

Sales and Use Tax Chart: Taxability of Utilities in the State Sales Tax

Source: Bloomberg BNA

Jurisdiction	Taxation of Utilities
Alabama	<p>The sale of gas, water, or electricity sold by public utilities is exempt from sales and use tax, but utilities are subject to a separate utility privilege and license tax in Alabama. [See Ala. Code §40-23-4(a)(8) (exemptions from sales tax); Ala. Code §40-21-82 (application of privilege and license taxes).]</p> <p>BNA-SUTN AL 6.6.</p>
Alaska	<p>Alaska does not impose a state sales tax.</p> <p>BNA-SUTN AK 6.6.</p>
Arizona	<p>The transaction privilege tax is imposed on gross receipts derived from the provision of services falling within the utilities classification. The utilities classification is comprised of the business of producing and furnishing the following to customers:</p> <ul style="list-style-type: none"> • Natural or artificial gas; • Water; and • Electricity. [Ariz. Rev. Stat. Ann. §42-5063(A); Ariz. Rev. Stat. Ann. §42-5063(C).] <p>BNA-SUTN AZ 6.6.</p>
Arkansas	<p>The sale of natural or artificial gas, electricity, water, ice, steam or any other tangible personal property sold as a utility or provided as a public service is subject to tax. [Ark. Code Ann. §26-52-301(2); Ark. Regs. GR-6(A).]</p> <p>BNA-SUTN AR 6.6.</p>
California	<p>Most utility sales are exempt from California sales and use tax. [Cal. Rev. & Tax. Code §6353; Cal. State Bd. of Equal., Annotations, 275.0000 Gas, Electricity and Water.]</p> <p>BNA-SUTN CA 6.6.</p>
Colorado	<p>Sales of gas, steam, and electric services are generally taxable transactions. [Colo. Rev. Stat. §39-26-104(1)(d.1).] Electricity furnished and sold for commercial consumption is taxed as a service, not as tangible personal property. [Colorado Dept. of Rev. v. Public Service Co., 330 P.3d 385 (Colo. 2014).] Sales of water in pipes, conduits, ditches or reservoirs are not subject to tax, even if title to the water does not pass until it enters a customer's pipes. [39 Colo. Code Regs. §26-102.15; Colorado Private Letter Ruling PLR-15-004 (Jan. 30, 2015).] However, water is subject to tax when delivered in bottles, wagons, tanks or other containers. [39 Colo. Code Regs. §26-102.15; Colorado Private Letter Ruling PLR-15-004 (Jan. 30, 2015).]</p> <p>BNA-SUTN CO 6.6.</p>
Connecticut	<p>The sale, furnishing, or service of water and steam when delivered to consumers through mains, lines, pipes, or bottles, is not subject to tax. [Conn. Gen. Stat. §12-412(3)(C).]</p> <p>The sale, furnishing, or service of electricity when delivered to consumers through is not subject to tax if for use:</p> <ul style="list-style-type: none"> • in any residential dwelling; [Conn. Gen. Stat. §12-412(3)(A)(i).] or • directly in agricultural production, or fabrication of a finished product to be sold, or in an industrial manufacturing plant. However, this exemption only applies to a metered building, location, or premises where not less than 75 percent of the electricity consumption is used for the purpose of production, fabrication, or manufacturing. [Conn. Gen. Stat. §12-412(3)(A)(ii).] <p>The sale or furnishing of electricity that is not otherwise exempt is not subject to tax with respect to the portion of the charges for any month of service that does not exceed \$150. [Conn. Gen. Stat. §12-412(3)(D).]