

**Tattered Cover Book Store**  
Calfax Avenue, Historic LoDo, Highlands Ranch

April 23, 2013

Dear Legislator:

As an independent bookseller with two stores in Denver and one in Highlands Ranch, I urge you to support e-fairness legislation.

For too long, storefront retailers have been forced to compete at an unfair disadvantage with remote retailers who are not collecting sales tax. The result has not only hurt businesses like mine, but the loss of sales tax revenue has deprived communities across Colorado of much-needed funds.

It's time to level the playing field for the storefront retailer. As e-commerce grows, the situation will only get worse. And this is an issue that not only affects businesses like mine, but retailers of all shapes and sizes.

Importantly, this effort at e-fairness is not a new tax. It is reestablishing what was lost, what would have been naturally taxed at the point of sale. It levels the competitive playing field and enables the money to stay in the community as a resource for economic growth. The ill-conceived benefit that has been given to the online retailer who collects no sales tax was not an engine for economic growth, rather it enhanced only the online business at the expense of many of America's communities and stunted much of their entrepreneurial growth.

As a small business owner myself, I believe e-fairness legislation is the right thing to do. I do hope you will stand up for Colorado's storefront retailers by supporting sales tax fairness.

Thank you for your consideration.

Sincerely,

Joyce Meskis  
Owner  
joyce.meskis@tatteredcover.com



# Boulder Book Store

1107 Pearl St, Boulder, CO 80302 • 303-447-2074 • fax 303-447-3946  
email: [info@boulderbookstore.com](mailto:info@boulderbookstore.com) • [www.boulderbookstore.com](http://www.boulderbookstore.com)

April 23<sup>rd</sup>, 2013

Dear Legislators:

I would encourage you to support and to pass legislation to end the special treatment of internet businesses in the collection of sales tax and also to simplify our sales tax rules so that collecting sales tax for Colorado isn't overly onerous for businesses.

Boulder Book Store has been an independent, locally owned Colorado business for nearly 40 years. We'll celebrate the 40<sup>th</sup> anniversary of our opening in September. If we're fortunate, we'll be around for years to come, but it becomes progressively more difficult when government chooses to give some businesses special treatment.

As this week's vote of 74/20 in the United States Senate on the same type of law shows, the vast majority agrees that the time has come to address this in a strong and bipartisan way. Even one of the most powerful opponents of previous efforts, Amazon.com, has come to support efforts to pass laws such as this.

The inequity of the current system is not just between merchants and the different amounts they must charge customers (which benefits out-of-state businesses while penalizing Colorado businesses). It also penalizes Colorado customers of Colorado businesses by collecting taxes from them while not collecting from those who shop elsewhere. Our state government should not penalize citizens for supporting the Colorado economy while giving special tax breaks to others who choose not to.

Some have discussed the issue of customer privacy in records of purchases to which the state would have access. As a bookstore we take customer privacy quite seriously, but we are required to keep records with much the same information as the proposed laws available for state tax authorities in case of audit whether the purchase is made online or in person. Is privacy only important when a purchase is made online from an out-of-state vendor? If we are to exempt out-of-state businesses from record keeping requirements, shouldn't we exempt Colorado businesses, too?

I hope that for these and many other reasons, you will support the bills under consideration and vote in their favor.

Sincerely  
David Bolduc  
Owner/Founder

Boulder Book Store  
1107 Pearl St  
Boulder, CO 80302

Game-Set-Match - Centennial  
8280 S Quebec St, Suite A  
Centennial, CO 80112  
(303) 790-1991



Game-Set-Match - Cherry Creek  
333 S Colorado Blvd  
Denver, CO 80222  
(303) 394-1991

To whom it may concern:

My name is Rachel Heise, I am the General Manager at Game Set Match, Inc. We have been in business for 23+ years in Colorado, selling tennis equipment and accessories to the general public, schools, HOAs, etc. We have worked hard to create a loyal customer base, and have tried to maintain it over the years. As the world gets more 'E' friendly, we have noticed a steady trend of losing my loyal customers to 'big box' e-retailers. We try to be as competitive as possible, but often the online retailers get heavy discounts and are able to sell product at a lower price than I am even able to buy it at! On top of their extreme pricing, they can offer sales with no sales tax, which further sets them apart in terms of pricing.

