

Catalog Group Supports ‘No Regulation Without Representation Act of 2017’

Washington, June 12, 2017 – The American Catalog Mailers Association (ACMA) formally endorses the No Regulation Without Representation Act of 2017, introduced today by Rep. Jim Sensenbrenner (R-WI). The trade group has spent the past year beating back rogue state bills designed to circumvent the U.S. Supreme Court precedent set in *Quill v. North Dakota*. The ACMA believes that Rep. Sensenbrenner’s bill will stop this overreach.

“More and more states have begun imposing regulatory burdens on out-of-state businesses that don’t have the means to fight back,” says ACMA President & Executive Director Hamilton Davison. “Rep. Sensenbrenner’s bill bars states from imposing tax or regulatory burdens on businesses that are not physically present in the state, which is good for remote sales businesses and their customers.”

Prohibited activities include dictating how an out-of-state business makes or disposes of its products, as well as imposing income or sales tax collection burdens on them. Physical presence is defined in the traditional way (*e.g.*, owning/leasing property, employees/contractors maintaining a market etc.), while excluding the more recent and questionable bases on which states have tried to shift regulatory burdens to out-of-state companies.

States remain free to regulate businesses within their borders and to insist that products entering their jurisdiction comply with national standards. This bill will still relieve catalog marketers and other remote retailers of the costs, complexities, and potential lost business due to these convoluted state laws.

Without impinging on states’ rights, this bill only triggers the Commerce Clause when states try to regulate beyond their borders. While not preventing resolution of the internet sales tax issue, the Sensenbrenner bill codifies the *Quill* precedent on physical presence in the taxing context to address a broader problem of cross-border regulation. It does not preclude a resolution of the sales tax issue that levels the playing field and recovers revenue for the states consistent with the physical presence principle.

In addition to Rep. Sensenbrenner's support, the bill is cosponsored by House Judiciary Committee Chairman Bob Goodlatte (R-VA), House Agriculture Committee Chairman Mike Conaway (R-TX), Freedom Caucus Chairman Mark Meadows (R-NC), Rep. Scott DesJarlais (R-TN), Rep. Glenn Grothman (R-WI), Rep. Tom McClintock (R-CA), and Rep. Dave Trott (R-MI).

About the American Catalog Mailers Association

ACMA is a Washington-based not-for-profit organization specifically created to advocate for the unique collective interests of catalog mailers in regulatory, public and administrative matters where the shared impact transcends individual company interests. ACMA participates in rulemaking and other proceedings of significance where a single collective voice increases influence and effectiveness. Membership is open to any party with significant interests in the catalog industry. More information can be found at www.catalogmailers.org.