</p> <p>The sale, furnishing, or service of gas, including bottled gas, when delivered to consumers through mains, lines, pipes, or bottles is not subject to tax if for use:</p> <ul style="list-style-type: none"> • in any residential dwelling; [Conn. Gen. Stat. §12-412(3)(A)(i); Connecticut Declaratory Ruling No. 2014-1 (Dec. 18, 2014) (propane purchased for use in a standby generator at a residential dwelling exempt from tax).] or • directly in agricultural production, or fabrication of a finished product to be sold, or in an industrial manufacturing plant. However, this exemption only applies to a metered building, location, or premises where not less than 75 percent of the gas, including bottled gas, is used for the purpose of production, fabrication, or manufacturing. [Conn. Gen. Stat. §12-412(3)(A)(ii).] <p>Sales of fuel used for heating purposes in any residential dwelling, or in any building, location, or premises utilized directly in</p>
Delaware	<p>Delaware does not impose a sales tax.</p> <p>BNA-SUTN DE 6.6.</p>
District of Columbia	<p>The consumption of public utility services, including gas, oil, electricity, solid fuel, and steam are taxable, [D.C. Code Ann. §47-2001(n)(1)(D); D.C. Code Ann. §47-2201(a)(1)(B).] unless sold for residential use or for direct use in manufacturing and processing. [D.C. Code Ann. §47-2005(11), (24); D.C. Code Ann. §47-2206(2).]</p> <p>BNA-SUTN DC 6.6.</p>

Florida	<p>The sale of electric power or energy by an electric utility is taxable because it is included in the definition of tangible personal property. [Fla. Stat. §212.02(19).] Effective July 1, 2014, the sales tax on purchases of electricity is reduced to 4.35 percent, and an additional 2.6 percent gross receipts tax is levied for a combined rate of 6.95 percent. [Fla. Stat. §212.05(1)(e)(1)(c); Fla. Stat. §203.01(1)(a)(3); 2014 H.B. 5601, effective July 1, 2014; Florida Dept. of Rev., 2014 Post-Legislative Review (Aug. 2014); Fla. Admin. Code Ann. r. 12AER-14-4, effective July 1, 2014 (adopts updates to Form DR-15N, Instructions for DR-15 Sales and Use Tax Return (R. 07/14) and Form DR-7N, Instructions for consolidated Sales and Use Tax Return (R. 07/14), to provide that taxable charges for electrical power or energy are subject to a combined rate of 6.95 percent, plus discretionary sales surtax.]</p> <p>The sale of electric power or energy for use in residential households to owners of residential models, or to licensed family day care homes by utilities who are required to pay the gross receipts tax is exempt. However, if any part of the electric power or energy is used for a non-exempt purpose, the entire sale is subject to tax. [Fla. Stat. §212.08(7)(j); Fla. Admin. Code Ann. r. 12A-1.053.]</p> <p>BNA-SUTN FL 6.6.</p>
Georgia	<p>Unless a specific exemption applies, Georgia requires the payment of sales tax on the sale of natural or artificial gas, oil, electricity, steam, solid fuel, and any other energy-providing materials when made to a purchaser for purposes other than resale. [Ga. Code Ann. §48-8-30; Ga. Code Ann. §48-8-2(31)(A); Ga. Comp. R. & Regs. r. 560-12-2-.32(1).] In addition, sales tax is imposed on sales of local telephone services. [Ga. Code Ann. §48-8-2(31)(A).] The tax, however, does not apply to deposits used to guarantee payment of utility services. [Ga. Comp. R. & Regs. r. 560-12-2-.32(1).] Water service delivered through pipes or mains is exempt from tax. [Ga. Code Ann. § 48-8-3(20); Ga. Comp. R. & Regs. r. 560-12-2-.32(2).]</p> <p>BNA-SUTN GA 6.6.</p>
