

State of California
BOARD OF EQUALIZATION

SALES AND USE TAX REGULATIONS

Regulation 1551. REPAINTING AND REFINISHING.

References: Section 6006, Revenue and Taxation Code.
Painters, Polishers and Finishers, see Regulation 1524.
Resale Certificates, see Regulation 1668.

(a) REPAINTING AND REFINISHING FOR CONSUMERS. Tax does not apply to single or lump-sum charges for repainting or refinishing used articles. Tax applies in such case to the sale to the refinisher of the paint and other materials used in the process, as he is regarded as the consumer of such property. If the refinisher uses paint or other materials purchased under a resale certificate, or without payment of use tax if purchased outside the state or in interstate commerce, he must report and pay tax measured by the cost of the materials to him.

If, however, the refinisher makes a separate charge at the fair retail selling price for the paint or similar finishing material that is applied to and becomes a component part of the used articles, he is the retailer of such paint or finishing material and tax applies to the amount of the separate charge.

(b) REPAINTING AND REFINISHING FOR SELLERS. A refinisher of used articles for sellers who will resell the articles in the regular course of their businesses will be regarded as selling for resale the paint or similar finishing material that becomes a component part of the used articles. The refinisher should take a resale certificate under these circumstances.

History: Effective August 1, 1933.
Adopted as of January 1, 1945, as a restatement of previous rulings.
Amended by renumbering August 5, 1969, effective September 6, 1969.
Amended February 5, 1975, effective March 13, 1975.

Regulations are issued by the State Board of Equalization to implement, interpret or make specific provisions of the California Sales and Use Tax Law and to aid in the administration and enforcement of that law. If you are in doubt about how the Sales and Use Tax Law applies to your specific activity or transaction, you should write the nearest State Board of Equalization office. Requests for advice regarding a specific activity or transaction should be in writing and should fully describe the facts and circumstances of the activity or transaction.