



General Assembly

January Session, 2003

Amendment

LCO No. 3733

HB0649503733SR0

Offered by:

SEN. FREEDMAN, 26th Dist.

To: House Bill No. 6495

File No.

Cal. No.

(As Amended)

"AN ACT CONCERNING MODIFICATIONS TO CURRENT AND FUTURE STATE EXPENDITURES AND REVENUES."

1 Strike sections 22 and 23 and insert the following in lieu thereof:

2 "Sec. 22. Subdivisions (5) and (6) of subsection (a) of section 12-700
3 of the general statutes are repealed and the following is substituted in
4 lieu thereof (*Effective from passage and applicable to taxable years*
5 *commencing on or after January 1, 2003*):

6 (5) For taxable years commencing on or after January 1, 1999, but
7 prior to January 1, 2003, and for taxable years commencing on or after
8 January 1, 2005, in accordance with the following schedule:

9 (A) For any person who files a return under the federal income tax
10 for such taxable year as an unmarried individual or as a married
11 individual filing separately:

T1	Connecticut Taxable Income	Rate of Tax
T2	Not over \$10,000	3.0%
T3	Over \$10,000	\$300.00, plus 4.5% of the
T4		excess over \$10,000

12 (B) For any person who files a return under the federal income tax
 13 for such taxable year as a head of household, as defined in Section 2(b)
 14 of the Internal Revenue Code:

T5	Connecticut Taxable Income	Rate of Tax
T6	Not over \$16,000	3.0%
T7	Over \$16,000	\$480.00, plus 4.5% of the
T8		excess over \$16,000

15 (C) For any husband and wife who file a return under the federal
 16 income tax for such taxable year as married individuals filing jointly or
 17 any person who files a return under the federal income tax for such
 18 taxable year as a surviving spouse, as defined in Section 2(a) of the
 19 Internal Revenue Code:

T9	Connecticut Taxable Income	Rate of Tax
T10	Not over \$20,000	3.0%
T11	Over \$20,000	\$600.00, plus 4.5% of the
T12		excess over \$20,000

20 (D) For trusts or estates, the rate of tax shall be 4.5% of their
 21 Connecticut taxable income.

22 (6) For taxable years commencing on or after January 1, 2003, but
 23 prior to January 1, 2005, in accordance with the following schedule:

24 (A) For any person who files a return under the federal income tax
 25 for such taxable year as an unmarried individual or as a married
 26 individual filing separately:

T13	<u>Connecticut Taxable Income</u>	<u>Rate of Tax</u>
T14	<u>Not over \$10,000</u>	<u>3.0%</u>
T15	<u>Over \$10,000</u>	<u>\$300.00, plus 5.0% of the</u>
T16		<u>excess over \$10,000</u>

27 (B) For any person who files a return under the federal income tax
 28 for such taxable year as a head of household, as defined in Section 2(b)
 29 of the Internal Revenue Code:

T17	<u>Connecticut Taxable Income</u>	<u>Rate of Tax</u>
T18	<u>Not over \$16,000</u>	<u>3.0%</u>
T19	<u>Over \$16,000</u>	<u>\$480.00, plus 5.0% of the</u>
T20		<u>excess over \$16,000</u>

30 (C) For any husband and wife who file a return under the federal
 31 income tax for such taxable year as married individuals filing jointly or
 32 any person who files a return under the federal income tax for such
 33 taxable year as a surviving spouse, as defined in Section 2(a) of the
 34 Internal Revenue Code:

T21	<u>Connecticut Taxable Income</u>	<u>Rate of Tax</u>
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T22	<u>Not over \$20,000</u>	<u>3.0%</u>
T23	<u>Over \$20,000</u>	<u>\$600.00, plus 5.0% of the</u>
T24		<u>excess over \$20,000</u>

35 (D) For trusts or estates, the rate of tax shall be 5.0% of the
 36 Connecticut taxable income.