A good, concrete example of this would be how we have sold apparel to schools for their team uniforms. I have noticed a HUGE decline in our team sales over the past 3 years. I have tried reaching out to schools that we used to do business with, and EVERY SINGLE ONE said that they found uniforms online for much cheaper, even though we are willing to match prices. The second element that is frustrating to us is that many of the students and customers have the nerve to come into our store, try on our sizes of the apparel, and then walk out the door and go buy the outfit online. The third element is that we continue to donate money from our budget to these schools, which now feels like a waste instead of a win/win situation.

Overall, this feels like a losing battle, and we wish there was a way to level the playing field. With that being said, we would strongly request that you support HB 1312, as I think it will help my business immensely.

Thank you for your consideration,

Rachel Heise  
Game Set Match, Inc.  
8280 S Quebec St, Suite A  
Centennial, CO 80112



TEAM & INDIVIDUAL SPORTS EQUIPMENT

2547 A 11<sup>th</sup> Ave.

Greeley, CO. 80631

Phone: 970-353-1903 Fax: 970-353-1908

E-mail: [msage@gojosports.com](mailto:msage@gojosports.com)

To Whom It May Concern:

My name is Mike Sage and I have owned GOJO Sports of Greeley since 1984. I am asking you to support HB1312 because it is good for small business like mine. Currently I am facing an unfair disadvantage, because online retailers do not collect sales tax.

Recently I had a customer tell me that he chose to purchase a \$300 bat on line because he could save over \$18 since he didn't have to pay sales tax. Not only is this bad for me, it's also bad for my city and state that misses out on the revenue.

Please do what's fair for small business.

Sincerely,

Mike Sage  
GOJO Sports of Greeley

April 22<sup>nd</sup>, 2013

Colorado House of Representatives  
Colorado Finance Committee  
Re: HB1312



To whom it concerns:

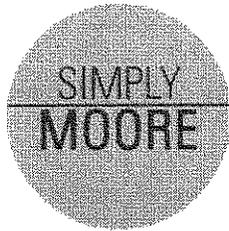
Maria's Bookshop is an independent retail bookstore in downtown Durango Colorado that has been in business for 29 years. We provide employment to 14 Colorado residents and we collected and remitted nearly \$20,000 in state sales tax last year. Competition from out of state online retailers who do not collect state sales tax, threaten our business. Your support of HB 1312 is vital to our ability to compete in a fair and free retail marketplace.

Bricks and mortar stores are the lifeblood of many downtowns. The competition from online stores threatens our livelihood. Several times a day our store is utilized as a showroom, as would be customers search our shelves for a book then proceed to order it from a large online retailer. Sometimes from within our store on their smartphones!

Customers deserve the right to shop wherever they choose, but the government should not be providing incentives to take their shopping online. Maria's Bookshop can compete with out of state online retailers if we are provided a level playing field. I urge you to support HB1312 to provide fairness in this retail marketplace.

Sincerely,

Peter Schertz  
Co-owner



ENHANCING THE HUMAN EXPERIENCE

First of all I would like to thank the chair and the committee members for your time, and especially the bill sponsors for introducing this important piece of legislation. My name is Michael Moore, and I own and operate Simply Moore, located in Cherry Creek North. We have been in business for nine years, and I have personally been giving makeup lessons and applications in the area for eleven years. I am proud to be Colorado small business owner, and work very hard to build and grow business in the face of challenges both large and small. Currently, one of those challenges is competing against online-only companies.

There are several areas we can compete: we offer a level of customer service that big box stores and online-only companies simply cannot match; we know our customers, we value their repeat business, and we have a level of knowledge about our products that you can't get online. Unfortunately, there is one area where we simply can't compete: they don't have to collect state and local sales taxes, and we do. The problem is a simple one, but so is the solution.

