Presented by: The Manager
Presented: 05/18/2026
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2026-21

An Ordinance Updating the Uniform Alaska Remote Seller Sales Tax Code.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Chapter. Chapter 69.06, Uniform Alaska Remote Seller Sales Tax, is amended to read:

Chapter 69.06 UNIFORM ALASKA REMOTE SELLER SALES TAX

69.06.010 Interpretation.

(a) To ~~In order to~~ prevent evasion of the sales taxes and to aid in its administration, it is presumed that all sales and services by a person or entity engaging in business are subject to the sales tax.

(b) The application of the tax to be collected under this chapter shall be broadly construed and shall favor inclusion rather than exclusion.

(c) Exemptions from the tax to be collected under this chapter shall be narrowly construed against the claimant and allowed only when such exemption clearly falls within an exemption in the member jurisdiction's code.

(d) The scope of this chapter shall apply to remote sellers or marketplace facilitators, delivering products or services into member jurisdictions ~~municipalities adopting this Code, within the State of Alaska~~.

(Serial No. 2024-36, § 2, 12-16-2024, eff. 1-15-2025)

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69.06.040 Obligation to collect tax; threshold criteria.

(a) Any remote seller or marketplace facilitator must collect and remit sales tax in compliance with all applicable procedures and requirements of law, provided the remote seller or marketplace facilitator has met the following threshold criteria ("threshold criteria") in the current or previous calendar year:

The remote seller's statewide gross sales, including the seller's marketplace facilitator's statewide gross sales, from the sale(s) of property, products or services delivered into the state meets or exceeds $100,000.00.

(b) For purposes of determining whether the threshold criteria are met, remote sellers or marketplace facilitators shall include all gross sales, from all sales of goods, property, products, or services rendered within the State of Alaska.

(c) Unless a member jurisdiction provides otherwise in its sales tax code, the ~~The~~ following marketplace facilitators are excluded from the obligation to collect tax outlined in this section:

(1) Delivery network companies that deliver tangible personal property on behalf of a marketplace seller that is engaged in business in a member jurisdiction,

(2) Accommodations intermediaries ~~Marketplaces~~ that facilitate ~~facilitating~~ the rental of transient lodging accommodations ~~in hotels, commercial transient~~

~~lodging facilities, homes, apartments, cabins, or other residential dwelling units~~, and

(3) Marketplaces that facilitate or perform travel agency services.

(Serial No. 2024-36, § 2, 12-16-2024, eff. 1-15-2025)

69.06.050 Reporting and remittance requirements for local and remote sales.

(a) Sellers with a physical presence in a member jurisdiction conducting only local sales shall report and remit to, and comply with standards of, including audit authority, the member jurisdiction.

(b) Sellers with a physical presence in a member jurisdiction that also have remote or internet-based sales where the point of delivery is in a different member jurisdiction shall:

(1) Report and remit the remote or internet sales to the commission; and

(2) Report and remit the local sales to the member jurisdiction.

(c) Sellers with a physical presence in a member jurisdiction that also have remote or internet-based sales where the point of delivery is in the same member jurisdiction shall report and remit those remote sales to the member jurisdiction.

(d) Sellers and marketplace facilitators that do not have a physical presence in a member jurisdiction must report and remit to the commission all remote sales where the point of delivery is in a member jurisdiction.

(e) A marketplace facilitator is considered the remote seller for each sale facilitated through its marketplace and shall collect, report, and remit sales tax to the commission.

(f) Unless a member jurisdiction provides otherwise in its sales tax code, the ~~The~~ following marketplace facilitators shall report and remit to, and comply with standards of, including audit authority, the member jurisdiction:

(1) Delivery network companies that deliver tangible personal property on behalf of a marketplace seller that is engaged in business in a member jurisdiction,

(2) Accommodations intermediaries that facilitate ~~Marketplaces facilitating~~ the rental of transient lodging accommodations ~~in hotels, commercial transient lodging facility, homes, apartments, cabins or other residential dwelling units~~, and

(3) Marketplaces that facilitate or perform travel agency services.

