

# Alert: Attention Businesses with Online Sales

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On June 21, 2018, the U.S. Supreme Court issued its highly anticipated decision in the case of *South Dakota v. Wayfair, Inc.*, 138 S.Ct. 2080 (2018), allowing states to require online retailers to collect sales tax – even in areas where they do not have a physical presence. Remote sellers of taxable products and services need to immediately evaluate whether they are prepared to register to collect and remit taxes wherever a material portion of their products are or may be delivered. While many taxing jurisdictions will still need to pass revised regulations in light of *Wayfair*, the assumption should be that all will jump on board quickly with “economic nexus” legislation similar to South Dakota’s test of at least \$100,000 in sales or 200 transactions. Mid-sized companies with small physical footprints but broad sales may be hit hardest by the administrative burdens triggered by this decision.

## Attorneys

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## Practice Areas

Business Law

