

**103 KAR 28:060. Replacement parts.**

RELATES TO: KRS 139.010

STATUTORY AUTHORITY: KRS 131.130(1)

NECESSITY, FUNCTION, AND CONFORMITY: To interpret the sales and use tax law as it applies to the furnishing of parts or materials under the provisions of a guarantee.

Section 1. The sale of tangible personal property by a retailer includes the furnishing, pursuant to the guaranty provisions of the contract of sale, of replacement parts or materials. Sales of such property to a retailer are therefore sales for resale with respect to which tax does not apply.

Section 2. Any charge made by the retailer for replacement parts or material shall be included in "gross receipts" or "sales price," as the case may be. (SU-46; 1 Ky.R. 231; eff. 1-8-1975; TAm eff. 6-22-2016.)