(Serial No. 2024-36, § 2, 12-16-2024, eff. 1-15-2025)

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69.06.090 Remote seller and marketplace facilitator registration requirement.

(a) If a remote seller's gross statewide sales meets or exceeds the threshold criteria under CBJC 69.06.040, the remote seller shall register with the commission. If the remote seller is a marketplace seller and only makes sales in Alaska through a marketplace, the marketplace seller is not required to register with the commission. The marketplace seller must submit an affidavit attesting to these facts on a form provided by the commission.

(b) If a marketplace facilitator's gross statewide sales meets or exceeds the threshold criteria under CBJC 69.06.040, the marketplace facilitator shall register with the commission. Unless a member jurisdiction provides otherwise in its sales tax code, this ~~This~~ requirement does not apply to the following marketplace facilitators:

(1) Delivery network companies that deliver tangible personal property on behalf of a marketplace seller that is engaged in business in a member jurisdiction,

(2) Accommodations intermediaries that facilitate ~~Marketplaces facilitating~~ the rental of transient lodging accommodations ~~in hotels, commercial transient lodging facility, homes, apartments, cabins or other residential dwelling units~~, and

(3) Marketplaces that facilitate or perform travel agency services.

(c) A remote seller or marketplace facilitator meeting the threshold criteria shall apply for a certificate of sales tax registration within 30 calendar days of the effective date of this chapter or within 30 calendar days of meeting the threshold criteria, whichever occurs second. Registration shall be to the commission on forms prescribed by the commission.

(d) An extension may be applied for and granted based on criteria established by the commission, based on evidence produced to describe time necessary to update software or other technical needs, not to exceed 90 days.

(e) Upon receipt of a properly executed application, the commission shall confirm registration, stating the legal name of the remote seller or marketplace facilitator, the primary address, and the primary sales tax contact name and corresponding title. The failure of the commission to confirm registration does not relieve the remote seller or marketplace facilitator of its duty to collect and remit sales tax.

(f) Each business entity shall have a sales tax registration under the advertised name.

(g) The sales tax certificate is non-assignable and non-transferable.

(h) The sales tax certificate satisfies a member jurisdiction's requirement to obtain a municipal business license, provided the remote seller does not have a physical presence in that member jurisdiction.

(Serial No. 2024-36, § 2, 12-16-2024, eff. 1-15-2025)

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69.06.150 Extension of time to file tax return.

Upon written application of a remote seller or marketplace facilitator, stating the reasons therefor, the commission may extend the time to file a sales tax return but only if the commission finds each of the following:

(a)~~(1)~~ For reasons beyond the remote seller's or marketplace facilitator's control, the remote seller or marketplace facilitator has been unable to maintain in a current condition the books and records that contain the information required to complete the return;

(b)~~(2)~~ Such extension is a dire necessity for bookkeeping reasons and would avert undue hardship upon the remote seller or marketplace facilitator;

(c)~~(3)~~ The remote seller or marketplace facilitator has a plan to cure the problem that caused the remote seller or marketplace facilitator to apply for an extension and the remote seller or marketplace facilitator agrees to proceed with diligence to cure the problem;

(d)~~(4)~~ At the time of the application, the remote seller or marketplace facilitator is not delinquent in filing any other sales tax return, in remitting sales tax to the commission or otherwise in violation of this chapter;

(e)~~(5)~~ No such extension shall be made retroactively to cover existing delinquencies.

(Serial No. 2024-36, § 2, 12-16-2024, eff. 1-15-2025)

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69.06.280 Definitions.

Adoption of definitions does not compel an individual municipality to exempt certain defined items. Each municipality should specifically adopt definitions necessary for consistency to implement both brick-and-mortar sales tax code and provisions related to remote sellers or marketplace facilitators. For definitions that have no applicability to brick-and-mortar sales tax code, municipality may choose to either include definitions in the definitional section of general sales tax ordinance or adopt the common definitions by reference.

Accommodation means any room or rooms, lodgings, or accommodations in any hotel, motel, inn, tourist camp, tourist cabin, camping grounds, club, short-term rental, or any other place in which rooms, accommodations, space, or accommodations are furnished to transients for a consideration and upon which an accommodations Tax or sales tax is imposed.