Hawaii	<p>Sales of electric power to a public utility company for resale to the public are subject to tax. [Haw. Rev. Stat. §237-13.5] Public utilities subject to the public service company tax and those owned and operated by Hawaii, its counties, or other political subdivisions are exempt from the general excise tax. [Haw. Rev. Stat. §237-23(a).] Public service companies are exempt if they are subject to Chapter 239 of the Public Service Company Tax. [Haw. Rev. Stat. §237-23(a).] Public utilities do not include property owners that sell electricity generated by renewable energy systems located on their property to their tenant or to electric utilities. Such sales of electricity are subject to general excise tax. [Haw. Rev. Stat. §269-1, as amended by 2013 Haw. S.B. 19, effective Jul. 3, 2013; Hawaii Announcement No. 2013-23.]</p> <p>BNA-SUTN HI 6.6.</p>
Idaho	<p>The sale or purchase of electricity, natural gas, and water are exempt from taxation when delivered to consumers at the place of consumption by means of pipes, wires, mains, or similar systems. [Idaho Code §63-3622F.]</p> <p>BNA-SUTN ID 6.6.</p>
Illinois	<p>The sale of electricity and natural gas is not subject to sales and use tax because electricity is taxed under the Electricity Excise Tax Law and natural gas is taxed under the Gas Revenue Tax Act or the Gas Use Tax Law. [Ill. Admin. Code tit. 86, §130.120(ccc); see also Illinois General Information Letter ST 03-0135-GIL (Aug. 21, 2003).] Electricity delivered to customers through wires; natural or artificial gas delivered to customers through pipes, pipelines, or mains; and water delivered to customers through pipes, pipelines or mains are not subject to sales and use tax. [35 ILCS 105/3, as amended by 2013 Ill. S.B. 2243, effective Jan. 1, 2014; 35 ILCS 110/3, as amended by 2013 Ill. S.B. 2243, effective Jan. 1, 2014; 35 ILCS 115/3, as amended by 2013 Ill. S.B. 2243, effective Jan. 1, 2014; 35 ILCS 120/2, as amended by 2013 Ill. S.B. 2243, effective Jan. 1, 2014; Ill. Admin. Code tit. 86, §130.120(ccc).]</p> <p>BNA-SUTN IL 6.6.</p>
Indiana	<p>In general, the furnishing or sale of electrical energy, natural or artificial gas, water, steam, or steam heating service to customers for commercial or domestic consumption is subject to tax. [Ind. Code Ann. §6-2.5-4-5(b); Ind. Admin. Code tit. 45, r. 2.2-4-11.]</p> <p>BNA-SUTN IN 6.6.</p>
Iowa	<p>The sale or furnishing of gas, electricity, water, and heat are subject to tax when sold at retail to consumers or users. [Iowa Code Ann. §423.2(2).]</p> <p>BNA-SUTN IA 6.6.</p>
Kansas	<p>Generally, the furnishing of heat, gas, water, and electricity is subject to the sales and use tax in Kansas. [Kan. Stat. Ann. §79-3603(c); Kan. Stat. Ann. §79-3703.]</p> <p>BNA-SUTN KS 6.6.</p>
Kentucky	<p>The nonresidential sale of electricity, water, natural gas, and sewer services is subject to sales and use tax. Kentucky specifically exempts from tax the gross receipts from the sale of sewer, water, and fuel services for residential use. [Ky. Rev. Stat. Ann. §139.470(8)(a).]</p> <p>BNA-SUTN KY 6.6.</p>

Louisiana	<p>The following utilities sold directly to the consumer for residential use are generally not subject to Louisiana sales and use tax: steam; water; electricity; and natural gas. [La. Rev. Stat. Ann. §47:305(D)(1)(b); La. Rev. Stat. Ann. §47:305(D)(1)(c); La. Rev. Stat. Ann. §47:305(D)(1)(d); La. Rev. Stat. Ann. §47:305(D)(1)(g); Louisiana Publication R-1002.]</p> <p>Effective July 1, 2015, through Aug. 5, 2016, House Concurrent Resolution No. 8 suspends this exemption to the extent that it applies to the combined 1 percent portion of the tax imposed under La. Rev. Stat. Ann. §47:331 and La. Rev. Stat. Ann. §51:1286 on the following utilities used by businesses: steam; water; electricity; natural gas; any materials or energy sources used to fuel the generation of electric power for resale or used by an industrial manufacturing plant for self-consumption or cogeneration; or any energy sources used for boiler fuel other than refinery gas. Accordingly, from July 1, 2015, through Aug. 5, 2016, these utilities are subject to tax at the rate of 1 percent when sold for business use. [2015 La. H.C.R. 8, effective July 1, 2015; Louisiana Revenue Information Bulletin 15-016 (June 29, 2015); Louisiana Publication R-1002.]</p> <p>BNA-SUTN LA 6.6.</p>