I am urging a yes vote on this bill so we can make the tax code more fair for Colorado small business owners, and stop giving an unfair advantage to big out-of-state companies who don't want to pay their fair share. On behalf of all of our staff and our loyal customers, I thank you for your time and consideration.

Michael Moore  
Simply Moore  
3000 E 3rd Ave. Ste 4 Denver, CO 80206  
303-399-4151

The Knight Watch & Jewelry Co.  
19 ½ East Kiowa street  
Colorado springs, CO 80903  
(719)633-3628

Dear Editor:

As a small business owner, I've always played by the rules—including paying my fair share of taxes. Running a business in the 21<sup>st</sup> century, I realize customers have an incentive to shop online with giant retailers like Amazon, whose products aren't subject to state and local sales tax. I try my best to make up for it by providing them superior customer service and better support for our products, but in today's sluggish economy, it's understandable that folks are often motivated by their bottom line.

Untaxed operations like Amazon have a built-in advantage over me, and there's very little I can do about it. I'm required by law to assess sales tax and Amazon isn't. Many businesses in Colorado Springs and across Colorado are in the same boat. Fortunately, a bill introduced this week would change the law by closing this unfair loophole.

Our little business has been in the downtown area of Colorado Springs since 1951 with a full service store front. Since the introduction of the internet, we have found it increasingly difficult to compete, made even more difficult by the big box stores being sales tax free. This bill would greatly even the odds and put everyone on more of the same playing field. Small businesses have been and are still the back bone of our country. Bills such as this would greatly help that small businesses such as ours stay in operation.

I'm not naïve; I know online businesses aren't going away. All I want is to be able to compete fairly. Colorado's small businesses need relief now. Our state lawmakers ought to support the bill recently introduced in the legislature that would require retailers like Amazon pay their fair share.

Michael A. Knight  
Owner/ Watchmaker  
*The Knight Watch & Jewelry Co.*  
*19 ½ East Kiowa Street*  
*Colorado Springs, CO*  
*80903*

Dear Colorado House of Representatives, Members of Finance:

My name is Raz Gnat and I am the owner of Gnat Original Design in Denver. I am asking you to support the legislation that requires online companies to collect online sales tax, just like I do.

I don't believe that the playing field should be slanted towards one type of business, and the current policy is really hurting local small businesses around the state. Fortunately I do not lose as many sales to online sales as other, but I do support sales tax fairness.

I have been in business for over 30 years, and would really appreciate your support for HB 1312.

Sincerely,

Raz Gnat  
Gnat Original Design  
Denver, 80206

Absent testimony: Yes on HB1312

My name is Rosanna Griffin and I opened a small business on E. Colfax Ave. 2 ½ years ago – Athena's Closet, Inc., a plus size women's consignment shop. There are many things that threaten small businesses and today one of the biggest is the loophole in the tax code that does not require online only retailers to collect and pay sales tax. This needs to be closed so that brick and mortar businesses can compete on a level playing field, not at a disadvantage to online only retailers.

I see this more with designer handbags – that may or may not be authenticated online – that can cost several hundred dollars. For example I had a Fendi handbag for sale in the shop for \$375 – total taxes here, in Denver, CO, would have added \$28.58 to the purchase price. The customer was able to get the same handbag online for just the \$375 with free shipping thrown in. And, the additional revenue that would have been generated in my shop to improve our community and quality of life just fell through the cracks.

So, as a small business owner I ask for your support for HB 1312. This is an issue of fairness that is good for not only my shop, but all small businesses in the community at large.

