

RESOLUTION NO. 992

A RESOLUTION OF THE BROKEN ARROW CITY COUNCIL URGING ALL UNITED STATES SENATORS TO REINTRODUCE THE MARKETPLACE FAIRNESS/DIGITAL PARITY ACT INTO THE UNITED STATES SENATE DURING ITS 2017 SESSION; URGING ALL MEMBERS OF THE HOUSE JUDICIARY COMMITTEE TO ACT ON THE MARKETPLACE FAIRNESS/DIGITAL PARITY ACT OR OTHER LEGISLATION TO COLLECT AND REMIT SALES TAXES STRUCTURED ON A SYSTEM OF COLLECTION BASED UPON THE PURCHASER'S LOCATION; URGING THE UNITED STATES SENATE AND THE UNITED STATES HOUSE OF REPRESENTATIVES TO HOLD VOTES TO PASS THE MARKETPLACE FAIRNESS/DIGITAL PARITY ACT OR OTHER LEGISLATION TO COLLECT AND REMIT SALES TAXES STRUCTURED ON A SYSTEM OF COLLECTION BASED UPON THE PURCHASER'S LOCATION DURING THE 2017 SESSION; AND DIRECTING THE CITY CLERK TO PROVIDE ATTESTED COPIES OF THIS RESOLUTION TO THE SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES, CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE, THE SENATE MAJORITY LEADER OF THE UNITED STATES SENATE, THE HONORABLE JAMES INHOFE, UNITED STATES SENATOR, AND THE HONORABLE JAMES LANKFORD, UNITED STATES SENATOR

WHEREAS, the City Council hereby urges the United States Congress to enact legislation that will enable State and Local governments to collect revenues due to local government that are essential to the expansion of local and regional economies, creation of thousands of new jobs, enhancement of the quality of life within our communities, and preservation of limited State and Local revenue sources; and

WHEREAS, many State and Local governments rely on the collection of sales and use taxes to support funding to improve needed infrastructure improvements, strengthen local small businesses, create jobs for their citizens, and fund essential services; and

WHEREAS, local small business confronts expanded competition from the explosion of Internet sales by remote sellers who are unwilling to collect and remit properly assessed sales taxes to State and Local governments; and

WHEREAS, national studies reveal that State and Local governments lose approximately \$30 Billion each year from uncollected sales taxes from transactions involving remote Internet retailers; and

WHEREAS, it is estimated that the City of Broken Arrow has lost millions of dollars in uncollected sales and use taxes from remote online sales; and

WHEREAS, State and Local associations, including the Government Finance Officers Association, the National League of Cities, the National Association of Counties, the United States Conference of Mayors, and the National Governors Association, along with partners in the retail community, worked together for years to develop a fair and easy system to collect and remit these sales taxes structured on a system of collection based on the purchaser's location; and

WHEREAS, through this collaborative effort, an effective and efficient response in eliminating the competitive disadvantage faced by local small business retailers appeared in 2013 when the Marketplace Fairness/Digital Parity Act passes in the United States Senate through a bipartisan effort and would have established a fair system for the collection of existing taxes owed to State and Local governments, and address the pressing need to level the playing field among remote Internet sellers and local "bricks and mortar" retailers; and

WHEREAS, following the passage of the Marketplace Fairness/Digital Parity Act by the United States Senate in 2013, the United States House of Representatives did not vote on the Marketplace Fairness/Digital Parity Act or any alternative to address this critical economic development issue, and this inaction by the House of Representatives caused the United States Senate to reintroduce the Marketplace Fairness/Digital Parity Act in 2015; and

WHEREAS, 2017 is the opportunity for the 115th Congress to demonstrate political courage and break this unwarranted and unjustified stalemate by moving the Marketplace Fairness/Digital Parity Act or other legislation to collect and remit sales taxes structured on a system of collection based on the purchaser's location through the United States Senate and United States House of Representatives during its 2017 session in order to protect localities and level the playing field between local retailers and remote Internet sellers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA, THAT:

1. Senate Majority Leader Mitch McConnell, Senator Jim Inhofe, Senator James Lankford, and all United States Senators are hereby urged to reintroduce the Marketplace Fairness/Digital Parity Act into the United States Senate during its 2017 session.

2. Speaker Paul Ryan, Chairman Bob Goodlatte, and all Members of the House Judiciary Committee are hereby urged to act on the Marketplace Fairness/Digital Parity Act or other legislation to collect and remit sales taxes structured on a system of collection based upon the purchaser's location.

3. The United States Senate and the United States House of Representatives are hereby urged during the 2017 session to hold votes to pass the Marketplace Fairness/Digital Parity Act or other legislation to collect and remit sales taxes structured on a system of collection based upon the purchaser's location and send the clear and unequivocal message to States and Localities that the United States Congress supports small business women and men who create jobs, produce revenues to support essential infrastructure improvements, and create a stronger and more resilient economy for the benefit of all Americans.

4. The City Clerk is hereby directed to provide attested copies of this Resolution to The Honorable Paul Ryan, Speaker of the United States House of Representatives. The Honorable Bob Goodlatte, Chairman of the House Judiciary Committee, The Honorable Mitch McConnell, Senate Majority Leader of the United States Senate, The Honorable James Inhofe, United States Senator, and The Honorable James Lankford, United States Senator.

This Resolution is approved in open meeting by the City Council of the City of Broken Arrow on this 7th day of March, 2017.

MAYOR

ATTEST:

(seal) City Clerk

APPROVED AS TO FORM:

Assistant City Attorney