Maine	<p>The sale and delivery of the first 750 kilowatt hours of residential electricity per month, as well as off-peak residential electricity used for space heating or water heating by electric thermal storage devices, is exempt from sales tax. [Me. Rev. Stat. Ann. § 1760(9) B), as amended by 2012 Me. L.D. 1655, effective May 21, 2012 (expanding the exemption to include off-peak residential electricity); Maine Instructional Bulletin No. 13.]</p> <p>BNA-SUTN ME 6.6.</p>
Maryland	<p>A transportation service for transmission, distribution, or delivery of electricity or natural gas is a taxable service if the sale or use of the electricity or natural gas is subject to the sales and use tax. [Md. Code Ann. Tax-Gen. §11-101(m)(11).]</p> <p>BNA-SUTN MD 6.6.</p>
Massachusetts	<p>The Commonwealth includes electricity, gas, and steam within the definition of tangible personal property. [Mass. Gen. L. ch. 64H, §1, "tangible personal property"; One Boston Place LLC v. Massachusetts Comr. of Rev., No. C277094 (Mass. App. Tax Bd. Jan. 17, 2007) (a purchaser of electricity may not appeal a sales tax assessment because the incidence of tax falls upon the vendor).] As tangible personal property, these utilities are subject to tax. [Mass. Gen. L. ch. 64H, §2.]</p> <p>BNA-SUTN MA 6.6.</p>
Michigan	<p>Michigan imposes sales and use tax on sales of gas, electricity, or steam, whether sold by a public or private utility. [Mich. Comp. Laws §205.51a(q); Mich. Comp. Laws §205.93a(1)(e); Mich. Admin. Code r. 205.115(1).] However, the sale of electricity, gas, or steam is not subject to sales or use tax when used in the manufacturing process. [Mich. Admin. Code r. 205.115(1).]</p> <p>BNA-SUTN MI 6.6.</p>
Minnesota	<p>Under Minnesota law, the furnishing of electricity, gas, water, or steam for use or consumption is generally considered a taxable sale. [Minn. Stat. §297A.61(3)(e); Minnesota Sales Tax Fact Sheet 157.]</p> <p>BNA-SUTN MN 6.6.</p>
Mississippi	<p>Mississippi imposes sales and use tax upon the sales of electricity, natural gas, liquefied petroleum gas, or other fuels, and services related to providing such services, when sold by an electric power association, natural gas district, municipalities, privately owned businesses, or any other person or business. Sales of utilities are taxed at the regular tax rate of 7 percent. However, the sales of utilities are exempt when sold for residential purposes, such as heating and lighting. [Miss. Code Ann. §27-65-19(1)(a); Miss. Regs. §35.IV.06.01.101; Miss. Regs. §35.IV.06.01.201.]</p> <p>BNA-SUTN MS 6.6.</p>
Missouri	<p>Providing electricity, electrical current, water and gas to domestic, commercial, or industrial users is generally subject to tax. [Mo. Rev. Stat. §144.020.1(3).] However, there exists a residential use exemption as well as exemptions for various manufacturing and agricultural uses. However, natural gas used in the primary manufacture of fuel ethanol is exempt. [Mo. Rev. Stat. §144.030.2(22), as amended by H.B. 600, enacted and effective on July 1, 2003; see also Missouri Letter LR3453 (a wind turbine, which consisted of a tower, blades, nacelle, foundation, and generation equipment, was exempt from sales tax under Mo. Ann. Stat. §144.030.2(5) because it was used directly in generating electricity).]</p> <p>BNA-SUTN MO 6.6.</p>