37 ~~[(6)]~~ (7) The provisions of this subsection shall apply to resident
 38 trusts and estates and, wherever reference is made in this subsection to
 39 residents of this state, such reference shall be construed to include
 40 resident trusts and estates, provided any reference to a resident's
 41 Connecticut adjusted gross income derived from sources without this
 42 state or to a resident's Connecticut adjusted gross income shall be
 43 construed, in the case of a resident trust or estate, to mean the resident
 44 trust or estate's Connecticut taxable income derived from sources
 45 without this state and the resident trust or estate's Connecticut taxable
 46 income, respectively.

47 Sec. 23. *(Effective from passage)* The Commissioner of Revenue
 48 Services shall adjust the withholding tables issued for purposes of
 49 administering the personal income tax imposed under chapter 229 of
 50 the general statutes to take account of any changes in such tax made by
 51 this act and, on or before March 1, 2003, shall issue new withholding
 52 tables applicable to taxable years commencing on or after January 1,
 53 2003, but prior to January 1, 2005, provided the tables applicable to the
 54 period from March 1, 2003, to June 30, 2003, shall provide for the
 55 collection of a tax computed in such manner as to result, so far as
 56 practicable, in withholding from the employee's wages during such
 57 period an amount substantially equivalent to the tax reasonably
 58 estimated to be due from the employee under said chapter 229 with
 59 respect to the amount of such wages during a six-month period and
 60 further provided the tables applicable to any period after June 30, 2003,
 61 shall be prepared as provided in section 12-705 of the general statutes."

62 Strike sections 25 to 28, inclusive, and insert the following in lieu
63 thereof:

64 "Sec. 25. Subdivision (1) of section 12-408 of the general statutes is
65 repealed and the following is substituted in lieu thereof (*Effective from*
66 *passage and applicable to sales occurring on or after April 1, 2003*):

67 (1) For the privilege of making any sales, as defined in subdivision
68 (2) of subsection (a) of section 12-407, at retail, in this state for a
69 consideration, a tax is hereby imposed on all retailers at the rate of six
70 per cent of the gross receipts of any retailer from the sale of all tangible
71 personal property sold at retail or from the rendering of any services
72 constituting a sale in accordance with subdivision (2) of subsection (a)
73 of section 12-407, except, in lieu of said rate of six per cent, (A) at a rate
74 of twelve per cent with respect to each transfer of occupancy, from the
75 total amount of rent received for such occupancy of any room or
76 rooms in a hotel or lodging house for the first period not exceeding
77 thirty consecutive calendar days, (B) with respect to the sale of a motor
78 vehicle to any individual who is a member of the armed forces of the
79 United States and is on full-time active duty in Connecticut and who is
80 considered, under 50 App USC 574, a resident of another state, or to
81 any such individual and the spouse thereof, at a rate of four and
82 one-half per cent of the gross receipts of any retailer from such sales,
83 provided such retailer requires and maintains a declaration by such
84 individual, prescribed as to form by the commissioner and bearing
85 notice to the effect that false statements made in such declaration are
86 punishable, or other evidence, satisfactory to the commissioner,
87 concerning the purchaser's state of residence under 50 App USC 574,
88 (C) (i) with respect to the sales of computer and data processing
89 services occurring on or after July 1, 1997, and prior to July 1, 1998, at
90 the rate of five per cent, on or after July 1, 1998, and prior to July 1,
91 1999, at the rate of four per cent, on or after July 1, 1999, and prior to
92 July 1, 2000, at the rate of three per cent, on or after July 1, 2000, and
93 prior to July 1, 2001, at the rate of two per cent, on or after July 1, 2001,
94 and prior to July 1, 2004, at the rate of one per cent and on and after
95 July 1, 2004, such services shall be exempt from such tax, (ii) with

