

Michigan Chamber Litigation Center Files Amicus Brief Urging Michigan Supreme Court To Stop Double Taxation

LANSING, Mich., March 27, 2013 [/PRNewswire/](#) -- The Michigan Chamber Litigation Center today filed an amicus brief with the Michigan Supreme Court in ***Andrie, Inc. v. Department of Treasury***. The Litigation Center is taking a position in this case because of the Michigan Department of Treasury's decision to impose both the sales and use tax on the same transaction. If this unfair method of taxation is allowed to continue, taxpayers will be harmed as Michigan would be the only state in the nation that applies this form of double taxation.

"Michigan taxpayers should not be subject to this double taxation," stated Jim Holcomb, Senior Vice President for Business Advocacy and General Counsel for the Michigan Chamber of Commerce, on behalf of the Litigation Center. "No other state imposes both a sales tax and a use tax on the same transaction."

"The Treasury Department's methodology violates current law and puts Michigan's job providers at an economic disadvantage by discouraging purchases from Michigan retailers," Holcomb added. "The Michigan Chamber Litigation Center strongly opposes this practice of double taxation and we are asking the Court to halt the tactic unless voters change the State Constitution and the Legislature passes a statute providing the appropriate authority to follow such a tax structure."

This case was brought about because during audits of taxpayers, the Michigan Department of Treasury has been assessing sales tax on purchasers of property, while simultaneously assessing the tax on the seller of the same property transaction, resulting in the transaction being taxed twice. The Michigan constitution and law limits sales tax to 6% and is to be paid by the retailer.

"The Michigan Chamber is committed to strengthening taxpayers' rights and reigning in over-zealous interpretation of tax law," noted Tricia Kinley, Senior Director of Tax & Regulatory Reform for the Michigan Chamber. "This case is just one example of the Department's needless and wasteful tactics to get taxpayers to throw in the towel.

"We simply cannot stand by and let this unfair treatment continue," Kinley concluded.

A copy of the Chamber's amicus brief is available on the Chamber's website at www.michamber.com.

The Michigan Chamber Litigation Center is a non-profit organization dedicated to championing important precedent-setting legal issues before state and federal courts.

SOURCE Michigan Chamber of Commerce

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