

ST-109A
Revised 01/09

Equipment List - Sales & Use Tax Information

South Dakota Department of Revenue & Regulation
445 E. Capitol Ave | Pierre, SD 57501-3185 | 1-800-TAX-9188

| A | B | C | D | E | F | G | H |
|-------------------------------------|-----------|----------------|----------------------|---------------------------|---------------------|-----------------------|---------|
| Type of Equipment and Serial Number | Year Mfg. | Purchase Price | Tax Paid on Purchase | Present Fair Market Value | State Use Tax 4% | City Use Tax ____% | TAX DUE |
| _____ | | | | | | | |
| Serial No.: | | | | | | | |
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| Serial No.: | | | | | | | |

Contractor Name: _____

Address: _____

Contractor's Excise Tax License: _____

Project: _____

Date: _____ Signed: _____

EQUIPMENT LIST INSTRUCTIONS

Tangible personal property or any product transferred electronically not originally purchased for use in South Dakota but later used, stored or consumed in South Dakota is subject to the state use tax of 4% plus applicable city tax. This applies to products that are seven years old or less. This does not apply to inventory being held for retail sale.

Use tax liabilities must be calculated separately for each product. Credit for tax paid on one product will not be applied to tax owing on another.

Send a copy of this form with your application for a contractors' excise tax or sales tax license.

- Column A:** List all equipment to be used on the project, including owned or leased equipment. Do not include trucks, trailers, etc., that are licensed for highway use. List the serial number of each piece of equipment.
- Column B:** State the year each item was manufactured (If not known, use year purchased).
- Column C:** List the purchase price of each item that is seven or less years old.
- Column D:** List the sales or use tax paid on each item that is seven or less years old.
- Column E:** List the present fair market value of each item that is seven years old or less.
- Column F:** Calculate the South Dakota state use tax by multiplying the fair market value (Column E) by 4% (.04).
- Column G:** Calculate city tax by multiplying the fair market value (Column E) times the appropriate city tax rate, if any.

Add state tax (Column F) and city tax (Column G); if this total is greater than the amount of tax paid (Column D), use tax is due. *Subtract the tax paid (Column D) from the total of Columns F and G. Place this amount in Column H.

***NOTE:** South Dakota does not grant reciprocity for use tax paid to Nevada. The following states do not have a sales tax: Alaska, Delaware, Hawaii (Reciprocity allowed if use tax paid), Montana, New Hampshire, and Oregon.

If no use tax is due on the equipment, please sign this form and send it in with your application. If use tax is due it must be reported and paid on the first tax return filed with South Dakota.

To report state uses tax owed:

When Column F is greater than Column D: Subtract Column D from Column F. This amount is the use tax owed to the State of South Dakota. Divide this amount by 4% to obtain the number to be included on Line 6 of the contractors' excise tax return or on Line 2 of the sales and use tax return.

To report city use tax owed:

If no state tax is due, add Columns F and G, then subtract Column D. This is the amount of city use tax that is due.

If state tax is due, the amount in Column G is the amount due for city tax. City tax is reported under the city tax portion of the return. To obtain the amount to be included in the net taxable area on the return, divide the amount of city tax due by the use tax rate for that city.

Be sure to list the appropriate city and tax rate on the return. If you need help calculating the amount to put on the return, please attach a copy of this list to the return, pay the amount owing, and we will fill in the correct amounts for you. Or, call the toll-free helpline at 1-800-829-1040.

10-46-3. Tax on tangible personal property and electronically transferred products not originally purchased for use in state --Property more than seven years old. An excise tax is imposed on the privilege of the use, storage or consumption in this state of tangible personal property or any product transferred electronically not originally purchased for use in this state, but thereafter used, stored or consumed in this state, at the same rate of percent of the fair market value of the property at the time it is brought into this state as is imposed by § 10-45-2. The use, storage, or consumption of tangible personal property or any product transferred electronically more than seven years old at the time it is brought into the state by the person who purchased such property for use in another state is exempt from the tax imposed herein. The secretary may promulgate rules pursuant to chapter 1-26 relating to the determination of the age and value of the tangible personal property or the product transferred electronically brought into this state.

64:09:01:20. Determination of age and value of tangible personal property. For the purposes of the exemption in SDCL 10-46-3, tangible personal property or any product transferred electronically must be more than seven years old as determined by its date of manufacture, if documented, or by the date of the purchase by the person bringing the property into this state. In the absence of independent documentary proof of the value of the tangible personal property or any product transferred electronically at the time it is brought into South Dakota, the value of the property is presumed to be the purchase price reduced by ten percent for each year of use of the property by the person bringing the property into this state. Statements, opinions, or depreciation schedules of the owner of the property are not independent documentary proof of the value of the property.