

Calendar No. 556

106TH CONGRESS
2^D SESSION

H. R. 3709

IN THE SENATE OF THE UNITED STATES

MAY 11, 2000

Received

MAY 17, 2000

Read the first time

MAY 18, 2000

Read the second time and placed on the calendar

AN ACT

To extend for 5 years the moratorium enacted by the
Internet Tax Freedom Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Internet Non-
3 discrimination Act of 2000”.

4 **SEC. 2. 5-YEAR EXTENSION OF MORATORIUM ON STATE**
5 **AND LOCAL TAXES ON THE INTERNET.**

6 (a) **EXTENSION OF MORATORIUM.**—Section 1101 of
7 title XI of division C of Public Law 105–277 (112 Stat.
8 2681–719; 47 U.S.C. 151 note) is amended—

9 (1) in subsection (a)—

10 (A) by striking “3 years after the date of
11 the enactment of this Act” and inserting “Octo-
12 ber 21, 2006”; and

13 (B) in paragraph (1) by striking “, unless”
14 and all that follows through “1998”;

15 (2) by striking subsection (d); and

16 (3) by redesignating subsections (e) and (f) as
17 subsections (d) and (e), respectively.

18 (b) **TECHNICAL AMENDMENT.**—Section 1104(10) of
19 title XI of division C of Public Law 105–277 (112 Stat.
20 2681–719; 47 U.S.C. 151 note) is amended by striking
21 “unless” and all that follows through “1998”.

22 **SEC. 3. APPLICATION OF AMENDMENTS.**

23 The amendments made by this Act shall not apply
24 with respect to conduct occurring before the date of the
25 enactment of this Act.

1 **SEC. 4. SENSE OF THE CONGRESS.**

2 It is the sense of the Congress that a State tax relat-
3 ing to electronic commerce, to avoid being multiple or dis-
4 criminatory, should include the following:

5 (1) a centralized, one-stop, multi-State registra-
6 tion system for sellers;

7 (2) uniform definitions for goods or services
8 that might be included in the tax base;

9 (3) uniform and simple rules for attributing
10 transactions to particular taxing jurisdictions;

11 (4) uniform rules for the designation and iden-
12 tification of purchasers exempt from the non-mul-
13 tiple and non-discriminatory tax system, including a
14 database of all exempt entities and a rule ensuring
15 that reliance on such database shall immunize sellers
16 from liability;

17 (5) uniform procedures for the certification of
18 software that sellers rely on to determine non-mul-
19 tiple and non-discriminatory taxes and taxability;

20 (6) uniform bad debt rules;

21 (7) uniform tax returns and remittance forms;

22 (8) consistent electronic filing and remittance
23 methods;

24 (9) State administration of all non-multiple and
25 non-discriminatory taxes;

26 (10) uniform audit procedures;

1 (11) reasonable compensation for tax collection
2 that reflects the complexity of an individual State's
3 tax structure, including the structure of its local
4 taxes;

5 (12) exemption from use tax collection require-
6 ments for remote sellers falling below a specified de
7 minimis threshold;

8 (13) appropriate protections for consumer pri-
9 vacy; and

10 (14) such other features that the member
11 States deem warranted to remote simplicity, uni-
12 formity, neutrality, efficiency, and fairness.

Passed the House of Representatives May 10, 2000.

Attest:

JEFF TRANDAHL,

Clerk.

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