96 respect to sales of Internet access services, on and after July 1, 2001,
97 such services shall be exempt from such tax, (D) with respect to the
98 sales of labor that is otherwise taxable under subparagraph (C) or (G)
99 of subdivision (2) of subsection (a) of section 12-407 on existing vessels
100 and repair or maintenance services on vessels occurring on and after
101 July 1, 1999, such services shall be exempt from such tax, [and] (E) with
102 respect to patient care services for which payment is received by the
103 hospital on or after July 1, 1999, and prior to July 1, 2001, and with
104 respect to such services for which payment is received by the hospital
105 on or after July 1, 2003, at the rate of five and three-fourths per cent,
106 and (F) with respect to sales of advertising or public relations services,
107 including layout, art direction, graphic design, mechanical preparation
108 or production supervision, related to the development of media
109 advertising or cooperative direct mail advertising, occurring on or
110 after April 1, 2003, but prior to April 1, 2005, at the rate of three per
111 cent. The rate of tax imposed by this chapter shall be applicable to all
112 retail sales upon the effective date of such rate, except that a new rate
113 which represents an increase in the rate applicable to the sale shall not
114 apply to any sales transaction wherein a binding sales contract without
115 an escalator clause has been entered into prior to the effective date of
116 the new rate and delivery is made within ninety days after the effective
117 date of the new rate. For the purposes of payment of the tax imposed
118 under this section, any retailer of services taxable under subparagraph
119 (I) of subdivision (2) of subsection (a) of section 12-407, who computes
120 taxable income, for purposes of taxation under the Internal Revenue
121 Code of 1986, or any subsequent corresponding internal revenue code
122 of the United States, as from time to time amended, on an accounting
123 basis which recognizes only cash or other valuable consideration
124 actually received as income and who is liable for such tax only due to
125 the rendering of such services may make payments related to such tax
126 for the period during which such income is received, without penalty
127 or interest, without regard to when such service is rendered.

128 Sec. 26. Subdivision (1) of section 12-411 of the general statutes is
129 repealed and the following is substituted in lieu thereof (*Effective from*

130 *passage and applicable to sales occurring on or after April 1, 2003):*

131 (1) An excise tax is hereby imposed on the storage, acceptance,
132 consumption or any other use in this state of tangible personal
133 property purchased from any retailer for storage, acceptance,
134 consumption or any other use in this state, the acceptance or receipt of
135 any services constituting a sale in accordance with subdivision (2) of
136 subsection (a) of section 12-407, purchased from any retailer for
137 consumption or use in this state, or the storage, acceptance,
138 consumption or any other use in this state of tangible personal
139 property which has been manufactured, fabricated, assembled or
140 processed from materials by a person, either within or without this
141 state, for storage, acceptance, consumption or any other use by such
142 person in this state, to be measured by the sales price of materials, at
143 the rate of six per cent of the sales price of such property or services,
144 except, in lieu of said rate of six per cent, (A) at a rate of twelve per
145 cent of the rent paid for occupancy of any room or rooms in a hotel or
146 lodging house for the first period of not exceeding thirty consecutive
147 calendar days, (B) with respect to the storage, acceptance, consumption
148 or use in this state of a motor vehicle purchased from any retailer for
149 storage, acceptance, consumption or use in this state by any individual
150 who is a member of the armed forces of the United States and is on
151 full-time active duty in Connecticut and who is considered, under 50
152 App USC 574, a resident of another state, or to any such individual
153 and the spouse of such individual at a rate of four and one-half per
154 cent of the sales price of such vehicle, provided such retailer requires
155 and maintains a declaration by such individual, prescribed as to form
156 by the commissioner and bearing notice to the effect that false
157 statements made in such declaration are punishable, or other evidence,
158 satisfactory to the commissioner, concerning the purchaser's state of
159 residence under 50 App USC 574, (C) with respect to the acceptance or
160 receipt in this state of labor that is otherwise taxable under
161 subparagraph (C) or (G) of subdivision (2) of subsection (a) of section
162 12-407 on existing vessels and repair or maintenance services on
163 vessels occurring on and after July 1, 1999, such services shall be

