

6101.

APPROVAL—BONDS OF CITY OF TOLEDO, LUCAS COUNTY,
OHIO, \$100,000.00.

COLUMBUS, OHIO, September 19, 1936.

Industrial Commission of Ohio, Columbus, Ohio.

6102.

SALES TAX—TRANSACTION INVOLVING PAYMENT BY
LESSEE OR LICENSEE OF MONTHLY RENTAL FOR USE
OF EQUIPMENT AFTER LEASE OR LICENSE HAS EX-
PIRED NOT SUBJECT TO SALES TAX—WHERE ORIGINAL
CONTRACT INVOLVED INTERSTATE COMMERCE.

SYLLABUS:

Where under a license contract or lease providing therefor, tabulating machines and other office equipment are delivered to a lessee or licensee in this state under an agreement set out in the instrument whereby the lessee or licensee is required to retain and use such equipment for one year and to pay a stated monthly rental therefor, and the lessee or licensee is given the privilege, at his option, of retaining and using the equipment thereafter from month to month at the same rental, the exercise by the lessee or licensee of this privilege of retaining and using the equipment after the expiration of such one year period, does not constitute a transaction which is subject to the incidence of the sales tax provided for by section 5546-2, General Code.

COLUMBUS, OHIO, September 21, 1936.

The Tax Commission of Ohio, Columbus, Ohio.

GENTLEMEN: This is to acknowledge the receipt of your recent communication which reads as follows:

“The Tax Commission of Ohio hereby refers to you the following question relative to the administration of the Ohio Sales Tax Act, for an opinion. The facts are as follows:

The International Business Machines Company, a corporation having its headquarters and home office in New York, N. Y.,