

ARIZONA DEPARTMENT OF REVENUE

ARIZONA TRANSACTION PRIVILEGE TAX RULING

TPR 93-35

(Note: On 9/21/2020 the statute cites were updated to show their current numbers and footnotes were added. See footnotes for details. No substantive changes were made.)

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes § 41-1033 for a review of the statement.

ISSUE:

Arizona Coliseum and Exposition Center Board ¹ or County Fair Commissions; sponsored events; amusement classification.

APPLICABLE LAW:

A.R.S. § 42-5073(A)² imposes the Arizona transaction privilege tax under the amusement classification. The amusement classification does not include the operation or sponsorship of events by the Arizona Coliseum and Exposition Center Board or County Fair Commissions.

A.R.S. § 5-101 defines "racing meeting" as a number of days of racing allotted by the commission in one permit.

DISCUSSION:

¹ The name of the Arizona Coliseum and Exposition Board was changed to the Arizona Exposition and State Fair Board in 1997.

² This ruling originally cited A.R.S. § 42-1310.13.A which was renumbered to A.R.S. § 42-5073(A).

A.R.S. § 42-5073(A)³ provides that monies received by the Arizona Coliseum and Exposition Center Board or County Fair Commissions for operating or sponsoring events are exempt from the Arizona transaction privilege tax under the amusement classification. The exemption includes any portion of pari-mutuel pools that are paid to the Arizona Coliseum and Exposition Center Board or County Fair Commissions as a result of racing meetings sponsored by them. The exemption also encompasses those events in which the Arizona Coliseum and Exposition Center Board or County Fair Commissions act as co-sponsors or co-promoters.

Events which are not sponsored or co-sponsored by the Arizona Coliseum and Exposition Center Board or County Fair Commissions but are merely located at the fair grounds or coliseum and exposition center do not come within this exemption and proceeds from such amusement events are subject to the Arizona transaction privilege tax under the amusement classification.

RULING:

Monies received by the Arizona Coliseum and Exposition Center Board or County Fair Commissions for operating or sponsoring events are exempt from the Arizona transaction privilege tax under the amusement classification. The exemption includes any portion of pari-mutuel pools that are paid to the Arizona Coliseum and Exposition Center Board or County Fair Commissions as a result of their sponsorship of racing meetings.

Harold Scott, Director
Signed June 25, 1993

Explanatory Notice

The purpose of a tax ruling is to provide interpretive guidance to the general public and to department personnel. A tax ruling is intended to encompass issues of law which are not adequately covered in statute, case law or administrative rules. A tax ruling is a position statement which provides interpretation, details or supplementary information concerning the

³ See footnote number 2.

application of the law. **Relevant statute, case law, or administrative rules, as well as a subsequent ruling, may modify or negate any or all of the provisions of any tax ruling.** See GTP 92-1 for more detailed information regarding documents issued by the Department of Revenue.