

General. Sellers must charge tax to any customer and on any goods that don't qualify for a claimed exemption and are taxable by law. The form is valid only if all information is complete. The seller must keep the form.

1. BUYING FOR RESALE. Buyers must have an Idaho seller's or E911 fee permit number unless they're wholesalers who make no retail sales or are out-of-state retailers with no Idaho business presence (e.g. physical location, representatives, employees, etc.).

An Idaho seller's or E911 fee permit number has nine digits, such as 000123456. The certificate isn't valid if the number contains another number, such as a federal Employer Identification Number. You can validate a permit number by visiting tax.idaho.gov/validseller or contacting the Tax Commission.

2. PRODUCER EXEMPTIONS. Businesses that primarily produce products for resale don't have to pay tax on goods that they directly and primarily use in the production process. Businesses offering the right to hunt or fish as a taxable activity don't have to pay tax on goods that they directly and primarily use in the hunting or fishing activity.

Qualifying businesses must pay sales tax on all of the following:

- Transportation 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
- Recreational vehicle (e.g. snowmobile, ATV, off-road motorcycle, camper, travel trailer)
- Goods that become improvements to real property (e.g. fence posts)

Loggers, broadcasters, and publishers of newspapers that are free to the public and contain at least 10% informational content (not ads) have a similar exemption. Sellers must still charge these businesses tax on purchases of the bulleted items listed above.

Seller: For producer exemptions, you can stamp or imprint an exemption statement on the front of the invoice. (Contact the Tax Commission to get the required language for the exemption statement.)

3. EXEMPT BUYERS. These buyers are exempt from tax on all purchases.

Advocates for Survivors of Domestic Violence and Sexual Assault, Inc.

American Indian Tribes. Only tribal entities qualify.

American Red Cross.

Amtrak.

Blind Services Foundation, Inc.

Canal Companies. Only nonprofit canal companies qualify.

Centers for Independent Living. To qualify, centers must be **all** of these:

- Nonresidential
- Nonprofit
- Run by disabled persons
- Provide independent living programs to people with various disabilities

Children's Free Dental Service Clinics. Only nonprofit children's free dental service clinics qualify.

Credit Unions. Both state and federal credit unions qualify.

Emergency Medical Service Agencies. Only nonprofit emergency medical service agencies qualify.

Forest Protective Associations.

Government Entities. Only the U.S. government and Idaho state, county, and city governments qualify. Sales to other states and their political subdivisions are taxable.

Hospitals. Only licensed nonprofit hospitals qualify. Nursing homes or similar institutions don't.

Idaho Foodbank Warehouse, Inc.

Museums. Only nonprofit museums qualify. A museum collects, preserves, and displays objects and information to help the public interpret the past and present and to explore the future. Examples include institutions that exhibit science, history, art, and culture as well as zoos and aquariums.

Qualified Health Organizations:

- American Cancer Society
- American Diabetes Association
- American Heart Association
- American Lung Association of Idaho
- Arc, Inc., The
- Arthritis Foundation
- Camp Rainbow Gold
- Children's Home Society of Idaho
- Easter Seals
- Family Services Alliance of Southeast Idaho
- Idaho Association of Free and Charitable Clinics and its Member Clinics
- Idaho Community Action Agencies
- Idaho Cystic Fibrosis Foundation
- Idaho Diabetes Youth Programs
- Idaho Epilepsy League
- Idaho Primary Care Association and its Community Health Centers
- Idaho Ronald McDonald House
- Idaho Women's and Children's Alliance
- March of Dimes
- Mental Health Association
- Muscular Dystrophy Foundation
- National Multiple Sclerosis Society
- Rocky Mountain Kidney Association
- Special Olympics Idaho
- United Cerebral Palsy

Schools. Only nonprofit schools qualify. These schools include colleges and universities; primary, secondary, and charter schools; and the Idaho Digital Learning Academy. Schools primarily teaching subjects like business, dancing, dramatics, music, cosmetology, writing, and gymnastics don't qualify. Auxiliary organizations such as parent-teacher associations, booster clubs, and alumni groups don't qualify.

Senior Citizen Centers.**Volunteer Fire Departments.**

4. CONTRACTOR EXEMPTIONS. Three exemptions apply to contractors: Agricultural Irrigation, Nontaxing State, and Production Equipment. In each case, contractors must list the job location and project

owner. They must also list whether the exemption claim applies to all purchases for a specific job number or to a specific invoice or purchase order.

Agricultural Irrigation. Irrigation equipment and materials for an agricultural irrigation project are exempt. An irrigation system for a golf course or a residence doesn't qualify.