Rosanna Griffin, Owner  
Athena's Closet, Inc.  
5305 E. Colfax Ave. #B  
Denver, CO 80220  
303-997-4336

**April 23<sup>rd</sup>, 2013**

**Dear Committee,**

**My name is Johnathon Wood, I am the owner of Majestic Hydro-Gardening LLC in Palmer Lake, Colorado. I have only been open for 2 and a half months, so I am just starting out.**

**I am writing to express my enthusiastic support for House Bill 1312, which would level the playing field for small businesses like mine by requiring online companies to collect sales tax like I do.**

**There are a lot of websites that sell hydroponic equipment and nutrients online. Since the online companies don't charge sales tax, they can offer their products for cheaper online and I cannot compete. It is simply not fair that they are not supporting the system, and that I am.**

**Thanks for your time and consideration,**

**Johnathon Wood  
Majestic Hydro-Gardening LLC  
860 Hwy 105 Palmer Lake, CO 80133**

*Dear Colorado Legislators,*

*My name is Paul Peterson and I am the owner of Tipton Jewelers in Denver. I am writing to express my support for the bill that would require online only retailers to pay their fair share of sales tax.*

*As a jeweler, I am up against Ebay, Blue Nile, and many other online retailers. I am working on a profit margin of 10% or less, and I cannot match online prices because I would be operating at a loss. When the customer has a choice of buying a high end piece of jewelry from me or online, they will choose to buy it online since the sales tax alone could be upwards of 400-500\$ per item. I simply cannot compete.*

*I am not asking for any special treatment, I just want to be equal with the online retailers. Please vote yes on HB 1312.*

*Respectfully,*

*Paul Peterson, Owner, Tipton Jewelers  
Denver, 80206*

**Dear Representatives DelGrosso, Foote, Joshi, Kagan, May, Melton, Pabon, Priola, Saine, Swalm, Wilson, Court, and Labuda,**

My name is Linda Bhan and I own a small business in Denver called Vertu. I could not attend the panel today but wanted to submit my opinion.

Vertu has been in business for over 25 years, and we take a great amount of pride in our products. Since I have a physical location in Colorado, it is very hard for me to compete with companies like Overstock and Amazon when customers can buy the product tax free online. We offer top-notch customer service, while online retailers cannot, but unfortunately the bottom line is what customers consider first and foremost when making an expensive purchase.

Please vote yes on this bill so that I can compete on a level playing field with the out of state, online only retailers.

Thanks,

Linda Bahn

Vertu, Cherry Creek North

Dear Colorado Legislators,

I am the owner of Stationery Company on east 6<sup>th</sup> avenue in Denver and I wanted to submit my thoughts for HB 1312, the bill about online retailers collecting sales tax. I am strongly in favor of this bill, and it will really help my business if you decide to pass it.

There is bi-partisan support nationwide for this policy, because many elected officials know how beneficial this will be for Main Street small businesses like the Stationery Company. In these economic times, small business owners need all the help we can get.

That being said, we are not asking for any special exemptions or privileges. We simply want huge out of state retailers like Amazon to be held to the same standards as us.

Please remove this antiquated loophole and vote for his bill, I would be very grateful.

Lin Logan,

Small Business Owner

2818 East 6th Avenue Denver, Colorado 80206

Dear Members of the Finance Committee,

My name is Jeff Kass and I am the owner of a pawn shop in Aurora CO called People's Pawn & Jewelry. I am not able to attend the committee meeting today but still wanted to express my support for Representative Williams' bill about online sales tax fairness.

Small businesses are having a tough time staying in business right now, and we simply can't keep up with online only retailers. They do not have to play by the same rules as us, which puts us at a serious disadvantage.

Please help support businesses like mine and approve this policy.

Thank you very much.

Jeff Kass  
People's Pawn & Jewelry  
Aurora, CO 80010

To members of the Finance Committee:

I am the owner and operator of Armstrong Jewelers in Pueblo, CO. I am sorry I was not able to make it to Denver to be there in person for the panel, but I would like to submit my support for HB 1312 here.

Jewelers are affected by current sales tax laws in a major way. It is so much cheaper to buy high-end items like jewelry on big online only sites like Blue Nile, Amazon, or Overstock. I can provide excellent customer service catered to each customer, but since I have to collect sales tax at the point of sale, I will never be able to compete with price.

Please vote yes for this important legislation.