Accommodation fee means the room charge less the discount room charge, if any, provided that the accommodations fee shall not be less than $0.

Accommodations intermediary means any person other than an accommodations provider that (i) facilitates the sale of an accommodation, and (ii) either (a) charges a room charge to the customer, and charges an accommodations fee to the customer, which fee it retains as compensation for facilitating the sale; (b) collects a room charge from the customer; or (c) charges a fee, other than an accommodations fee, to the customer, which fee it retains as compensation for facilitating the sale. For purposes of this definition, “facilitates the sale” includes brokering, coordinating, or in any other way arranging for the purchase of the right to use accommodations via a transaction directly, including via one or more payment processors, between a customer and an accommodations provider.

Accommodations provider means a person who owns, operates or controls any facility or structure in which there is rented or offered for rent accommodations, the rent for which is taxable under an accommodations tax or sales tax.

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Discount room charge means the full amount charged by the accommodations provider to the accommodations intermediary, or an affiliate thereof, for furnishing the accommodations.

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Goods for resale means:

(a)~~(1)~~ The sale of goods by a manufacturer, wholesaler, or distributor to a retail vendor, and sales to a wholesale or retail dealer who deals in the property sold for the purpose of resale by the dealer.

(b)~~(2)~~ The sale of personal property as raw material to a person engaged in manufacturing components for sale, where the property sold is consumed in the manufacturing process of, or becomes an ingredient or component part of, a product manufactured for sale by the manufacturer.

(c)~~(3)~~ The sale of personal property as construction material to a licensed building contractor where the property sold becomes part of the permanent structure.

Lease or *rental* means any transfer of possession or control of tangible personal property or real property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

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Marketplace means a physical or electronic place, platform or forum, including a store, booth, internet website, catalog, or dedicated sales software application, where products or services are offered for sale <u>or rental</u>.

Marketplace facilitator means a person that contracts with marketplace sellers to facilitate for consideration, regardless of whether deducted as fees from the transaction, the sale <u>or rental</u> of the marketplace seller's property, product, or services through a physical or electronic marketplace operated by the person, and engages:

(a) Directly or indirectly, through one or more affiliated persons, in any of the following:

(1) Transmitting or otherwise communicating the offer or acceptance between the buyer and marketplace seller;

(2) Owning or operating the infrastructure, electronic or physical, or technology that brings buyers and marketplace sellers together;

(3) Providing a virtual currency that buyers are allowed or required to use to purchase products from the marketplace seller; or

(4) Software development or research and development activities related to any of the activities described in (b) of this subsection, if such activities are directly related to a physical or electronic marketplace operated by the person or an affiliated person; and

(b) In any of the following activities with respect to the seller's products:

(1) Payment processing services;

(2) Fulfillment or storage services;

(3) Listing products for sale;

(4) Setting prices;

(5) Branding sales as those of the marketplace facilitator;

(6) Order taking;

(7) Advertising or promotion; or

(8) Providing customer service or accepting or assisting with returns or exchanges.

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Physical presence, for the purposes of CBJC 69.06.050 means a seller who establishes any one or more of the following within a member jurisdiction:

(a)~~(1)~~ Has any office, distribution or sales house, warehouse, storefront, or any other place of business within the boundaries of the member jurisdiction;

(b)~~(2)~~ Solicits business or receiving orders through any employee, agent, salesman, or other representative within the boundaries of the member jurisdiction or engages in activities in this state that are significantly associated with the seller's ability to establish or maintain a market for its products in this state;

(c)~~(3)~~ Provides services through any employee, agent, salesman, or other representative or holds inventory within the boundaries of the member jurisdiction;

(d)~~(4)~~ Rents or leases property located within the boundaries of the member jurisdiction.

A seller that establishes a physical presence within the member jurisdiction in any calendar year will be deemed to have a physical presence within the local taxing jurisdiction for the following calendar year.

Point of delivery means the location at which property or a product is delivered, ~~or~~ service rendered, or accommodation is physically located.

