

**RESOLUTION NUMBER 6**  
**SUPPORTING LEGISLATION TO TAX ONLINE SALES WITHOUT A REVENUE NEUTRAL**  
**CLAUSE**

**WHEREAS**, the 2018 Supreme Court ruling in the South Dakota v Wayfair allowed South Dakota to collect sales tax from online vendors that do not have a physical presence in the state; and

**WHEREAS**, since the Supreme Court's ruling forty-three of the forty-five states that have a statewide sales tax have enacted legislation requiring vendors without a physical presence in their states to collect and remit sales tax on sales to purchasers in their states; and

**WHEREAS**, the Missouri General Assembly has yet to advance any legislation that would allow the State or its municipalities to collect sales tax on transactions between Missouri purchasers and remote vendors, including legislation adopting the measures of the Streamlined Sales and Use Tax Agreement (SSUTA), a national effort by state and local governments, and the private sector to simplify and modernize sales tax collection administration; and

**WHEREAS**, to date, of the forty-five states with a statewide sales tax twenty-four, including six of the seven states bordering Missouri, have passed legislation conforming to the SSUTA simplification measures, which places these states far ahead of Missouri in generating online sales tax revenue; and

**WHEREAS**, Missouri and its municipalities are losing millions of dollars in potential sales tax revenues because of the General Assemblies to adopt the measures of the SSTUA, or any other measures allowing the State and its municipalities to collect sales tax; and

**WHEREAS**, even prior to the COVID-19 pandemic online sales were rising, creating an uneven playing field for vendors in Missouri due to their obligation to collect sales taxes while remote vendors did not; and

**WHEREAS**, the COVID-19 pandemic has drastically shifted shopping from local vendors to online vendors making it even more difficult for Missouri vendors to compete with remote vendors who do not have to collect sales tax on transactions with Missouri purchasers simply because they do not have a physical presence in the state; and

**WHEREAS**, once the dangers presented by the COVID-19 pandemic subsides it will be difficult to shift consumers' buying habits back to brick and mortar stores, and requiring Missouri vendors to continue to collect sales tax and not requiring their competitors who do not have a physical presence in Missouri to do the same will only make it harder, and may have catastrophic consequences for Missouri businesses and local governments; and

**WHEREAS**, the burden of economic recovery for the City of St. Louis, and all other municipalities in the State is already great, and will only be compounded by the loss of sales-tax revenues from the increasing trend toward online shopping; and

**WHEREAS**, the Missouri General Assembly and Governor Parson have it within their power to lessen this burden by passing the Wayfair remote sales tax legislation in the Missouri Senate to even the playing field for Missouri vendors by taxing online sales.

**NOW THEREFORE BE IT RESOLVED BY THIS HONORABLE BOARD OF ALDERMEN** that this body stands in support of leveling the playing field for Missouri vendors, our local brick-and-mortar stores, by requiring online vendors to collect sales tax on transactions with Missouri purchasers, and we urge our elected representatives in the Missouri General Assembly and Governor Parsons to immediately pass the Wayfair remote sales tax legislation, Senate Bill 529, without counterproductive revenue neutral provisions.

**Introduced this 1<sup>st</sup> day of May, 2020 by:**  
**The Honorable Cara Spencer, Alderwoman 20<sup>th</sup> Ward**  
**The Honorable Heather Navarro, Alderwoman 28<sup>th</sup> Ward**  
**The Honorable Pamela Boyd, Alderwoman 27<sup>th</sup> Ward**

**Adopted this 1<sup>st</sup> day of May, 2020 as attested by:**

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**Terry Kennedy**  
**Clerk, Board of Aldermen**

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**Lewis E. Reed**  
**President, Board of Aldermen**