

Introduced by: Mayor  
Date: 08/04/20  
Hearing: 09/01/20  
Action: Adopted  
Vote: 7 Yes, 0 No, 2 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2020-19-02**

**AN ORDINANCE APPROPRIATING FUNDS TO PAY FEES ASSOCIATED WITH  
COLLECTION OF REMOTE SALES TAX**

**WHEREAS**, the borough, through Ordinance 2020-03, amended KPB 5.18 Sales Tax and enacted KPB 5.19 Uniform Remote Seller Sales Tax Code; and

**WHEREAS**, Ordinance 2020-03 also authorized the borough to enter into an agreement with other taxing jurisdictions within Alaska to form the Alaska Remote Seller Sales Tax Commission (the “Commission”) in response to the U.S. Supreme Court’s decision in *South Dakota v. Wayfair*, which authorized states to require businesses without a physical presence to collect and remit sales taxes on in-state sales within certain limitations; and

**WHEREAS**, the borough has since participated in the organization and implementation of the Commission and fees have been established for the collection of these revenues; and

**WHEREAS**, based on the taxable sales reported to the Commission on behalf of the borough in fiscal year 2020, the estimated annual remote sales tax collections are \$1,000,000 for fiscal year 2021; and

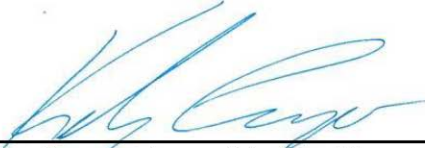
**WHEREAS**, through the annual budgetary process for fiscal year 2021, no fees were appropriated due to the timing of the fee schedule establishment and the unavailability of the rates at that time;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That funds in the amount of \$200,000 are appropriated from the General Fund fund balance 100.27910 to account number 100.11441.43011 to fund remote sales tax fees for fiscal year 2021.

**SECTION 4.** This ordinance takes effect immediately upon enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST DAY OF SEPTEMBER, 2020.**

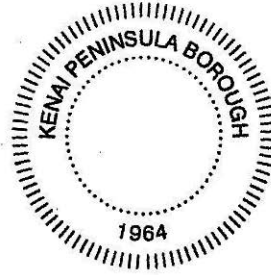


Kelly Cooper, Assembly President

ATTEST:



John Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Carpenter, Cox, Dunne, Johnson, Smalley, Cooper

No: None

Absent: Blakeley, Hibbert