

**ALABAMA DEPARTMENT OF REVENUE - SALES AND USE TAX RULES**  
**Code of Alabama 1975, Sections 40-23-31 and 40-23-83**

**810-6-5-.25. Used Property Brought into Alabama for Use by Owner.**

(1) Where the owner of tangible personal property has purchased such property for use outside of Alabama and has, in fact, used it outside of Alabama, no use tax will be due by the owner because of later storage, use or consumption of it in Alabama. The proof of a real and substantial use of the property in another state shall rest upon the purchaser. (Section 40-23-61(a))

(2) Section 40-23-61(e) levies an excise tax on the storage, use or other consumption in the performance of a contract in this state of any tangible personal property, new or used, the tax to be measured by the sales price or the fair and reasonable market value of such tangible personal property when put into use in this state, whichever is less. The rates of tax are the rates imposed on classes of property as specified in Section 40-23-61(a), (b), and (c). (Section 40-23-61(e))

(3) Credit will be allowed against the tax due Alabama for legally imposed sales or use taxes paid with respect to the same property to another state or any subdivision thereof. See Rule 810-6-5-.04, Credit for Taxes in Other States. (Section 40-27-1, Article V.1) (Adopted March 9, 1961, amended January 20, 1966, amended August 16, 1974, amended August 10, 1982, readopted through APA effective October 1, 1982, amended January 24, 1989, amended April 1, 1996)