

ALABAMA DEPARTMENT OF REVENUE
ADMINISTRATIVE CODE

CHAPTER 810-6-4
SALES TAX DUE MONTHLY; FILING OF REPORTS; RECORDS REQUIRED;
REFUNDS; INTEREST; HEARINGS ON ASSESSMENTS; EXAMINATIONS OF
RETURNS; INTER ALIA

810-6-4-.11 Leased Departments, Filing Tax Returns For.

(1) Where a store leases departments to other persons who (i) operate the departments, (ii) keep their own books, and (iii) make their own collections on accounts; a separate sales tax return shall be filed by each person operating a leased department. Persons who lease departments and file their own returns shall obtain the sales tax license required pursuant to Code of Ala. 1975, Section 40-23-6.

(2) Where the store leases departments to other persons who operate the departments and the store keeps the books and makes collections on accounts for the persons who lease the departments, the store may, as agent for the lessees, file returns for the leased departments and pay the taxes due. The lessees, however, shall not be relieved of liability for the tax until the amount due has been paid.

(3) Where the store files returns as agent for leased departments, it may either file separate returns for each department leased or may file a consolidated return for both its business and the leased departments. Persons who lease departments and for whom the store files separate returns shall obtain the sales tax license required pursuant to Section 40-23-6. If the store files a consolidated return for its business and for each leased department, sufficient records shall be maintained to allow a determination of the respective sales and use tax liability for its business and each of the leased departments. (Code of Ala. 1975, Sections 40-2A-7(a)(1), 40-23-6, 40-23-7, and 40-23-9)

Author: Dan DeVaughn

Statutory Authority: Code of Ala. 1975, §§40-23-31, 40-23-83, 40-2A-7(a)(5), 40-2A-7(a)(1)40-23-6, 40-23-7, 40-23-9.

History: Amended: Filed June 25, 1998; effective July 30, 1998.