

**AGENDA REQUEST FORM**

**FOR: Council Meeting of August 15, 2017**

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**FROM: Mayor Lioneld Jordan**

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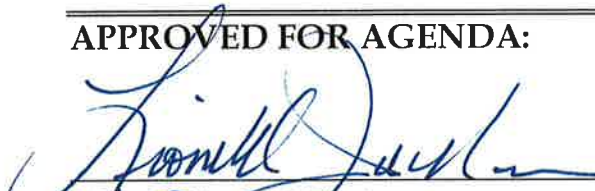
**ORDINANCE OR RESOLUTION TITLE AND SUBJECT:**

A RESOLUTION TO SUPPORT FEDERAL AND STATE LEGISLATION TO ENSURE THE PROPER ASSESSMENT AND COLLECTION OF SALES TAX FROM ALL INTERNET/ONLINE SALES THEREBY CREATING A FAIR AND FREE MARKET FOR ALL BUSINESSES AND CONSUMERS REGARDLESS OF THE LOCATION OF THE BUSINESS FROM WHICH THE PURCHASE WAS MADE

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**APPROVED FOR AGENDA:**

  
\_\_\_\_\_  
Mayor Lioneld Jordan

8/1/17  
Date

  
\_\_\_\_\_  
Assistant City Attorney Blake Pennington  
(as to form)

8-1-2017  
Date

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION TO SUPPORT FEDERAL AND STATE LEGISLATION TO ENSURE THE PROPER ASSESSMENT AND COLLECTION OF SALES TAX FROM ALL INTERNET/ONLINE SALES THEREBY CREATING A FAIR AND FREE MARKET FOR ALL BUSINESSES AND CONSUMERS REGARDLESS OF THE LOCATION OF THE BUSINESS FROM WHICH THE PURCHASE WAS MADE

**WHEREAS**, the City of Fayetteville recognizes that legislation frequently referred to as the Marketplace Fairness and Remote Transactions Parity Act ("This Legislation") is being considered by the United States Congress; and

**WHEREAS**, Senate Bill 140 of 2017 was considered by the Arkansas General Assembly during the 2017 regular legislative session but was not passed; and

**WHEREAS**, this legislation would give states the authority to enforce local and state taxes that are already in place and owed by out-of-state online retailers; and

**WHEREAS**, all businesses, regardless of their physical location, should be required to collect and remit state and local sales tax; and

**WHEREAS**, the playing field, as it currently stands, favors out-of-state internet retailers that exploit a pre-internet loophole, allowing them to evade collecting state and local sales tax even though they sell the same products in the same communities as local merchants do; and

**WHEREAS**, as it currently stands, stores with a local retailer must collect sales tax while online stores do not, thereby enabling online stores to undercut local retail prices; and

**WHEREAS**, this legislation is not a new tax or a tax increase, but rather enables states to collect taxes that are already due; and

**WHEREAS**, this legislation would generate more sales, pay more sales tax to the state treasury, encourage more local retailers, create jobs for local workers and infuse more money into local economies throughout the State of Arkansas.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:**

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby urges members of the Arkansas Congressional Delegation and the Arkansas Legislature to work for passage and vote in favor of legislation requiring the collection and remittance of state and local sales tax by all retailers thus making for competition in a true free market and giving every business an equal opportunity to compete, innovate and create jobs.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby urges Governor Asa Hutchinson to call for a special session as quickly as possible to address this most important issue for the benefit of the state's local retail businesses and its citizens.

**PASSED** and **APPROVED** this 15<sup>th</sup> day of August, 2017.

APPROVED:

ATTEST:

By: \_\_\_\_\_  
**LIONELD JORDAN, Mayor**

By: \_\_\_\_\_  
**SONDRA SMITH, City Clerk/Treasurer**