Respectfully,

Greg Armstrong  
Armstrong Jewelers  
119 W. 4th Street Pueblo, CO 81003

Members of the Finance Committee,

My name is Doug Lewis and I own the Spice of Life in Manitou Springs, CO. I was not able to attend the hearing today because it is just my business partner and I, and I am not able to close the store to get to Denver.

I am urging you close the loophole that allows online only retailers to avoid paying sales tax. I feel that if I am required to collect sales tax at the point of sale, online retailers should have to as well. I know I am not alone in feeling like this system is just not fair to small businesses like mine that have a physical presence in Colorado.

Please pass this bill and support small business owners in Colorado.

Thank you for your time and consideration,

Doug Lewis  
Spice of Life, Spice Emporium  
727 Manitou Ave. Manitou Springs, CO 80829

Dear members of the Finance Committee,

I am Doris Todd-Lewis, Owner of Carlotta's Extended Footwear. We want to take this opportunity to thank you for your business these past years. We know how much many of you look forward to shopping online. But when you shop online, it hurts the small business owners and we have to close our doors because we cannot compete with the online business and are also unable to receive the support we need from our communities. We appreciate your business and look forward to your continued support of the small business owners. Please vote yes on this bill.

Carlotta's Extended Footwear

10115 E. Colfax Avenue  
Aurora, Co 80010

(303) 343 9389

doristodd5@aol.com

To Whom It May Concern,

I am a small business owner in the Jewelry field and have owned and operated a 'brick and mortar' location for over 25 years. As a "Sole Proprietor" it is important to me to have a "level playing field" when it comes to jewelry and especially Diamond sales. On-line retailers have a much different "overhead" than those of us with storefronts: many only have people working a phone-bank out of a low-rent office space.

This, in itself can give them a "competitive advantage" as they may not even have an inventory to insure, using a 'drop-ship' method to send clients goods. Add to this the fact that many if not most do not charge sales tax and it can tip the scales in their favor for those who are willing to buy "sight-unseen" merchandise.

I believe that if you are selling to the public, you should be required to provide the county and state governments with their "due" whether or not you have a physical location or a phone room in some office complex. It's only fair business!

Sincerely,

William E. Grey  
Anjevine LTD  
Denver, 80206

Dear member of the Finance Committee:

My name is Don Hansen, co-owner of Hansen Bros. Printing, located in Historic Downtown Littleton since 1954. We are a family owned and run, Colorado small business.

We are proud to be able to serve our customers and community in a multitude of ways including paying our fair share of state and local taxes. We have found it hard to compete with out of state on line-only companies that do not have the same tax liability's because of outdated tax loopholes in the present system.

We would urge you to vote yes on HB13-1312, in order to level the playing field for the brick and mortar shops like Hansen Bros. Printing. We hope that by closing these loopholes, we will be able to continue to support Colorado and our community for years to come.

Thank you,  
Don Hansen  
4-22-13

**Hansen Bros. Printing**

2439 W. Main Street

Littleton, CO 80120

**303-794-0544**

**303-794-5855** (f)

Dear Legislators,

I am a small business owner in Golden, CO and have been in business for four years. My store sells consignment clothing, and in the economic downturn people like being able to buy clothes they can get at a discount.

I am excited to see legislation that would really help small businesses like mine. I am hoping you will pass this bill today because it will help me compete with online retailers.

I am asking you to use your power as a legislator to pass this bill and make the state tax system more fair for everyone.

Respectfully,

Deanne Aichholz  
The Clothes Mine  
Golden, CO 80401

Dave Livingston  
Vital Outdoors  
Golden, CO

Colorado House of Representatives, Committee on Finance:

My name is Dave Livingston and I am the one of the owners of Vital Outdoors in Golden, CO. I have been in business in Colorado for 20 years, and the issue of online sales tax is a huge issue in our industry. Online retailers are our biggest competitors and they are taking sales away from us. There is only one solution for us, which is to level the playing field with the online businesses by requiring them to collect sales tax.

