

States And Feds File Briefs To Tax Remote Sellers

Most states, and now the Solicitor General of the United States filed briefs in the South Dakota v. Wayfair, Inc. Supreme Court case. All support the position of upholding the South Dakota law, allowing states to tax remote sellers.

Read the state Supreme Court case, get the briefs and view recent legal news for South Dakota v. Wayfair, Inc. below:

[State v. Wayfair, Inc., 2017 SD 56](#)

[Briefs From South Dakota v. Wayfair, Inc., 17-494](#)

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Is the Quill Standard Dated?

In an amicus brief to the U.S. Supreme Court, Solicitor General Noel Francisco said it is well within the purview of the states to require remote sellers to collect and remit use tax. Briefing the court in South Dakota v. Wayfair, Francisco said that South Dakota’s remote taxation law does not violate the dormant commerce clause. “In light of internet retailers’ pervasive and continuous virtual presence in the states where their websites are accessible, the states have ample authority to require those retailers to collect state sales taxes owed by their customers,” Francisco said. [States Can Tax remote Sellers Despite Quill, US Says, Law360, March 6, 2018.](#)