

HCS#2 HB 1802 -- SALES TAX EXEMPTION (Miller)

COMMITTEE OF ORIGIN: Standing Committee on General Laws

This bill exempts the production and transmission of telecommunications services, as well as the services themselves, from any state and local sales and use taxes. The bill also overrides the judicial opinion *IBM Corporation v. Director of Revenue*, 491 S.W.3d 535 (Mo. banc 2016), to the extent it is inconsistent with the prior decisions *Southwestern Bell Telephone Company v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002), and *Southwestern Bell Telephone Company v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005).

The bill states that the construction and application of subdivisions (5) and (6) of subsection 2 of Section 144.030, RSMo, and subsection 2 of Section 144.054 as expressed by the Missouri Supreme Court in *DST Systems, Inc. v. Director of Revenue*, S.W.3d 799 (Mo. banc 2001), *Southwestern Bell Tel. Co. v. Director of Revenue*, S.W.3d 763 (Mo. banc 2002), and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed.