

Instructions for Claim for Refund Local Sales and Use Tax Paid Beyond Maximum Tax

WHO MAY FILE. Any person who has made a taxable purchase of tangible personal property from one of the following cities or counties and paid the retailer local tax beyond the maximum tax. The Maximum Tax is the maximum amount of local tax that could apply to a single transaction. The maximum tax amount (refund cap) allows purchasers to obtain a refund of the local tax paid to the retailer in excess of the maximum tax amount. Retailers may elect to collect the total local tax amount or collect up to the maximum tax amount, but must be consistent in the method they choose. When retailers collect the total local tax on the selling price and the local tax exceeds the maximum tax, purchasers may apply to the Tax Commissioner for a refund of the excess amount. Retailers may choose to issue a refund directly to the purchaser in the amount due. If this occurs, no refund would be due from the Office of State Tax Commissioner.

Local Maximum Tax Amounts: Local Maximum Tax applies to each individual purchase (invoice) unless otherwise specified.

* Only cities and counties who impose a maximum tax are listed below.

| City/County | Maximum Tax* | City/County | Maximum Tax* | City/County | Maximum Tax* |
|-------------|----------------------------|--------------|------------------------------|------------------|----------------------------|
| Aneta | \$25/sale | Hazelton | \$35/sale | Pembina | \$25/sale prior to 10/1/09 |
| Ashley | \$25/sale | Hazen | \$25/sale | | \$50/sale after 10/1/09 |
| Beach | \$25/sale | Hettinger | \$25/sale prior to 1/1/11 | Portland | \$50/sale |
| Belfield | \$50/sale | | \$37.50/sale after 1/1/11 | Powers Lake | \$25/sale |
| Berthold | \$25/sale | Hillsboro | \$50/sale | Reeder | \$25/sale |
| Beulah | \$25/sale | Hoople | \$25/sale | Regent | \$25/sale prior to 4/1/09 |
| Bismarck | \$25/sale | Hope | \$50/sale | | No Max Tax after 4/1/09 |
| Bottineau | \$50/sale | Jamestown | \$50/sale | Richardton | \$100/sale |
| Bowman | \$25/sale | Kenmare | \$50/sale | Rolette | \$25/sale |
| Buffalo | \$25/sale | Kindred | \$50/sale | Rolla | \$25/sale |
| Carrington | \$25/sale | Kulm | \$25/sale | Rugby | \$25/sale |
| Carson | \$25/sale | LaMoure | \$25/sale prior to 4/1/10 | Scranton | \$25/sale |
| Casselton | \$25/sale | | \$50/sale after 4/1/10 | St. John | \$25/sale |
| Cavalier | \$37.50/sale | Langdon | \$50/sale | Stanley | \$25/sale |
| Cooperstown | \$25/sale prior to 7/1/08 | Larimore | \$25/sale | Steele | \$25/sale prior to 1/1/13 |
| | \$50/sale after 7/1/08 | Lidgerwood | \$25/sale | | No Max Tax after 1/1/13 |
| Crosby | \$25/sale prior to 4/1/13 | Lisbon | \$37.50/sale prior to 4/1/10 | Strasburg | \$25/sale prior to 1/1/11 |
| | \$50/sale after 4/1/13 | | \$50/sale after 4/1/10 | | No Max Tax after 1/1/11 |
| | \$75/sale after 1/1/14 | Maddock | \$25/sale | Tioga | \$25/sale |
| Devils Lake | \$25/sale | Mandan | \$25/sale | Tower City | \$25/sale |
| Dickinson | \$37.50/sale | Mapleton | \$25/sale | Towner | \$25/sale |
| Drayton | \$25/sale | Max | \$25/sale | Turtle Lake | \$25/sale prior to 4/1/09 |
| Dunseith | \$25/sale | Mayville | \$50/sale | | \$50/sale after 4/1/09 |
| Edinburg | \$25/sale | McClusky | \$25/sale | Valley City | \$50/sale prior to 10/1/10 |
| Edgeley | No Max Tax prior to 7/1/13 | McVille | \$25/sale prior to 7/1/10 | | \$62.50/sale after 10/1/10 |
| | \$50/sale after 7/1/13 | | \$50/sale after 7/1/10 | Velva | \$25/sale prior to 1/1/10 |
| Elgin | \$25/sale | Medora | \$25/single unit purchase | | \$50/sale after 1/1/10 |
| Ellendale | \$25/sale prior to 1/1/17 | Michigan | \$25/sale | | \$25/sale after 1/1/14 |
| | \$50/sale after 1-1-17 | Milnor | \$25/sale | Wahpeton | \$25/sale prior to 1/1/10 |
| Fargo | \$37.50 1/1/09 | Minot | \$50/customer/vendor/day | | \$50/sale after 1/1/10 |
| | \$50/sale after 1/1/10 | | prior to 7/1/14 | Walhalla | \$25/sale prior to 1/1/09 |
| | \$37.50/sale after 7/1/12 | | None 7-1-14 | | \$50/sale after 1/1/09 |
| | \$50/sale after 1/1/13 | | \$100 1/1/15 | Watford City | \$25/sale |
| Finley | \$25/sale prior to 1/1/13 | Minto | \$25/sale | Westhope | \$25/sale |
| | \$50/sale after 1/1/13 | Mohall | \$25/sale | Williston | \$50/sale prior to 4/1/11 |
| Fort Ransom | \$25/sale | Mott | \$25/sale | | \$25/sale 4/1/11 |
| Garrison | \$50/sale | Munich | \$25/sale | | \$50/sale after 10/1/12 |
| Glenburn | \$25/sale | Napoleon | \$25/sale | Wilton | \$25/sale prior to 1/1/13 |
| Glen Ullin | \$25/sale | Neche | \$50/sale | | \$50/sale after 1/1/13 |
| Grand Forks | \$43.75/sale | | \$25/sale prior to 1/1/09 | Wimbledon | \$25/sale |
| Grenora | \$25/sale | | \$50/sale after 1/1/09 | Woodworth | \$30/sale |
| Halliday | \$25/sale | New England | \$100/sale | Walsh County | \$25/sale |
| Hankinson | \$25/sale prior to 1/1/10 | New Leipzig | \$25/sale | Steele County | \$25/sale |
| | \$50/sale after 1/1/10 | New Rockford | \$50/sale | Burleigh County | \$25/sale |
| Hannaford | \$50/sale | Northwood | \$37.50/sale | Morton County | \$25/sale |
| Harvey | \$25/sale prior to 1/1/15 | Oakes | \$25/sale | Cass County | \$12.50/sale 4/1/11 |
| | \$50/sale after 1/1/15 | Page | \$50/sale | Ward County | \$12.50/sale 4/1/13 |
| Hatton | \$25/sale | Park River | \$25/sale prior to 10/1/12 | Hettinger County | \$25/sale |
| | | | No Max Tax after 10/1/12 | | |