164 exempt from such tax, (D) (i) with respect to the acceptance or receipt
165 in this state of computer and data processing services purchased from
166 any retailer for consumption or use in this state occurring on or after
167 July 1, 1997, and prior to July 1, 1998, at the rate of five per cent of such
168 services, on or after July 1, 1998, and prior to July 1, 1999, at the rate of
169 four per cent of such services, on or after July 1, 1999, and prior to July
170 1, 2000, at the rate of three per cent of such services, on or after July 1,
171 2000, and prior to July 1, 2001, at the rate of two per cent of such
172 services, on and after July 1, 2001, and prior to July 1, 2004, at the rate
173 of one per cent of such services and on and after July 1, 2004, such
174 services shall be exempt from such tax, and (ii) with respect to the
175 acceptance or receipt in this state of Internet access services, on or after
176 July 1, 2001, such services shall be exempt from tax, [and] (E) with
177 respect to the acceptance or receipt in this state of patient care services
178 purchased from any retailer for consumption or use in this state for
179 which payment is received by the hospital on or after July 1, 1999, and
180 prior to July 1, 2001, and with respect to acceptance or receipt in this
181 state of such services for which payment is received by the hospital on
182 or after July 1, 2003, at the rate of five and three-fourths per cent, and
183 (F) with respect to sales of advertising or public relations services,
184 including layout, art direction, graphic design, mechanical preparation
185 or production supervision, related to the development of media
186 advertising or cooperative direct mail advertising, occurring on or
187 after April 1, 2003, but prior to April 1, 2005, at the rate of three per
188 cent.

189 Sec. 27. Subdivision (37) of subsection (a) of section 12-407 of the
190 general statutes is repealed and the following is substituted in lieu
191 thereof (*Effective April 1, 2003, and applicable to sales occurring on or after*
192 *April 1, 2003*):

193 (37) "Services" for purposes of subdivision (2) of this subsection,
194 means:

195 (A) Computer and data processing services, including, but not
196 limited to, time, programming, code writing, modification of existing

197 programs, feasibility studies and installation and implementation of
198 software programs and systems even where such services are rendered
199 in connection with the development, creation or production of canned
200 or custom software or the license of custom software, and exclusive of
201 services rendered in connection with the creation, development
202 hosting or maintenance of all or part of a web site which is part of the
203 graphical, hypertext portion of the Internet, commonly referred to as
204 the World Wide Web;

205 (B) Credit information and reporting services;

206 (C) Services by employment agencies and agencies providing
207 personnel services;

208 (D) Private investigation, protection, patrol work, watchman and
209 armored car services, exclusive of services of off-duty police officers
210 and off-duty firefighters;

211 (E) Painting and lettering services;

212 (F) Photographic studio services;

213 (G) Telephone answering services;

214 (H) Stenographic services;

215 (I) Services to industrial, commercial or income-producing real
216 property, including, but not limited to, such services as management,
217 electrical, plumbing, painting and carpentry and excluding any such
218 services rendered in the voluntary evaluation, prevention, treatment,
219 containment or removal of hazardous waste, as defined in section
220 22a-115, or other contaminants of air, water or soil, provided
221 income-producing property shall not include property used
222 exclusively for residential purposes in which the owner resides and
223 which contains no more than three dwelling units, or a housing facility
224 for low and moderate income families and persons owned or operated
225 by a nonprofit housing organization, as defined in subdivision (29) of
226 section 12-412;

227 (J) Business analysis, management, management consulting and
228 public relations services, excluding (i) any environmental consulting
229 services, (ii) any training services provided by an institution of higher
230 education licensed or accredited by the Board of Governors of Higher
231 Education pursuant to section 10a-34, and (iii) on and after January 1,
232 1994, any business analysis, management, management consulting and
233 public relations services when such services are rendered in connection
234 with an aircraft leased or owned by a certificated air carrier or in
235 connection with an aircraft which has a maximum certificated take-off
236 weight of six thousand pounds or more;