Montana	<p>Montana does not impose a sales tax.</p> <p>BNA-SUTN MT 6.6.</p>
Nebraska	<p>The gross receipts from the furnishing of gas, sewer, water services, and electricity services, other than electricity supplied to customer-generators are subject to tax. [Nebraska Rev. Stat. §70-2002(1).] A customer-generator is an end-use electricity customer that generates electricity on the customer's side of the meter. For customer-generators, only the net energy use upon billing or statements is subject to tax. [Nebraska Rev. Stat. §77-2701.16(2)(c)(ii), as amended by 2013 Neb. L.B. 90, effective June 5, 2013.] Use tax applies to the connection and installation of cable TV "house drops," regardless of whether the services are provided by independent contractors or by the franchised cable TV company, the Supreme Court of Nebraska held in Cox Cable of Omaha Inc. v. Nebraska Dept. of Rev., 578 N.W.2d 423 (Neb. 1998). [See also Nebraska Revenue Ruling 01-09-2 (gross sales of electricity by utility to net-metering customer-generator subject to sales tax; sale of surplus electricity by customer-generator to utility exempt from sales tax as sale for resale).]</p> <p>BNA-SUTN NE 6.6.</p>

Nevada	<p>Nevada exempts from sales and use tax the sale, furnishing, storage, consumption, or other use within the state of electricity, gas, and water so long as delivered to consumers via lines, mains, or pipes. [Nev. Rev. Stat. ch. 32, §372.295.]</p> <p>BNA-SUTN NV 6.6.</p>
New Hampshire	<p>New Hampshire does not impose a sales tax.</p> <p>BNA-SUTN NH 6.6.</p>
New Jersey	<p>Utility services are subject to tax. [N.J. Rev. Stat. §54:32B-3(b)(7).]</p> <p>However, New Jersey exempts from tax gas other than natural gas, water, steam, and fuel delivered to consumers through mains, lines, pipe, or in containers or bulk. [N.J. Rev. Stat. §54:32B-8.7.]</p> <p>BNA-SUTN NJ 6.6.</p>
New Mexico	<p>Generally, businesses who sell utilities are subject to the gross receipts tax if they are engaging in business and have receipts from the sale of tangible personal property. [N.M. Stat. Ann. §7-9-4.]</p> <p>BNA-SUTN NM 6.6.</p>
New York	<p>Receipts from the sale of gas, electricity, refrigeration, and steam, as well as gas, electric, refrigeration, steam, telephony and telegraphy, telephone answering, and prepaid telephone calling services are subject to the sales and use tax. [N.Y. Tax Law §1105(b)(1); see In re British Airways P.L.C., Nos. 818259 and 818429 (N.Y. Tax App. Trib. June 3, 2004) (chilled and heated water services not taxable refrigeration or steam services); see also In re Mutual Redevelopment Houses Inc., No. 817075, (N.Y. Tax App. Trib. June 6, 2002); N.Y. Dept. of Taxn. and Fin., New York TSB-M-99(1)S (Jan. 1, 1999) (services of both sellers and providers of electricity and gas are subject to sales and use tax); N.Y. Dept. of Taxn. and Fin., New York TSB-A-00(27)S (July 21, 2000) (fee charged by a utility for transporting gas and electricity sold by third-party vendors is subject to state and local tax because it is a taxable service); N.Y. Dept. of Taxn. and Fin., New York TSB-A-05(32)S (Aug. 18, 2005) (corporation that charges its customers for the use of cables that transmit communications without actually providing the equipment or energy source for transmission is not subject to sales tax); N.Y. Dept. of Taxn. and Fin., New York TSB-A-07(20)S (July 26, 2007) (taxpayer's transactions in the virtual electric market were not sales of electricity or electric services subject to sales tax because virtual bids, which were not the purchase or sale of any taxable items or services, were separate from bids for the physical purchase and sale of electricity)..] Certain residential utilities are excluded from sales and use tax.</p>
