

## **Chapter 10 Specified Digital Products**

- 100 The sale, rental or lease of specified digital products is taxed at the regular retail rate when:
1. The sale, rental or lease is to an end user;
  2. The seller conveys the right of permanent or less than permanent use of the products transferred electronically; or
  3. The sale is conditioned or not conditioned on continued payment.
- 101 The sale of a digital code that allows the purchaser to obtain a specified digital product is taxed in the same manner as a specified digital product.
- 102 “Specified digital products” are electronically transferred digital audio-visual works, digital audio works and digital books. A person is in the business of selling, leasing or renting specified digital products in Mississippi if the product is electronically transferred to a purchaser located in Mississippi. A product is “electronically transferred” when it is obtained by the purchaser by some means other than tangible storage media, including, but not limited to, delivery via internet or network, or access via internet or network to a server where the product is stored, regardless of the location of the server.
- 103 Sales by a specified digital products provider to another specified digital products provider for resale are not subject to sales tax, if the provider purchasing the product holds a permit issued under Miss. Code Ann. Section 27-65-27.
- 104 Reserved