**Private Letter Ruling**

|  |  |
| --- | --- |
| **Ruling Number:** | **P-2001-118** |

|  |  |
| --- | --- |
| **Tax Type:** | **Kansas Retailers' Sales Tax** |
| **Brief Description:** | **Newspaper subscriptions.** |
| **Keywords:** |  |
| **Approval Date:** | **10/26/2001** |

**Body:**

Office of Policy & Research

October 26, 2001

XXXXXXXXXXXXX
XXXXXXXXXXXXXX
XXXXXXXXXXXXXXXX

Dear Mr. XXXXXXX:

The purpose of this letter is to respond to your letter dated September 20, 2001.

In your letter you stated:

The name of my company is the XXXXXXXXXXXXXX. We are a monthly newspaper that is free and distributed to over 500 different locations in the XXXXXXXXX on both the Missouri and Kansas sides of the state line. Our company is XXXXXXXX Corporation.

Our paper is currently printed in Missouri but in the near future will be printed in Kansas. The paper is mailed from the XXXXXXX Post Office.

Recently we started offering subscriptions to our readers through subscription cards. There are four questions that I would like to get a ruling on:

When we collect a subscription are we required to pay sales tax?

Answer: Yes.

If we're required to contact sales tax do we collect it on both Missouri and Kansas, subscriptions?

Answer: I can only advise you on the taxability of Kansas transactions. You should address your Missouri subscription question to the Missouri Department of Revenue.

If we collect sales tax how much must we collect?

Answer: On subscription delivered via the mail to any Kansas address, you should collect the XXXXXXXXXXXXXXXXXXXXX

Does the collection of sales tax change the amount of Excise Tax that we currently pay?

Answer: Yes, you would continue to pay the compensating tax in the amount of 4.9% of the cost of the publications that you do not sell. On publications that you sell in Kansas, you would collect and remit sales tax in the amount of XXXXXXX%.

It appears that your company is not registered for sales tax. I have requested that the appropriate forms be sent to you.

This private letter ruling is based solely on the facts provided in your request. If it is determined that undisclosed facts were material or necessary to make an accurate determination by the department, this ruling is null and void. This private letter ruling will be revoked in the future by operation of law without further department action if there is a change in the statutes, administrative regulations, or case law, or a published revenue ruling, that materially affects this private letter ruling.

Sincerely,

Mark D. Ciardullo
Tax Specialist

MDC

**Date Composed: 10/30/2001 Date Modified: 10/30/2001**