New York City	<p>New York City generally imposes tax on the same sales and services taxed at the state level. [N.Y. Tax Law §1210(a)(1).] Unless otherwise provided, New York state taxes the receipts from the sale of gas, electricity, refrigeration, and steam, as well as gas, electric, refrigeration, and steam services. [N.Y. Tax Law §1105(b)(1); New York Notice N-09-12 (July 2009).]</p> <p>BNA-SUTN NYC 6.6.</p>
North Carolina	<p>For sales of electricity billed prior to July 1, 2014, the gross receipts derived from sales of electricity are subject to 3 percent sales tax. [N.C. Gen. Stat. §105-164.4(a)(14), enacted by 2014 N.C. S.B. 790, effective June 30, 2014;]</p> <p>For sales of electricity billed on or after July 1, 2014, such gross receipts are subject to a combined 7 percent state and local sales tax unless the sales are exempt under N.C. Gen. Stat. §105-164.13. [N.C. Gen. Stat. §105-164.4(a)(9), as amended by 2013 N.C. H.B. 998, effective July 1, 2014; N.C. Gen. Stat. §105-164.3(4a).]</p> <p>Sales of bottled gas, coal, coke, fuel oil, oxygen, acetylene, hydrogen, liquefied petroleum gas, or other combustibles to users or consumers are subject to the general rate of state tax and any applicable local sales or use tax except those sales that are otherwise exempt under N.C. Gen. Stat. §105-164.13. [North Carolina Sales and Use Tax Bulletin Section 39-1.B.1 (Dec. 1, 2008).]</p> <p>BNA-SUTN NC 6.6.</p>
North Dakota	<p>The definition of tangible personal property includes electricity, water, gas and steam. [N.D. Cent. Code §57-39.2-01.25; N.D. Cent. Code §57-39.2-04(27); N.D. Cent. Code §57-39.2-04(53).] The provision of these utilities, other than electricity and natural gas, is generally subject to tax in North Dakota.</p> <p>BNA-SUTN ND 6.6.</p>
Ohio	<p>Ohio exempts from taxation the sale of certain fuels delivered by a utility company, including the sale of water by a water-works company, steam by a heating company, and natural gas by a natural gas company. In order to be exempt, the utility being delivered must be done via a system of pipes or conduits. Sales of electricity delivered through wires also are exempt. [Ohio Rev. Code Ann. §5739.02(B)(7).]</p> <p>Ohio exempts from sales and use tax the sale of water for residential use, and the sale of water by a nonprofit corporation working exclusively in the treatment, distribution, and sale of water to consumers, so long as the water provided is delivered to consumers through pipes or tubing. [Ohio Rev. Code Ann. §5739.02(B)(25).]</p> <p>BNA-SUTN OH 6.6.</p>
Oklahoma	<p>Oklahoma imposes sales tax upon the sale of natural or artificial gas, electricity, steam, ice, or any other public utility or public service. However, water, sewage, and refuse are not subject to tax. [Okla. Stat. Ann. tit. 68, §1354(A)(2); Okla. Admin. Code §710:65-19-341(a).]</p> <p>Oklahoma exempts from state sales tax the sale of natural or artificial gas and electricity sold exclusively for residential use. However, such sales still may be subject to local sales tax. [Okla. Stat. Ann. tit. 68, §1357(8); Okla. Admin. Code §710:65-19-341(b).]</p> <p>BNA-SUTN OK 6.6.</p>

Oregon	<p>Oregon does not impose a sales tax.</p> <p>BNA-SUTN OR 6.6.</p>
