

**SALES TAX RESALE OR EXEMPTION CERTIFICATE**

Seller's Name			Buyer's Name		
Address			Address		
City	State	Zip Code	City	State	Zip Code

**1. Buying for Resale.** I will sell, rent or lease the goods I am buying in the regular course of my business.

- a. Primary nature of business \_\_\_\_\_ Type of Products sold/leased/rented \_\_\_\_\_
- b. Check the block that applies:
- Wholesale only, no retail sales
  - Out-of-state retailer, no Idaho sales
  - Idaho registered retailer, seller's permit number \_\_\_\_\_  
(required - see instructions)

**2. Producer Exemptions.** I will put the goods purchased to an exempt use in the business indicated below.

Check the block that applies and complete the required information.

- Logging Exemption
- Broadcasting Exemption
- Publishing Free Newspapers
- Production Exemption

List the products you produce: \_\_\_\_\_

Check one:  Farming  Ranching  Manufacturing  Processing  Fabricating  Mining

**3. Exempt Buyer.** All purchases are exempt. Check the block that applies.

- American Indian Tribe
- Center for Independent Living
- Idaho Community Action Agency
- Nonprofit Hospital
- American Red Cross
- Forest Protective Association
- Nonprofit Canal Company
- Nonprofit School
- Federal Land Bank
- Idaho Foodbank Warehouse, Inc.
- Qualifying Health Organization
- Amtrak
- Federal Government
- Idaho Government Entity
- State/Federal Credit Union

**4. Contractor Exemptions.** This exemption claim applies to the following invoice, purchase order, or job number.

- a. Invoice, Purchase Order or Job Number to which this claim applies \_\_\_\_\_
- b. City and State where job is located \_\_\_\_\_
- c. Project owner name \_\_\_\_\_
- d. This exempt project is: (check appropriate box)
- In a nontaxing state. (Only materials that become part of the real property qualify.)
  - An agricultural irrigation project.
  - For production equipment owned by a producer who qualifies for the production exemption.

**5. Other Exempt Goods and Buyers.** (see instructions)

- Aircraft used to transport passengers or freight for hire
- Pollution control equipment required by law
- Aircraft purchased by nonresident for out-of-state use
- Heating fuel and other utilities
- Research and development goods for use at INEEL
- Church buying goods for foodbank or to sell meals to members
- Qualifying medical items to be administered/distributed by a licensed practitioner
- Food banks and soup kitchens buying food or food service goods
- Other goods or entity exempt by law under the following statute \_\_\_\_\_  
(required - see instructions)
- American Indian buyer holding Tribal I.D. No. \_\_\_\_\_. The goods must be delivered within the boundaries of the reservation.
- Snow making or grooming equipment, or aerial tramway component

**Buyer: Read and sign.** I certify that all statements I have made on this form are true and correct to the best of my knowledge. I understand that falsification of this certificate for the purpose of evading payment of tax is a misdemeanor. Other penalties may also apply.

Buyer's Signature	Title	Date
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**Attention Seller:** Each of the exemptions a customer may claim on this form has special rules (see instructions on back). It is your responsibility to learn the rules and charge tax to any customers and on any goods that do not qualify for a claimed exemption and are taxable as a matter of law.

- \* This form may be reproduced.
- \* This form is valid only if all information is complete.
- \* The seller may retain this form.
- \* See instructions on back.

## INSTRUCTIONS

**1. Buying for Resale:** The buyer must have an Idaho seller's permit number unless he is a wholesaler who makes no retail sales or an out-of-state retailer who makes no more than two sales in Idaho in any 12-month period. An Idaho seller's permit number has up to nine digits followed by an "S." **Example: 123456-S.** If the number contains any other letter or is an inappropriate number, such as a federal Employer Identification Number, the certificate is not valid. If you wish to verify a seller's permit number, call any Tax Commission office.

**2. Producer Exemptions:** Businesses that produce products for resale can buy goods that are directly and primarily used in the production process without paying tax. Loggers, publishers of free newspapers (with at least 10% editorial content) and broadcasters are granted a similar exemption. However, a seller must charge these buyers sales tax on any of the following:

- A hand tool with a unit cost of \$100 or less
- Transportation equipment and supplies
- Research equipment and supplies
- Goods used in selling/distribution
- Janitorial or cleaning equipment or supplies
- Maintenance or repair equipment and supplies
- Office equipment and supplies
- Any licensed motor vehicle or trailer and parts
- Aircraft and parts
- Recreation vehicle
- Goods that become improvements to real property (such as fence posts)

**Note to seller:** *You may stamp or imprint a Producer Exemption Claim on the front of your invoice. If a customer fills in his exemption claim on a stamped or imprinted statement each time you make an exempt sale to him, you do not have to keep a Form ST-101 on file for the customer. Contact any Tax Commission Office to obtain the required language for the statement.*

**3. Exempt Buyers:** These buyers are exempt from tax on all purchases.

**Hospitals:** Only licensed nonprofit hospitals qualify. Nursing homes or similar institutions do not.

**Schools:** Only nonprofit colleges, universities, primary and secondary schools qualify. Schools primarily teaching things like business, dancing, drama-tics, music, cosmetology, writing and gymnastics do not qualify. Auxiliary organizations, such as parent-teacher associations and alumni groups, do not qualify.

