

1                                   **RESOLUTION OPPOSING INTERNET ACCESS**

2   **TAXES**

3   2004 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Chad E. Bennion**

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7   **LONG TITLE**

8   **General Description:**

9                   This concurrent resolution of the Legislature and the Governor urges Utah's  
10 congressional delegation to vote for an extension of the Internet tax moratorium.

11 **Highlighted Provisions:**

12                   This resolution:

13                   ▶ urges the members of the United States Senate and the United States House of  
14 Representatives representing the state of Utah to vote for a clean, permanent, and  
15 technologically neutral extension of the Internet tax moratorium.

16 **Special Clauses:**

17                   None

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19 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

20                   WHEREAS, in 1998 Congress enacted, and in 2001 extended, the Internet Tax  
21 Freedom Act in order to protect consumers that used the Internet and encourage more  
22 individuals to access the Internet;

23                   WHEREAS, the legislation eliminated taxes on Internet access, double taxation of a  
24 product or service bought over the Internet, and discriminatory taxes that treated Internet  
25 purchases differently from other types of sales;

26                   WHEREAS, the moratorium on Internet access taxes led to the rapid growth of the  
27 Internet, which in turn brought good economic news;



28           WHEREAS, in an age on innovation, the medium of the Internet is sparking a sharp  
29 increase in entrepreneurship and opportunity, the likes of which have not been seen since the  
30 beginning of the Industrial Revolution;

31           WHEREAS, enacting a tax on Internet access will do significant damage to the United  
32 States economy and decrease the standard of living for all Americans;

33           WHEREAS, on September 17, 2003, the United States House of Representatives  
34 unanimously passed a permanent ban on all Internet access taxes, but negotiations on the issue  
35 were forced in the Senate when members in favor of Internet taxes used parliamentary and  
36 other underhanded procedural tricks; and

37           WHEREAS, opponents of a tax free Internet used the negotiations to stall and stop final  
38 passage of a permanent ban on Internet access taxes in order to achieve their true desire to tax  
39 the Internet:

40           NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
41 Governor concurring therein, urge Utah's congressional delegation to pass a clean, permanent,  
42 and technologically neutral extension of the Internet tax moratorium.

43           BE IT FURTHER RESOLVED that copies of this resolution be sent to the members of  
44 Utah's congressional delegation.

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**Legislative Review Note**  
**as of 1-15-04 4:50 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HCR006**

**Resolution Opposing Internet Access Taxes**

*23-Jan-04*

*9:42 AM*

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**State Impact**

Mailing requirements of this resolution can be handled within existing budgets.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**