237 (K) Services providing "piped-in" music to business or professional
238 establishments;

239 (L) Flight instruction and chartering services by a certificated air
240 carrier on an aircraft, the use of which for such purposes, but for the
241 provisions of subdivision (4) of section 12-410 and subdivision (12) of
242 section 12-411, would be deemed a retail sale and a taxable storage or
243 use, respectively, of such aircraft by such carrier;

244 (M) Motor vehicle repair services, including any type of repair,
245 painting or replacement related to the body or any of the operating
246 parts of a motor vehicle;

247 (N) Motor vehicle parking, including the provision of space, other
248 than metered space, in a lot having thirty or more spaces, excluding (i)
249 space in a seasonal parking lot provided by a person who is exempt
250 from taxation under this chapter pursuant to subdivision (1), (5) or (8)
251 of section 12-412, (ii) space in a parking lot owned or leased under the
252 terms of a lease of not less than ten years' duration and operated by an
253 employer for the exclusive use of its employees, (iii) valet parking
254 provided at any airport, and (iv) space in municipally-operated
255 railroad parking facilities in municipalities located within an area of
256 the state designated as a severe nonattainment area for ozone under
257 the federal Clean Air Act or space in a railroad parking facility in a
258 municipality located within an area of the state designated as a severe

259 nonattainment area for ozone under the federal Clean Air Act owned
260 or operated by the state on or after April 1, 2000;

261 (O) Radio or television repair services;

262 (P) Furniture reupholstering and repair services;

263 (Q) Repair services to any electrical or electronic device, including,
264 but not limited to, equipment used for purposes of refrigeration or
265 air-conditioning;

266 (R) Lobbying or consulting services for purposes of representing the
267 interests of a client in relation to the functions of any governmental
268 entity or instrumentality;

269 (S) Services of the agent of any person in relation to the sale of any
270 item of tangible personal property for such person, exclusive of the
271 services of a consignee selling works of art, as defined in subsection (b)
272 of section 12-376c, or articles of clothing or footwear intended to be
273 worn on or about the human body other than (i) any special clothing
274 or footwear primarily designed for athletic activity or protective use
275 and which is not normally worn except when used for the athletic
276 activity or protective use for which it was designed, and (ii) jewelry,
277 handbags, luggage, umbrellas, wallets, watches and similar items
278 carried on or about the human body but not worn on the body in the
279 manner characteristic of clothing intended for exemption under
280 subdivision (47) of section 12-412, as amended by this act, under
281 consignment, exclusive of services provided by an auctioneer;

282 (T) Locksmith services;

283 (U) Advertising or public relations services, including layout, art
284 direction, graphic design, mechanical preparation or production
285 supervision; [, not related to the development of media advertising or
286 cooperative direct mail advertising;]

287 (V) Landscaping and horticulture services;

- 288 (W) Window cleaning services;
- 289 (X) Maintenance services;
- 290 (Y) Janitorial services;
- 291 (Z) Exterminating services;
- 292 (AA) Swimming pool cleaning and maintenance services;
- 293 (BB) Miscellaneous personal services included in industry group 729
294 in the Standard Industrial Classification Manual, United States Office
295 of Management and Budget, 1987 edition, or U.S. industry 532220,
296 812191, 812199 or 812990 in the North American Industrial
297 Classification System United States Manual, United States Office of
298 Management and Budget, 1997 edition, exclusive of (i) services
299 rendered by massage therapists licensed pursuant to chapter 384a, and
300 (ii) services rendered by an electrologist licensed pursuant to chapter
301 388;
- 302 (CC) Any repair or maintenance service to any item of tangible
303 personal property including any contract of warranty or service related
304 to any such item;
- 305 (DD) Business analysis, management or managing consulting
306 services rendered by a general partner, or an affiliate thereof, to a
307 limited partnership, provided (i) the general partner, or an affiliate
308 thereof, is compensated for the rendition of such services other than
309 through a distributive share of partnership profits or an annual
310 percentage of partnership capital or assets established in the limited
311 partnership's offering statement, and (ii) the general partner, or an
312 affiliate thereof, offers such services to others, including any other
313 partnership. As used in this subparagraph "an affiliate of a general
314 partner" means an entity which is directly or indirectly owned fifty per
315 cent or more in common with a general partner; [and]
- 316 (EE) Notwithstanding the provisions of section 12-412, as amended
317 by this act, except subdivision (87) of said section 12-412, patient care

