

Art Galleries and Dealers

The taxability of sales and purchases of tangible personal property and labor services by Art Galleries and Dealers are summarized below. This list is not all-inclusive.

Purchases by Art Galleries and Dealers:

Kansas sales or compensating use tax applies to those purchases identified or designated as taxable in the chart below. The applicable Kansas sales or Kansas consumers' use tax must be paid to the vendor or accrued and remitted directly to the Kansas Department of Revenue. Purchases from Kansas vendors may be reported using the retailers' sales tax return. Purchases from outside this state which are delivered to this state are to be reported on the Kansas consumers compensating use tax return.

Purchases for use

Shelving, display racks, display cases, suction tables, checkout counters, cash registers and supplies, storage cabinets, etc.	Taxable
Tools and equipment; purchased, leased or rented, to be used in the course of business such as; barriers, mounting tracks, brackets, mounting boards, hooks, carts, trucks, trolleys.	Taxable
Furniture and fixtures, including but not limited to, desks, lamps, tables, chairs, shelving, plants, planters, artwork, and signs.	Taxable
Cleaning materials such as gloves, chemicals, waxes, etc.	Taxable
Repairs and maintenance to existing buildings, and existing covered structures.	Taxable
Professional services such as legal or accounting services.	Exempt
Telephone answering services.	Taxable
Business cards, office supplies, paper, toner cartridges, etc.	Taxable
Repair and replacement services to commercial real estate such as parking lots, fences, light poles, etc.	Taxable
Labor services for the original construction of new building.	Exempt
Repair and replacement parts, and labor service charges for repairing, servicing, altering or maintaining the art gallery and dealer's tangible personal property such as tools, computers, printers, copiers, security equipment, etc.	Taxable
Warranty or service agreements for tangible personal property such as equipment and tools, computers, printers, copiers, security equipment, etc.	Taxable
Tangible property purchased to be given away or donated. (Items that are given away or donated to a tax exempt entity are not subject to sales tax as of April 2007).	Taxable
Educational materials, posters, maps or other literature.	Taxable
Linen (not in rental inventory) services.	Taxable
Laptop and desktop computers, copiers, printers, fax machines, calculators and other similar equipment.	Taxable
Printed materials production and distribution (such as direct mail items).	Taxable
Security monitoring service.	Exempt
Security cameras, mirrors, and other security equipment.	Taxable
Canned Software and software upgrades and labor services to modify, alter, update or maintain software.	Taxable
<u>Custom</u> software, custom software upgrades and labor services to modify, alter, update or maintain customized software. <i>"Custom" software = software developed for a single end user.</i>	Exempt
Books, newspaper, and magazine subscriptions.	Taxable
Advertising in newspapers, radio, television, etc.	Exempt
Promotional items purchased by a company including but not limited to: calendars, mugs and items of clothing.	Taxable
Services to install, replace, or repair plumbing, wiring, built-in cabinets and other fixtures.	Taxable
Complimentary items that are given away such as bottled water, soft drinks, coffee, creamer, sugar, cups and stir sticks, food, balloons, stickers, pens and candy.	Taxable
Pest control materials and supplies purchased by company.	Taxable
Janitorial supplies	Taxable

Art Galleries and Dealers

Trash removal, shredding services, cleaning services, city sewer service.	Exempt
Utilities including but not limited to, electricity, gas and water	Taxable

Sales by Art Galleries and Dealers:

The taxability of sales of tangible personal property and labor services by Art Galleries and Dealers is summarized below. This list is not all inclusive. The applicable sales tax must be collected unless the purchaser provides a valid exemption certificate*.

Sales

Admission, membership, and tour fees	Taxable
Retail sales/Rental of tangible personal property, including freight, shipping, and delivery charges.	Taxable
Art lessons and classes (materials used in the lessons or classes are subject to tax).	Exempt
Room rental charges.	Exempt
Gift certificates	Exempt
Charges for services such as, but not limited to, engraving, glass etching, gift wrapping, etc.	Taxable

* Sales/rentals to exempt entities with proper exemption certificates provided are exempt from sales tax. Ensure the exemption certificates are retained to substantiate all non-taxed transactions.

Note: Kansas tax applies to the "gross receipts" from the sale of taxable goods or services in Kansas. Gross receipts include any amounts collected from the customer including any charges billed for freight, delivery or special handling.