to a felony of the second degree.

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|--|-----------|----------------------------------|------------------|
| Sign here  | Purchaser | Title Director of Procurement | Date 1/1/2017 |
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NOTE: This certificate cannot be issued for the purchases, lease, or rental of a motor vehicle.

THIS CERTIFICATE DOES NOT REQUIRE A NUMBER TO BE VALID.

Sales and Use Tax "Exemption Numbers" or "Tax Exempt" Numbers do not exist.

This certificate should be furnished to the supplier. Do **not** send the completed certificate to the Comptroller of Public Accounts.