There have been times where we were not able to sell certain products because they had deals with the major online retailers, so we had to stop carrying these items.

If the large box stores are saying this is a problem for them, then just imagine how big of a problem it is for a small brick and mortar business like mine!

Please vote yes for HB 1312- if you wait too long it will be too late. You have the opportunity to correct this huge problem today.

Dave Livingston  
Small Business Owner

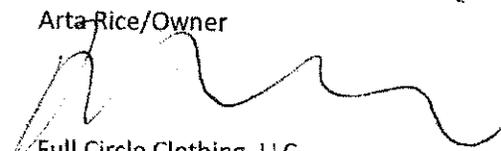
Hello,

My name is Arta Rice and I own a small clothing boutique in Downtown Littleton called Full Circle Clothing. We sell women's designer secondhand clothing, shoes, and accessories.

Like many small businesses out there, we feel that online retailers put us at a competitive disadvantage by not charging a sales tax. I see this happen at our store time and time again. At our boutique we sell secondhand clothing and accessories and I've had customers try on an item which they like but have said that buying it on online will save them money due to them not charging a sales tax. On top of not charging a sales tax, many online retailers give free shipping as well. This definitely hurts us a small business.

For this reason, I support HB 1312 because it benefits my business as well as other small businesses out there. I ask that you support HB 1312 as well.

Arta Rice/Owner



Full Circle Clothing, LLC

Mike Di Paulo, Owner  
Boxwood Begonia & Matalasse  
Greenwood Village, CO 80111

Dear Colorado Legislators,

I am writing to ask you to vote yes on HB 1312, the bill that levels the playing field for small businesses like mine. I am the owner of both Boxwood Begonia and Matelasse in Greenwood Village. I have prepared a written statement since my wife and I are not able to leave our place of business for an entire afternoon.

I can't tell you how many times a customer walks into my store, shops around for a while, and then decides to buy a product online. I have sell many national brands that are easy to find on the internet, so a few times a week I hear customers saying they will just buy online instead since shipping is free.

I cannot compete with these large online only retailers, and hope that you will stand with small business owners like me and support this bill.

Sincerely,

Mike Di Paulo, Small Business Owner

To: The Colorado House of Representatives, Committee on Finance

From: Linda Winter, Small Business Owner, Accessories with a Flair!...and Hair

Re: House Bill 1312, Online Sales Tax Collection

April 22, 2013

Committee Members,

Thank you for taking the time to read my statement since I was not able to leave my shop to attend the committee hearing. I own an accessories outfit called Accessories with a Flair!...and Hair. We sell women's accessories like jewelry, shoes, hats, and more, and I have been in business for 42 years.

I find it very difficult to compete with online retailers; there have been so many times when a customer comes in and brags about how they purchased a product cheaper online. I have even had customers try to bring something in to fix it even though they bought it online and not from my store!

Currently businesses like mine are collecting sales tax, which pays for roads, schools, and other services. The more people shop local instead of online, the more we are able to invest dollars in the local economy. I know customers appreciate the good customer service that I can provide that online retailers can't, but sometimes they make their decisions solely based on cost.

Please help me compete with online retailers by passing HB 1312. Thank you again for your consideration.

Linda Winter, Small Business Owner

Accessories with a Flair!...and Hair

801 8th Avenue Ste 4 Greeley, CO 80631

Members of the Finance Committee:

First of all I would like to thank the chair and the committee members for your time, and especially the bill sponsors for introducing this important piece of legislation. My name is Noel Amend, and my wife Ginger and I own and operate Assemblé Dancewear, with one location in Castle Rock and another in Colorado Springs.

We have been in business for 17 years, and I have personally been fitting pointe shoes for dancers since 1978. We are proud to be Colorado small business owners, and we work very hard to build and grow our business in the face of challenges both large and small. Currently, one of those challenges is competing against online-only companies. There are several areas we can compete: we offer a level of customer service that big box stores and online-only companies simply cannot match; we know our customers, we value their repeat business, and we have a level of knowledge about our products that you can't get online. Unfortunately, there is one area where we simply can't compete: they don't have to collect state and local sales taxes, and we do.

