

Telecommunication Tower Construction and Maintenance

Tower Construction is not Original Construction under Kansas Statutes

The taxability of sales and purchases of tangible personal property and labor services by Telecommunication Tower Construction and Maintenance providers is summarized below. This list is not all-inclusive.

Purchases by Telecommunication Tower Construction and Maintenance providers:

Kansas sales or compensating use tax applies to those purchases identified or designated as taxable in the chart below. The applicable Kansas sales or Kansas consumers' use tax must be paid to the vendor or accrued and remitted directly to the Kansas Department of Revenue. Purchases from Kansas vendors may be reported using the retailer's sales tax return. Purchases from outside this state which are delivered to this state are to be reported on the Kansas consumers compensating use tax return.

Tower Construction Purchases

All materials and supplies, including freight charges, whether purchased in or out of state when delivered to Kansas (ex: tower components, cables, lights, anchor pads, fencing, etc).	Taxable
Excavation work to level and prepare site for construction: tree removal, etc. (Please note: when site prep includes the installation of tangible personal property (i.e. gravel, dirt), the labor portion allocated to the installation of gravel, additional dirt or other materials is taxable .)	Exempt
Excavation that involves the installation of utilities, cables, telephone lines and such in-ground. (If separately stated, the excavation portion is exempt).	Taxable
Original construction labor to construct or install a shelter building to house equipment. (Labor services on an existing building are taxable).	Exempt
Building materials to construct a shelter building including lumber, plumbing, heating, air conditioning and electrical fixtures or supplies.	Taxable
Engineering services.	Exempt
Machinery & equipment, (and/or rental of such equipment), including freight charges; such as backhoes, cranes, weather proofing equipment and supplies, circuit and surge protection equipment, telecommunication, cell phones and vehicles.	Taxable
Motor vehicle fuel (gas & diesel) purchased for off road use for which the motor fuel tax (road tax) has been refunded to you.	Taxable
Utilities including but not limited to electricity, gas and water used when constructing or maintaining a telecommunication tower.	Taxable
Demolition of a building or facility, or a portion of a building or facility, and all associated demolition services to install a telecommunication tower.	Taxable
Electricity to maintain the tower.	Taxable
Paint and Painting services.	Taxable
Mowing weeds.	Exempt
Lease of land or space for the telecommunication tower.	Exempt
Labor services of repairing and/or modifying a tower.	Taxable
Lease or rental of any tangible personal property such as: construction trailers, port-a-potties, portable offices, office equipment, storage containers and vehicle.	Taxable
Job materials taken from inventory and used in your business and/or used on jobs.	Taxable
Laptop and desktop computers, copiers, printers, fax machines, and other similar equipment.	Taxable
Security cameras, mirrors and all other security equipment.	Taxable
Security systems monitoring service.	Exempt
Parts and labor services of repairing, servicing, altering or maintaining tangible personal property, such as computers, printers, copiers, security equipment, etc.	Taxable
Maintenance contracts and warranties including optional and extended warranties on tangible	Taxable

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personal property or real estate.	
Canned software and software upgrades and labor services to modify, alter, update or maintain software.	Taxable
Customized software, software upgrades and labor services to modify, alter, update or maintain customized software. <i>"Customized" software = software developed for a single end user.</i>	Exempt
Furniture and fixtures, including but not limited to: desks, lamps, tables, chairs, shelving, plants, planters, artwork, signs, etc.	Taxable
Janitorial supplies such as vacuums, carpet cleaners, sweepers, scrubbers, floor waxers, rags, toiletries, etc.	Taxable
Advertising as in newspapers, radio, television, etc.	Exempt
Linen and uniform services.	Taxable
Cleaning services (except when applying chemicals such as wax, scotch guard, etc), plant watering and care.	Exempt
Newspaper and magazine subscriptions, reference books and materials, forms, printed matter (including promotional brochures, etc), business cards, notepads, etc.	Taxable
Office supplies, such as, paper, pens, pencils, labels, calculators, etc.	Taxable
Pest control materials and supplies.	Taxable
Printed materials production and distribution (such as direct mail items).	Taxable
Professional services such as legal or accounting services.	Exempt
Trash removal and shredding services.	Exempt
Tangible property to be given away or donated. <i>(Items that are given away or donated to a tax exempt entity are not subject to sales tax)</i>	Taxable
Promotional items such as calendars, mugs, and items of clothing.	Taxable
Break room supplies such as microwaves, refrigerators, tables, chairs, paper products, etc.	Taxable
Complimentary bottled water, soft drinks, coffee, creamer, sugar, cups and stir sticks, balloons, stickers, pens and candy.	Taxable

The taxability of sales of tangible personal property and labor services are summarized below. This list is not all inclusive. The applicable sales tax must be collected unless the purchaser provides a properly completed valid exemption certificate.

Sales

Labor services to construct, install or erect a tower in Kansas including associated fencing, anchor pads, etc. (Contractor or Sub Contractors)	Taxable
Lease of tower space or bandwidth.	Exempt