

Massachusetts S.1892

OPPOSITION TESTIMONY

Massachusetts State Legislature
Joint Committee on Revenue

October 10, 2023

NetChoice respectfully asks that you **oppose** S.1892 as it:

- Imposes new taxes on Massachusetts residents,
- Applies to favorite stores like CVS, Costco, and Target, and to newspapers like the Boston Globe, and
- If S.1892 applies only to online businesses, it is unconstitutional.

Today citizens across the state are suffering from high inflation and high prices for groceries and every-day items. S.1892 would add more taxes for everyday items bought at stores like CVS, Target, and Costco, and would also tax local newspapers like the Boston Globe.

S.1892 imposes a new tax on local retailers and local newspapers

Already local newspapers and local retailers are suffering. They clearly cannot just accept this new tax from S.1892 and must instead pass it onto Massachusetts residents.

This will further harm the ability of small businesses to operate as consumers will now pay more to shop – and for the local newspapers, it will mean the loss of much needed customers.

Today, Massachusetts citizens enjoy the benefits of coupons when they shop at their local grocery and favorite stores. They also enjoy discounts from loyalty programs provided by these programs – all of which involve the collection of user data.

At the same time, many stores have moved to a “brick and click” model – offering items for sale both online and offline. In addition to online shopping, the online sites often allow users the opportunity to leave customer reviews – something that fits within the S.1892’s definition of “Social Media.”

Likewise, newspapers collect incredible amounts of user information to place ads and to provide customized news feeds. The Boston Globe, for example, is no different. And since the Boston Globe also allows users to comment on their favorite stories, the Boston Globe too would fall under S.1892's

30" Pre-Lit Decorated Artificial Wreath With Bells \$56.99

★★★★☆ 4.4 (5) Write a review

Product Details Specifications Shipping & Returns Reviews

Rating Snapshot

Select a row below to filter reviews.

5 ★	4
4 ★	0
3 ★	0
2 ★	1
1 ★	0

1-5 of 5 Reviews

Shop all Disney

Disney Mirabel Encanto Costume G H22-3

★★★★☆ 4.9 (95) 3 Questions

\$17.99 reg \$44.99

Sale save \$27.00 (60% off)

When purchased online

Write a review

sort by most recent filter by all ratings

With photos Verified purchases

We found 50 matching reviews

Perfect!

★★★★☆ Would recommend

Helena - 10 months ago, Verified purchaser

definition of “Social Media.”

Both Costco.com and Target.com allow users to leave reviews making them “Social Media” – the same is true for many other retailers

WATCH: GLOBE TODAY | METRO | SPORTS | BUSINESS | POLITICS | OPINION | HEALTH | NEW HAMPSHIRE | RHODE ISLAND | COVID | SPOTLIGHT

clarity in that regard. With Mac as quarterback I think the team stinks, is laughable by his complete ineptitude, and in that is basically unwatchable.

PJHS 10/10/23 - 3:43PM

They have no choice but to stick with Mac Jones. Belichick constructed this team with an inexperienced QB backed up by an even less experienced QB. Mac can overthrow a receiver just as well as Bailey Zappe, so why change?

art mind 10/10/23 - 1:32PM

And who here ever thought bill O'Brien was going to be any good? Not this guy.

The Boston Globe allows user comments - making it a “Social Media”

If S.1892 only applies to online businesses, it is unconstitutional

As Massachusetts has seen in the past, laws designed to only tax online businesses or online services violate the Internet Tax Fairness Act (ITFA), Pub. L. Toole Tip Public Law (United States) 105–277. This law, signed by President Bill Clinton, makes illegal the discriminatory taxation of online services.

If the effect of S.1892 is to only tax online services, then the law is unconstitutional and unenforceable. And regardless, it will still be a new tax on Massachusetts residents.

* * *

S.1892 imposes a new tax on Massachusetts business, newspapers, and citizens at a time that they can least afford it. **We ask you to oppose S.1892.**

As ever, we offer ourselves as a resource to discuss any of these issues with you in further detail, and we appreciate the opportunity to provide the committee with our thoughts on this important matter.

Sincerely,

Carl Szabo
Vice President & General Counsel
NetChoice

NetChoice is a trade association that works to make the internet safe for free enterprise and free expression.