The problem is a simple one, but so is the solution. I am urging a yes vote on this bill so we can make the tax code more fair for Colorado small business owners, and stop giving an unfair advantage to big out-of-state companies who don't want to pay their fair share.

On behalf of all of our staff and our loyal customers, I thank you for your time and consideration.

Noel Amend, Small Business Owner

Colorado State Legislators,

Hello, my name is Alyson Warren; I am a small business owner in the Stapleton neighborhood of Denver, CO. My business, Naturally Loved, is a Natural Parenting Hub. It relies very much on my loyal neighborhood customers who come in weekly and purchase their organic baby and children items for baby showers or birthday parties. I am working very hard and spending my hard earned profit on trying to configure an online business to stay competitive with my online retailers in the same field.

When customers come in and ask if we have a certain product that they found online and we either have it or not, very often we get asked why they should buy this product in my store instead of the internet where they don't have to pay tax and shipping. I simply state they should because they are buying from a mom who is trying to make a living like the rest of us, I say they should because they are helping me put food on my table and paying for ballet class for my daughter. They are also instilling a sense of a grass roots movement because buying local and paying tax in your city is benefiting you locally. I had a particular customer who walked in one day looking for one of our most popular items; by popular I mean in the height of the cold season I sell 5 a day of the Nosefrida. I showed her where it was, she turned the product over and asked, "This is how much it is?!?" I stated yes, she then asked where else she could buy it and I stated that I was the only local store that carried the Nosefrida. She looked at me and said, "Then I will just have to buy it online where I know I can get it cheaper and not have to pay for shipping and handling as well as tax".

I am constantly competing with online businesses that can get away with loopholes in the system. I am asking that you please support HB1312 to make this a more competitive market. Thank you for your time.

Alyson D. Warren  
Naturally Loved  
7349 E 29th Ave  
Denver, CO 80238

# COLORADO TECHNOLOGY ASSOCIATION MEMBER

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CTA'S ANNUAL INVESTORS

## Marketplace Fairness Act Moves toward Final Vote

Posted By Julie Chiron, Colorado Technology Association (CTA), Yesterday

### Marketplace Fairness Act Clears Cloture Vote by 74-20; Final Vote Expected this Week

We reported several weeks ago that the US Senate approved the Marketplace Fairness Act in concept during an amendment vote for the 2014 Budget. At the time Senate Finance Committee Chairman Baucus (D-MT) expressed his opposition to the bill and his frustration that the amendment had bypassed his Finance Committee and regular order. Legislation on this issue has been in the Senate for many years, so many have argued that the Finance Committee has not been without opportunity to review the bill. We can now follow up that report to say that the bill has been renumbered as S. 743 in an attempt to circumvent the Chairman's opposition and bring the bill directly to the Senate floor. Majority Leader Reid (D) filed a cloture motion last Friday, which matured at 5:30 pm on Monday. Cloture was invoked by a vote of 74-20. ("Cloture" is a procedural vote that allows Senators to short-circuit a filibuster and set a time certain for debate. As explained by the Congressional Research Service: "Cloture enables Senators to end a filibuster on any debatable matter the Senate is considering. Sixteen Senators initiate this process by presenting a motion to end the debate... Then, for most matters, it requires the votes of at least three-fifths of all Senators (normally 60 votes) to invoke cloture. The primary effect of invoking cloture on a question is to impose a maximum of 30 additional hours for considering that question... During this 30-hour period, in general, no Senator may speak for more than one hour, [and] amendments must be either pre-approved prior to the cloture vote, or be ruled germane to the bill.") Thus, debate on the legislation will likely continue the rest of the week, and a final vote is expected sometime on Thursday. We will be watching the debate and vote very closely this week.

Tags: [Industry](#) [legislation](#) [public policy](#)

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## National Day of Civic Hacking at the White House

Posted By Wendy Nkomo, Colorado Technology Association (CTA), Friday, April 12, 2013

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