EXAMPLE: Customer purchases furniture from ABC Furniture Store, located in Bismarck, ND. The selling price for the furniture as follows: \$3,000 for living room furniture, \$3,000 for bedroom set, and \$100 delivery charge. Total taxable purchase price - \$6,100.

| | | | |
|-----------------|---------------------|--|--------------|
| Point of Sale: | Bismarck | Taxable Sales Amount: | \$ 6,100 |
| Invoice Date: | 10/1/2014 | State sales tax (5%) | 305 |
| Invoice Number: | ZZ12345 | Bismarck city sales tax (1 percent) | 61 |
| Seller: | ABC Furniture Store | Burleigh county sales tax (.5 percent) | <u>30.50</u> |
| | | Total Tax Paid | \$ 396.50 |

Calculation of Local Tax Refund:

| | |
|---|----------------|
| Total City Tax Paid (\$6,100 x 1 percent) | \$ 61.00 |
| Less: Bismarck City Maximum Tax | <u>- 25.00</u> |
| Local City Tax Refund | \$ 36.00 |

| | |
|--|----------------|
| Total County Tax Paid (\$6,100 x .5 percent) | \$ 30.50 |
| Less: Burleigh County Maximum Tax | <u>- 25.00</u> |
| Local County Tax Refund | 5.50 |
| Total Local Tax Refund (\$36.00 + \$5.50) | \$ 41.50 |

WHEN TO FILE: A claim for refund must be postmarked no later than three years from the date of the invoice.

WHERE TO FILE: A claim for refund must be filed with the North Dakota Office of State Tax Commissioner, Sales and Special Taxes, 600 E. Boulevard Ave. Dept. 127, Bismarck, ND 58505-0599.

DOCUMENTATION REQUIRED: The claim for refund must include copies of all invoices to support the claim. The invoice should provide an invoice date, invoice number, seller name and address, items or materials purchased, purchase price of items or materials purchased, and amount of city and/or county sales and use tax paid. Failure to submit copies of all invoices will result in returning the claim with a request for additional information, which will delay the refund process. The Office of State Tax Commissioner reserves the right to request additional supporting documentation as it deems necessary.

PRIVACY ACT NOTIFICATION

In compliance with the Privacy Act of 1974, disclosure of a social security number or Federal Employer Identification Number (FEIN) on this form is required under N.D.C.C. §§ 57-01-15, 57-39.2-14, and 57-40.2-07, and will be used for tax reporting, identification, and administration of North Dakota tax laws. Disclosure is mandatory. Failure to provide the social security number or FEIN may delay or prevent the processing of this form.