

Digital Products (as of 5/15/2018)

The chart below sets out the taxability of various products or services. Taxability varies by state. The specific definition of each of these services is critical to any determination of taxability. Remember that charts like this can oversimplify the rules and should only be used as a start to the research process.

State	Status	Comments	Citation	CCH ¶
California	Exempt		BOE Publication 109	California 60-445
Florida	Exempt	Taxability can depend on whether the rights are permanent or temporary.	Fla. Admin. Code Ann. r. 12A-1.062	Florida 60-445
Georgia	Exempt	We recommend you reference cited authority for more information.	Ga. Comp. R. & Regs. 560-12-2-.111(4), Unofficial Department guidance	Georgia 60-445
Illinois	Exempt		86 Ill. Admin. Code tit. 86, §130.2105	Illinois 60-445
Michigan	Exempt		Michigan Taxability Matrix	Michigan 60-445
New York	Exempt	E-books do not constitute taxable information services if they satisfy the following criteria: (1) the purchase of the product does not entitle the customer to additional goods and services and any revisions done to the e-book are for the limited purpose of correcting errors; (2) the product is provided as a single download; (3) the product is advertised or marketed as an e-book or a similar term; (4) if the intended or customary use of the product requires that it be updated or that a new or revised edition be issued from time to time (i.e., an almanac), the updates or the new or revised editions are not issued more frequently than annually; and (5) the product is not designed to work with software other than the software necessary to make the e-book legible on a reading device (e.g., Kindle, Nook, iPad, iPhone or personal computer).	Effective March 1, 2012, electronic news services and electronic periodicals will be exempt.	TSB-M-11(5)S, TSB-A-08(63)S, TSB-A-07(16)S, TSB-A-07(14)S, N.Y. Tax Law, §1115(gg), TSB-M-12(1)S, New York 60-445

Digital Products (as of 5/15/2018) Cont.

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North Carolina	Taxable		North Carolina Taxability Matrix, N.C. Gen. Stat. §105-164.4(a)(6b)	North Carolina 60-445
Ohio	Taxable	Digital music purchased from and electronically delivered by a jukebox or other single-play commercial music machine is exempt.	We recommend you reference cited authority for more information.	Ohio Rev. Code Ann. §5739.01(B)(3)(e), Ohio Rev. Code Ann. §5739.01(B)(12), Ohio Rev. Code Ann. §5739.01(Y)(1)(c), Ohio Rev. Code Ann. §5739.01(L)(L)(L), Ohio Rev. Code Ann. §5739.02
Pennsylvania	Taxable effective 8/1/16	Exempt before 8/1/16	We recommend you reference cited authority for more information.	72 P.S. §7201(m)(2), DOR Email Response to CCH Survey Regarding Taxation of Digital Goods, Pennsylvania 60-445
Texas	Taxable		Tex. Tax Code Ann. §151.010	Texas 60-445