Pennsylvania	<p>Nonresidential sales of electricity, steam, gas, and fuel oil are taxable. [72 Pa. Stat. §7201(m); 72 Pa. Stat. §7204(5); see also Spectrum Arena LP v. Commonwealth, 921 A.2d 585 (Pa. Commw. Ct. 2007) (overall purchase price of electricity includes delivery charges because generation and transmission of electricity must be bundled to reach customer, even though electricity technically delivered by an entity other than the vendor).] Electricity, steam, gas, and fuel oil purchased or consumed for residential use is exempt from sales and use tax. [72 Pa. Stat. §7204(5).]</p> <p>BNA-SUTN PA 6.6.</p>
Rhode Island	<p>Generally, Rhode Island imposes the sales and use tax upon the furnishing and distributing of refrigeration, steam, and water. [R.I. Gen. Laws §44-18-7(8); R.I. Gen. Laws §44-18-12.1.] Prior to July 1, 2015, Rhode Island exempted the furnishing and distribution of heating fuels, electricity and gas (when used for residential purposes) from state sales and use tax. Effective July 1, 2015, all sales of heating fuels, electricity and gas are exempt from Rhode Island's 7 percent sales and use tax. [R.I. Gen. Laws §44-18-30(20); R.I. Gen. Laws §44-18-30(21); Rhode Island Tax Notice 2015-03.]</p> <p>When used for residential purposes, Rhode Island exempts from sales and use tax the furnishing and distribution of water. [R.I. Gen. Laws §44-18-30(28).]</p> <p>BNA-SUTN RI 6.6.</p>
South Carolina	<p>In South Carolina, sales of electricity are included within the definition of tangible personal property and are subject to sales tax. [S.C. Code Ann. §12-36-60; S.C. Code Ann. §12-36-910(B)(2).]</p> <p>South Carolina law exempts sales of electricity, natural gas, fuel oil, kerosene, LP gas, coal, or any other combustible heating material or substance that is used for residential purposes. [S.C. Code Ann. §12-36-2120(33); 117 S.C. Code Regs. §323.]</p> <p>In South Carolina, water sold by a public utility company is exempt from sales and use tax if the rates charged are of the kind determined by the Public Service Commission. Additionally, water sold by a non-profit organization is an exempt transaction. [S.C. Code Ann. §12-36-2120(12).]</p> <p>BNA-SUTN SC 6.6.</p>
South Dakota	<p>Generally, South Dakota taxes gas, electricity, and water transactions when sold, furnished, or serviced at retail to South Dakota consumers or users. This includes gross receipts from those sales by any municipal corporation that primarily furnishes gas and electricity to the public. [S.D. Codified Laws Ann. §10-45-6.] Utility connection and reconnection services are taxable too. [S.D. Admin. R. 64:06:03:13.] In contrast, water supply, refuse and sewerage utility services are tax-exempt. [S.D. Codified Laws Ann. §10-45-12.1.]</p> <p>BNA-SUTN SD 6.6.</p>
Tennessee	<p>Electricity, water, gas, and steam are included in Tennessee's definition of tangible personal property. Sales of such utilities are generally taxable when sold to businesses. [Tenn. Code Ann. §67-6-102(91)(A).] Sales of electricity, gas, and steam for residential use are exempt. [Tenn. Code Ann. §67-6-334(a).]</p> <p>BNA-SUTN TN 6.6.</p>
Texas	<p>In Texas, the furnishing of natural gas or electricity is a sale of tangible personal property. [Tex. Admin. Code §3.295(b); see also Texas Tax Publication 96-1309 (tax information for retail sellers of electricity); Texas Tax Publication 96-259 (taxable services generally).] Broadly, sales of electricity transmission or distribution to an end-use customer by a transmission and distribution utility are taxable if the customer's electricity consumption is subject to tax. [Texas Tax Publication 96-259.]</p> <p>BNA-SUTN TX 6.6.</p>