**Centers for Independent Living:** Only nonresidential centers run by disabled persons that provide independent living programs to people with a variety of disabilities qualify.

**Qualifying Health Organizations:** Only these qualify --

American Cancer Society	Idaho Ronald McDonald House
American Diabetes Association	Idaho Special Olympics
American Lung Association of Idaho	March of Dimes
The Arc, Inc.	Mental Health Association
Arthritis Foundation	Muscular Dystrophy
Easter Seals	National Multiple Sclerosis
Idaho Cystic Fibrosis	Rocky Mountain Kidney Association
Idaho Epilepsy League	United Cerebral Palsy
Idaho Heart Association	Children's Home Society
Idaho Primary Care Association and its Community Health Centers	

**Government:** Only the federal government and Idaho state, county or city government qualify. Sales to other states and their political subdivisions are taxable.

**4. Contractor Exemptions:** Three exemptions apply to contractors. In each case, a contractor must list the job location, project owner, and whether the exemption claim applies to a specific invoice or purchase order, or to all purchases for a specific job number.

**Nontaxing State:** Construction materials for a job in a nontaxing state are exempt from Idaho sales tax. This exemption applies only to materials that

will become part of real property and only if the contractor is not subject to a use tax or a similar tax in the other state. Jobs in Oregon, Montana and Alaska qualify, and some jobs in Washington.

**Agricultural Irrigation:** Irrigation equipment and materials for an agricultural irrigation project are exempt. Only agricultural irrigation projects qualify. For example, an irrigation system for a golf course or a residence would not qualify.

**Production Equipment:** A contractor who installs production equipment for a producer/manufacturer can buy the materials for the production equipment exempt from tax. This exemption does not apply to materials that become part of real property.

**5. Other Exempt Goods and Buyers:** If a buyer claims an exemption that is not listed on this form, he should mark the "other" block and must list the section of the law under which he is claiming the exemption or the certificate is not valid.

**Aircraft Used to Transport Passengers or Freight for Hire:** Only aircraft purchased by an airline, charter service, air ambulance service or air freight company qualify. Parts and supplies are taxable. Examples of aircraft that don't qualify for this exemption are those used for recreational flights, aerial spraying, dumping or logging.

**Aircraft Purchased by Nonresidents for Out-of-State Use:** An aircraft sold to a nonresident is exempt if it will be immediately removed from Idaho and registered in another state, and will not be stored or used in Idaho more than 90 days in any 12-month period. Aircraft kits and hang gliders do not qualify for this exemption.

A business is a "nonresident" if it has no business presence in Idaho. A business with property in Idaho, or employees working here, does not qualify for this exemption.

**Pollution Control Equipment:** Equipment required by a state or federal agency and "dry to dry transfer systems" used by the dry cleaning industry qualify. Chemicals and supplies used for pollution control do not qualify. Equipment for licensed motor vehicles does not qualify.

**Research and Development at INEEL:** Only goods that are directly and primarily used in research, development, experimental and testing activities at the Idaho National Engineering and Environmental Laboratory qualify. Items that become a part of real property do not qualify.

**Medical Items:** Only the following medical goods qualify if they will be administered or distributed by a licensed practitioner; drugs, oxygen, insulin, syringes, prosthetic devices, durable medical equipment, dental prosthesis, orthopedic appliances, urinary and colostomy supplies, enteral and parenteral feeding equipment and supplies, hemodialysis and peritoneal dialysis drugs and supplies, and chemicals and equipment used to test or monitor blood or urine of a diabetic.

**Heating Fuels:** Heating fuels such as wood, coal, petroleum, propane and natural gas are exempt when purchased to heat an enclosed building or a building under construction, or when used for cooking or water heating.

**Church:** A church may buy food to sell meals to its members or qualifying goods for its food bank without paying tax. Churches must pay tax on all other goods they buy to use.

**Food banks and Soup Kitchens:** Food banks and soup kitchens may buy food or other goods used to grow, store, prepare or serve the food exempt from sales tax. The exemption does not include licensed motor vehicles or trailers.

**American Indian:** Sales to an enrolled Indian tribal member are exempt if the seller delivers the goods to him within the reservation boundaries. The buyer's Tribal Identification Number is required.

**Ski Resorts:** The owner or operator of a downhill ski area with an aerial passenger tramway may buy parts, material and equipment that become a component part of the tramway and snowgrooming and snowmaking equipment for the slope exempt from tax. An aerial tramway includes chair lifts, gondolas, T-bar and J-bar lifts, platter lifts, rope tows and similar devices.