

## Use Tax

### Line 95 – Use Tax. This is not a total line.

California use tax applies to purchases of "tangible personal property" from out-of-state sellers (for example, purchases made by telephone, over the Internet, by mail, or in person). If you have questions about whether a purchase is taxable, go to the State Board of Equalization's website at [boe.ca.gov](http://boe.ca.gov), or call their Taxpayer Information Section at 800.400.7115 or California Relay Service (CRS) 711 (for hearing and speech disabilities.)

The following taxpayers are required to report purchases subject to use tax directly to the State Board of Equalization and may not report use tax on their income tax return:

- Individuals or businesses that have a California seller's permit.
- Businesses that are not required to hold a California seller's permit, but receive at least \$100,000 in gross receipts.
- Individuals or businesses that have a California consumer use tax account.

If you are not required to report purchases subject to use tax directly to the State Board of Equalization, you may report use tax on your income tax return. The Use Tax Worksheet and Use Tax Table below will help you determine how much use tax to report. If you owe use tax but you do not report it on your income tax return, you must report and pay the tax to the State Board of Equalization. For information on how to report use tax directly to the State Board of Equalization, go to their website at [boe.ca.gov](http://boe.ca.gov) and type "use tax" into the Search box.

Failure to report and timely pay may result in the assessment of interest, penalties and fees.

See page 20 for a general explanation of California use tax.

### Use Tax Worksheet

You must use the Use Tax Worksheet below to calculate your use tax liability if any of the following apply:

- You prefer to calculate the amount of use tax due based upon your actual purchases subject to use tax.
- You owe use tax on non-business purchases of individual items of property with a sales price of \$1,000 or more.
- You owe use tax on any item purchased for use in a trade or business not registered with the Board of Equalization.

If you have a combination of individual items purchased for \$1,000 or more and individual, non-business items purchased for less than \$1,000, you may either:

- Use the Use Tax Worksheet to compute use tax due on all purchases, or
- Use the Use Tax Worksheet to compute use tax due on all individual items purchased for \$1,000 or more, and use the Estimated Use Tax Table to estimate the use tax due on individual, non-business items purchased for less than \$1,000.

Use Tax Worksheet	
Use whole dollars only.	
1. Enter purchases from out-of-state sellers made without payment of California sales/use tax. See worksheet instructions below.	\$ _____
2. Enter the applicable sales and use tax rate.	_____
3. Multiply line 1 by the tax rate on line 2. Enter result here.	\$ _____
4. Enter any sales or use tax you paid to another state for purchases included on line 1. See worksheet instructions below.	\$ _____
5. Subtract line 4 from line 3. This is the total use tax due. Enter the amount due on line 95. If the amount is less than zero, enter -0-.	\$ _____

### Worksheet, Line 1, Purchases Subject to Use Tax

- Report purchases of items that would have been taxable if purchased in a California store. For example, you would include purchases of clothing, but not purchases of prescription medicine.
- Include handling charges.
- Do not include any other state's sales or use tax paid on the purchases.
- Enter only purchases made during the year that correspond with the tax return you are filing.
- If you traveled to a foreign country and carried items back to California, generally the use tax is due on the purchase price of the goods you listed

on your U.S. Customs Declaration less the \$800 per-person exemption. This \$800 exemption does not apply to goods sent or shipped to California by mail or other common carrier.

- If your filing status is "married/RDP filing separately," you may elect to report one-half of the use tax due or the entire amount on your income tax return. If you elect to report one-half, your spouse/RDP may report the remaining half on his or her income tax return or on the individual use tax return available from the State Board of Equalization.

**Note:** Report and pay any use tax you owe on the following purchases directly to the State Board of Equalization, not on your income tax return:

- Vehicles, vessels, and trailers that must be registered with the Department of Motor Vehicles.
- Mobile homes or commercial coaches that must be registered annually as required by the Health and Safety Code.
- Vessels documented with the U.S. Coast Guard.
- Aircraft.
- Leases of machinery, equipment, vehicles, and other tangible personal property.
- Cigarettes and tobacco products when the purchaser is registered with the State Board of Equalization as a cigarette and/or tobacco products consumer.

### Worksheet, Line 2, Sales and Use Tax Rate

- Enter the sales and use tax rate applicable to the place in California where the property is used, stored, or otherwise consumed. If you do not know the applicable city or county sales and use tax rate, using your computer or mobile device please go to the State Board of Equalization's website at [boe.ca.gov](http://boe.ca.gov) and click on City and County Tax Rates or call their Taxpayer Information Section at 800.400.7115 or California Relay Service (CRS) 711 (for hearing and speech disabilities.)
- The statewide sales and use tax rate decreased by 1% effective July 1, 2011. If you made purchases prior to July 1, 2011, please use the rates in effect at that time.

### Worksheet, Line 4, Credit for Tax Paid to Another State

- This is a credit for tax paid to other states on purchases reported on Line 1. You can claim a credit up to the amount of tax that would have been due if the purchase had been made in California. For example, if you paid \$8.00 sales tax to another state for a purchase, and would have paid \$6.00 in California, you can claim a credit of only \$6.00 for that purchase.

### Estimated Use Tax Table

You may use the Estimated Use Tax Table to estimate and report the use tax due on individual non-business items you purchased for less than \$1,000 each, instead of reporting your use tax liability determined using the Use Tax Worksheet. This option is only available if you are permitted to report use tax on your income tax return and you are not required to use the Use Tax Worksheet to calculate the use tax owed on the purchases of such items. Simply include the use tax liability, that corresponds to your California Adjusted Gross Income, on line 95 and you will not be assessed additional use tax on the individual non-business items you purchased for less than \$1,000 each.

You may not use the Estimated Use Tax Table to estimate and report the use tax due on purchases of items for use in your business or on purchases of individual non-business items you purchased for \$1000 or more each. See the instructions for the Use Tax Worksheet if you have a combination of purchases of individual non-business items for less than \$1,000 each and purchases of individual non-business items for more than \$1,000.

California Adjusted Gross Income (AGI) Range	Use Tax Liability
Less Than \$20,000	\$ 7
\$20,000 to \$39,999	\$ 21
\$40,000 to \$59,999	\$ 35
\$60,000 to \$79,999	\$ 49
\$80,000 to \$99,999	\$ 63
\$100,000 to \$149,999	\$ 88
\$150,000 to \$199,999	\$123
More than \$199,999 – Multiply AGI by 0.070% (.0007)	