Utah	<p>Utah specifically taxes the sale of gas, electricity, heat, coal, fuel oil, or other fuels when purchased for commercial purposes. [Utah Code Ann. §59-12-103(1)(c).]</p> <p>The sale of gas, electricity, heat, coal, fuel oil, or other fuels purchased for residential use is subject to tax. [Utah Code Ann. §59-12-103(1)(d).]</p> <p>Utah law provides for an exemption from sales and use tax for utilities purchased or used for industrial use. [Utah Code Ann. §59-12-104(39).]</p> <p>BNA-SUTN UT 6.6.</p>

Vermont	<p>Vermont imposes sales tax of 6 percent of the sales price on public utility services, including gas and electricity, but excluding water and transportation. [Vt. Stat. Ann. tit. 32, §9771(2).]</p> <p>The sales of electricity, oil, gas, and other fuels, except free-standing containers of propane, used for residential purposes are exempt from sales and use tax. [Vt. Stat. Ann. tit. 32, §9741(26), as amended by, 2014 Vt. H. 884, effective July 1, 2014.] However, Vermont imposes a fuel gross receipts tax upon all fuels used for residential purposes. [Vt. Stat. Ann. tit. 33, §2503(a), as amended by, 2014 Vt. H. 884 effective July 1, 2014.] Beginning July 1, 2014, propane sold for residential use in free-standing canisters and the exchange of an empty canister for a full one are subject to sales tax. However, the refilling of a canister for a residential customer is not subject to tax. [Vt. Stat. Ann. tit. 32, §9741(26), as amended by, 2014 Vt. H. 884, effective July 1, 2014; Vermont Tax Fact Sheet FS-1052.]</p> <p>Vermont exempts from sales and use tax electricity, oil, gas and other fuels used directly and exclusively for farming or used directly or indirectly in manufacturing tangible personal property for sale. [Vt. Stat. Ann. tit. 32, §9741(27); Vt. Stat. Ann. tit. 32, §9741(34).]</p> <p>BNA-SUTN VT 6.6.</p>
Virginia	<p>Gas, electricity, or water is exempt from sales and use tax when it is delivered to consumers through mains, lines, or pipes. [Va. Code Ann. §58.1-609.1(3).] In addition, artificial or propane gas, firewood, coal, or heating oil is exempt so long as it is used for domestic consumption. [Va. Regs. §10-210-630(A); Va. Code Ann. §58.1-609.10(1); Virginia Ruling of the Commissioner PD 10-259 (Nov. 19, 2010) (charcoal briquettes not exempt from sales tax because not included in list of exempt fuels).] Electricity that is delivered through a line from leased photovoltaic panels for domestic consumption also qualifies for the exemption. [Virginia Ruling of the Commissioner PD 14-57 (April 25, 2014) (leases of solar panels that enter a grid for conversion of the current for residential use was considered to be delivered to the resident through a line).]</p> <p>BNA-SUTN VA 6.6.</p>
Washington	<p>In Washington, sales or use of steam, electricity or electrical energy is exempt from sales and use tax. [Wash. Rev. Code §82.08.950; Wash. Rev. Code §82.12.950.]</p> <p>BNA-SUTN WA 6.6.</p>
West Virginia	<p>Sales of gas, steam, and water are exempt from taxation when sold to customers through mains or pipes. Likewise, electricity is exempt from taxation when sold to customers. [W. Va. Code §11-15-9(a)(1).]</p> <p>BNA-SUTN WV 6.6.</p>
Wisconsin	<p>The provision of utilities is generally subject to taxation. [See Wis. Stat. §77.51(20) (defining taxable tangible personal property to include electricity, gas, steam, and water).]</p> <p>BNA-SUTN WI 6.6.</p>
Wyoming	<p>Charges by public utilities for the furnishing of gas, electricity, or heat services for domestic, industrial, or commercial consumption are generally taxable. [Wyo. Stat. §39-15-103(a)(i)(E).]</p> <p>BNA-SUTN WY 6.6.</p>