318 services, as defined in subdivision (29) of this subsection by a hospital,
319 except that "sale" and "selling" does not include such patient care
320 services for which payment is received by the hospital during the
321 period commencing July 1, 2001, and ending June 30, 2003;

322 (FF) Health and athletic club services, exclusive of (i) any such
323 services provided without any additional charge which are included in
324 any dues or initiation fees paid to any such club, which dues or fees
325 are subject to tax under section 12-543, and (ii) any such services
326 provided by a municipality or an organization that is described in
327 Section 501(c) of the Internal Revenue Code of 1986, or any subsequent
328 corresponding internal revenue code of the United States, as from time
329 to time amended, except that "sale" and "selling" does not include any
330 such health and athletic club services on or after April 1, 2005.

331 Sec. 28. Subdivision (47) of section 12-412 of the general statutes is
332 repealed and the following is substituted in lieu thereof (*Effective April*
333 *1, 2003, and applicable to sales occurring on or after April 1, 2003*):

334 (47) Sales of any article of clothing or footwear intended to be worn
335 on or about the human body the cost of which to the purchaser is less
336 than [seventy-five] fifty dollars, except that on or after April 1, 2005,
337 and applicable to sales occurring on or after April 1, 2005, sales of any
338 such articles the cost of which to the purchaser is less than seventy-five
339 dollars. For purposes of this subdivision clothing or footwear shall not
340 include (A) any special clothing or footwear primarily designed for
341 athletic activity or protective use that is not normally worn except
342 when used for the athletic activity or protective use for which it was
343 designed, and (B) jewelry, handbags, luggage, umbrellas, wallets,
344 watches and similar items carried on or about the human body but not
345 worn on the body in the manner characteristic of clothing intended for
346 exemption under this subdivision."

347 Strike section 54 and insert the following in lieu thereof:

348 "Sec. 54. Section 12-256 of the general statutes is repealed and the
349 following is substituted in lieu thereof (*Effective from passage*):

350 [Each] (a) On and after the effective date of this act but prior to
351 March 1, 2005, and applicable to calendar quarters commencing on or
352 after January 1, 2003, but prior to January 1, 2005, (1) each person
353 carrying on an express business on railroads, and each person
354 conducting a telegraph or cable business [and each person operating a
355 community antenna television system under chapter 289,] shall pay an
356 annual tax upon the gross earnings from [(1)] (A) the routes in this
357 state in the case of any person carrying on such an express business,
358 [(2)] and (B) the lines in this state in the case of any person conducting
359 a telegraph or cable business, provided in the case of a person
360 conducting a telegraph business the tax imposed under this section
361 shall only be applicable with respect to a person conducting such
362 business, and the services offered by such person, subject to tax under
363 this section on January 1, 1986. [, and (3) the lines, facilities, apparatus
364 and auxiliary equipment in this state in the case of any person
365 operating a community antenna television system.] No deduction shall
366 be allowed from such gross earnings from operations for commissions,
367 rebates or other payments, except such refunds as arise from errors or
368 overcharges. Each such person shall, on or before April first, annually,
369 render to the Commissioner of Revenue Services a return signed by the
370 treasurer, or the person performing the duties of treasurer, or an
371 authorized agent or officer of the business or system operated by such
372 person, on forms prescribed or furnished by the commissioner
373 specifying: The name and location within this state of such business or
374 system or, if it has no location within this state, where such business or
375 system is located; the total amount of gross earnings subject to the tax
376 imposed under this section for the year ending the thirty-first day of
377 December next preceding or for each lesser period of consecutive time
378 during such year, each such year or period being in this chapter and
379 chapter 212a called a "tax year", in which business or operations were
380 carried on in this state; the total miles of railway routes which each of
381 the persons doing an express business was entitled to operate under
382 contracts with railroad companies and the number of miles of such
383 railway routes within this state on the first day and on the last day of
384 the tax year; the total miles of wires operated by each of the persons