(a)~~(1)~~ When the product is not received or paid for by the purchaser at a business location of a remote seller in a member jurisdiction, the sale is considered delivered to the location where receipt by the purchaser (or the purchaser's recipient, designated as such by the purchaser) occurs, including the location indicated by instructions for delivery as supplied by the purchaser (or recipient) and as known to the seller;

(b)~~(2)~~ When the product is received or paid for by a purchaser who is physically present at a business location of a remote seller in a taxing jurisdiction the sale is considered to have been made in the member jurisdiction where the purchaser is present even if delivery of the product takes place in another member jurisdiction. Such sales are reported and tax remitted directly to the member jurisdiction and not to the commission;

(c)~~(3)~~ When the service is not received by the purchaser at a business location of a remote seller, the service is considered delivered to the location where the purchaser receives the service;

(d) For accommodation rentals, the point of delivery is the physical location of the accommodation.

(e)~~(4)~~ For products or services transferred electronically, or other sales where the remote seller or marketplace facilitator lacks a delivery address for the purchaser, the remote seller or marketplace facilitator shall consider the point of delivery of the sale to be the billing address of the buyer.

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Receive or *receipt,* for the purposes of CBJC 69.06.030 and the definition of point of delivery means:

(a)~~(1)~~ Taking possession of property or product;

(b)~~(2)~~ Making first use of services;

(c)~~(3)~~ Taking possession or making first use of digital goods, whichever comes first.

The terms "receive" and "receipt" do not include temporary possession by a shipping company on behalf of the purchaser.

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Room charge means the entire amount charged to the transient to secure the right to use or possess any accommodation that is subject to an Accommodations Tax, including any mandatory fees or charges by an accommodations intermediary.

Sale or *retail sale* means any transfer of property for consideration for any purpose other than for resale. A transfer includes a lease or rental.

Sales price or *purchase price* means the total amount of consideration, including cash, credit, property, products, and services, for which property, products, services, or bundled transactions are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

(a)~~(1)~~ The seller's cost of the property or product sold;

(b)~~(2)~~ The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;

(c)~~(3)~~ Charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(d)~~(4)~~ Delivery charges;

(e)~~(5)~~ Installation charges; and

(f)~~(6)~~ Credit for any trade-in, as determined by state law.

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Services means all services of every manner and description, which are performed or furnished for compensation, and delivered electronically or otherwise into a member jurisdiction, including, but not limited to:

(a)~~(1)~~ Professional services;

(b)~~(2)~~ Services in which a sale of property or product may be involved, including property or products made to order;

(c)~~(3)~~ Utilities and utility services not constituting a sale of property or products, including, but not limited to, sewer, water, solid waste collection or disposal, electrical, telephone services and repair, natural gas, cable or satellite television, and Internet services;

(d)~~(4)~~ The sale of transportation services;

(e)~~(5)~~ Services rendered for compensation by any person who furnishes any such services in the course of his trade, business, or occupation, including all services rendered for commission;

(f)~~(6)~~ Advertising, maintenance, recreation, amusement, and craftsman services;

(g)~~(7)~~ Digital services.

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Transient means the person purchasing the right to use or occupy an accommodation for thirty (30) days or less.

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(Serial No. 2024-36, § 2, 12-16-2024, eff. 1-15-2025)

69.06.290 Supplemental definitions.

For purposes of CBJC 69.06, the commission may promulgate supplemental definitions that are incorporated into this Remote Seller Sales Tax Code, provided they are not in conflict with or contrary to the definitions set forth in CBJC 69.05. Supplemental definitions are available at www.arsstc.org~~/code~~. Provisions of the supplemental definitions that are amended, deleted, or added prior to or after the effective date of the latest amendment to this chapter shall be applicable for purposes of this chapter on the effective date provided for such amendments, deletions, or additions, including retroactive provisions.

(Serial No. 2024-36, § 2, 12-16-2024, eff. 1-15-2025)

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 8 day of June, 2026.

Beth A. Weldon, Mayor

Attest:

Breckan L. Hendricks, Municipal Clerk