

\* \* \* Satellite Programming Tax \* \* \*

Sec. 88. 32 V.S.A. chapter 245 is added to read:

CHAPTER 245. TAX ON SATELLITE TELEVISION

PROGRAMMING

§ 10501. DEFINITIONS

As used in this chapter:

(1) "Commissioner" means the Commissioner of Taxes.

(2) "Distributor" means any person engaged in the business of making satellite programming available for purchase by subscribers.

(3) "Satellite programming" means radio and television audio and video programming services where the programming is distributed or broadcast by satellite directly to the subscriber's receiving equipment located at an end user subscriber's or end user customer's premises.

(4) "Subscriber" means a person who purchases programming taxable under this chapter.

§ 10502. TAX IMPOSED

(a) There is imposed a tax on provision of satellite programming to a subscriber located in this State. The tax shall be at the rate of two and one-half percent of all gross receipts derived by the distributor from the provision of satellite programming in this State.

(b) The tax, together with a return in a form prescribed by the Commissioner, shall be paid to the Commissioner quarterly on or before the 25th day of the month following the

last day of each quarter of the taxpayer's taxable year under the Internal Revenue Code.  
The Commissioner shall deposit the payments collected into the General Fund.

(c) To the extent they are not explicitly in conflict with the provisions of this chapter,  
the provisions of chapter 103 and subchapters 6, 7, 8, and 9 of chapter 151 of this title  
shall apply to the tax imposed by this section.

#### § 10503. EXEMPTIONS

(a) The following transactions are not covered by the tax in this chapter:

- (1) transactions that are not within the taxing power of this State; and
- (2) the provision of satellite programming to a person for resale.

(b) The following organizations are not covered by the tax in this chapter:

- (1) the State of Vermont or any of its agencies, instrumentalities, public  
authorities, or political subdivisions; and
- (2) the United States of America or any of its agencies and instrumentalities.