385 conducting a telegraph or cable business [or operating a community
386 antenna television system] and the total miles of such wires operated
387 within this state on the first day and on the last day of the tax year.

388 (2) For purposes of this subdivision, "quarterly period" means a
389 period of three calendar months commencing on the first day of
390 January, April, July or October and ending on the last day of March,
391 June, September or December, respectively. Each person operating a
392 community antenna television system under chapter 289 shall pay a
393 quarterly tax upon the gross earnings from the lines, facilities,
394 apparatus and auxiliary equipment in this state used for operating a
395 community antenna television system. No deduction shall be allowed
396 from such gross earnings for operations related to commissions,
397 rebates or other payments, except such refunds as arise from errors or
398 overcharges. On or before the last day of the month next succeeding
399 each quarterly period, each such person shall render to the
400 commissioner a return on forms prescribed or furnished by the
401 commissioner, signed by the person performing the duties of treasurer
402 or an authorized agent or officer of the system operated by such
403 person, which return shall include information regarding the name
404 and location within this state of such system and the total amount of
405 gross earnings derived from such operation of a community antenna
406 television system and such other facts as the commissioner may
407 require for the purpose of making any computation required by this
408 chapter. This section shall not affect returns and taxes due on April 1,
409 2003, under the provisions of this section prior to the effective date of
410 this section.

411 (b) On and after March 1, 2005, and applicable to calendar quarters
412 commencing on or after January 1, 2005, each person carrying on an
413 express business on railroads, each person conducting a telegraph or
414 cable business and each person operating a community antenna
415 television system under chapter 289, shall pay an annual tax upon the
416 gross earnings from (1) the routes in this state in the case of any person
417 carrying on such an express business, (2) the lines in this state in the
418 case of any person conducting a telegraph or cable business, provided

419 in the case of a person conducting a telegraph business the tax
420 imposed under this section shall only be applicable with respect to a
421 person conducting such business, and the services offered by such
422 person, subject to tax under this section on January 1, 1986, and (3) the
423 lines, facilities, apparatus and auxiliary equipment in this state in the
424 case of any person operating a community antenna television system.
425 No deduction shall be allowed from such gross earnings from
426 operations for commissions, rebates or other payments, except such
427 refunds as arise from errors or overcharges. Each such person shall, on
428 or before April first, annually, render to the Commissioner of Revenue
429 Services a return signed by the treasurer, or the person performing the
430 duties of treasurer, or an authorized agent or officer of the business or
431 system operated by such person, on forms prescribed or furnished by
432 the commissioner specifying: The name and location within this state
433 of such business or system or, if it has no location within this state,
434 where such business or system is located; the total amount of gross
435 earnings subject to the tax imposed under this section for the year
436 ending the thirty-first day of December next preceding or for each
437 lesser period of consecutive time during such year, each such year or
438 period being in this chapter and chapter 212a called a "tax year", in
439 which business or operations were carried on in this state; the total
440 miles of railway routes which each of the persons doing an express
441 business was entitled to operate under contracts with railroad
442 companies and the number of miles of such railway routes within this
443 state on the first day and on the last day of the tax year; the total miles
444 of wires operated by each of the persons conducting a telegraph or
445 cable business or operating a community antenna television system
446 and the total miles of such wires operated within this state on the first
447 day and on the last day of the tax year."