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 isn't subject to a use tax or a similar tax in the other state. Jobs in Alaska, Oregon, and Montana qualify, as do some jobs in Washington.

Production Equipment. A contractor who installs production equipment for a producer can buy the materials for the equipment exempt from tax. This exemption doesn't apply to materials that become part of real property.

5. OTHER EXEMPT GOODS AND BUYERS. If buyers claim an exemption that isn't listed on this form, they must mark the "Other" box and list the section of the law that applies to the exemption, or this certificate isn't valid.

Aerial Tramway, Snowmaking/Grooming

Equipment. The sale, storage, use or other consumption of parts, material, or equipment that will become a component of an aerial passenger tramway are exempt from tax.

Snowgrooming and snowmaking equipment purchased and used by the owner or operator of a downhill ski area to prepare and maintain the downhill ski slopes accessed by aerial tramways is also exempt. An aerial tramway includes chair lifts, gondolas, T-bar and J-bar lifts, platter lifts, rope tows, and similar devices.

Aircraft Primarily 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 for the exempt aircraft are also exempt. Examples of aircraft that don't qualify for this exemption are those used for recreational flights, aerial spraying, dumping, or logging.

Aircraft Primarily Used as an Air Tactical Group Supervisor Platform. Fixed-wing aircraft primarily used as an air tactical group supervisor platform,

under contract with a government entity for wildfire activity, are exempt. Parts for these exempt aircraft are also exempt.

Aircraft Purchased by Nonresidents for Out-of-State Use. An aircraft purchased by a nonresident is exempt if it will be immediately removed from Idaho and registered in another state. It can't be stored or used in Idaho more than 90 days in any 12-month period.

A nonresident corporation, partnership, limited liability company, or other organization that meets the requirements listed above can claim the exemption if it also meets **all** of these additional requirements:

- It isn't formed under the laws of Idaho
- It isn't required to be registered with the Idaho Secretary of State to do business in Idaho
- It doesn't have significant contacts with Idaho and doesn't have consistent operations in Idaho

Repair parts that an FAA-approved Idaho repair station installs on a nonresident's aircraft qualify for exemption. Aircraft kits and hang gliders don't qualify.

American Indians. Sales to an enrolled Indian tribal member are exempt if the goods are delivered on the reservation. The buyer's Tribal Identification Number is required. For sales of vehicles or boats, use Form ST-133, *Sales Tax Exemption Certificate - Family or American Indian Sales*.

Churches. Churches can buy food for meals they sell to members or qualifying goods for their food bank without paying tax.

Food Banks and Soup Kitchens. Food banks and soup kitchens can buy food or other goods used to grow, store, prepare, or serve food exempt from sales tax. The exemption doesn't include licensed motor vehicles or trailers.

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.

Seller: For heating fuel, you can stamp or imprint an exemption statement on the front of the invoice. Contact the Tax Commission to get the required language for the exemption statement.

Sales of liquified propane in units of 15 gallons or less that are identified in the vendor's records as cylinder sales are exempt from tax. You don't have to keep a Form ST-101 on file for them.

Irrigation Equipment and Supplies. All irrigation equipment and supplies used directly and primarily for agriculture are exempt.

Livestock. Sales of cattle, sheep, mules, horses, pigs, and goats are exempt when sold at a public livestock market. Sales of other animals don't qualify.

Medical Items. Only the following prescribed medical goods qualify if a licensed practitioner will administer or distribute them: drugs, contacts, eyeglasses, oxygen, insulin, syringes, prosthetic devices, durable medical equipment, dental and orthopedic appliances (including fillings), 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.

Pollution Control Items. The following items qualify: tangible personal property purchased to meet air or water quality standards of a federal or state agency; liners and reagents purchased to meet water quality standards; tangible personal property purchased to meet air or water quality standards and which become an improvement to real property of manufacturing, mining, farming, or toxic waste treatment and storage businesses; and "dry to dry transfer systems" that the dry cleaning industry uses. This exemption doesn't apply to items used in road construction, septic or sewer systems, treating drinking water, or preventing soil erosion. Motor vehicles and buildings don't qualify. See Idaho Code section 63-3622X for more details.

Research and Development (R&D). Purchases of goods that are directly and primarily used to develop, design, manufacture, process, or fabricate a product or potential product qualify. Also, the Idaho National Laboratory and its contractors can claim an R&D exemption to buy goods directly and primarily used to advance scientific knowledge in areas that don't have a commercial application. Items that will become a part of real property don't qualify.

Contact us:

In the Boise area: (208) 334-7660 | toll free: (800) 972-7660
Hearing impaired (TDD) (800) 377-3529

tax.idaho.gov/contact