2025

TAX CHANGES

Avalara

A TAX COMPLIANCE GUIDE FOR

MANUFACTURING

Manufacturing

Following the high-tech revolution of the last few years, 2025 will likely see tax changes, exemptions, and incentives fuel different types of industry growth. Manufacturers are facing new developments (and challenges) in electric vehicle manufacturing, experiencing stricter scrutiny concerning exemption certificate management, and struggling with personal property tax compliance. Let's dive deeper into what we can expect over the next year.

What's ahead:

DISCLAIMER

Tax rates, rules, and regulations change frequently. Although we hope you'll find this information helpful, this report is for informational purposes only and does not provide legal or tax advice.

A new tax road map for the manufacturing industry

Like other industries, manufacturing has been shaken by supply chain disruptions, staffing shortages, a changing workforce, and a scramble to integrate technology into day-to-day operations. These and other conditions can affect tax compliance.

Businesses are settling into Industry 4.0: the digital transformation of the manufacturing industry. As 2025 unfolds, they'll likely face tax compliance challenges, including how new tax incentives influence where they build operations, what states' evolving policies on personal property taxability mean for their finance teams, and how to avoid penalties and fees when state auditors show up.

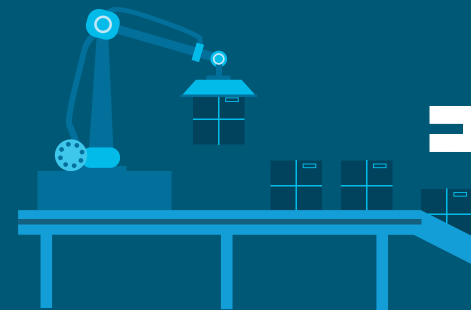
As manufacturers make their way through 2025, it's increasingly important to stay abreast of legislative changes. States are considering incentivizing data mining centers and offering electric vehicle credits. They're redefining what falls under the umbrella of "manufacturing" when it comes to tax exemptions and adopting retail delivery fees. All while intensifying audit scrutiny and paying closer attention to manufacturers' exemption certificate management.

Keeping up with sales and use tax trends and policies, plus knowing what they mean for your business can be a full-time job. It certainly is for us – and luckily for you, we love it. To help you navigate the year ahead, we've rounded up some of the key tax trends and changes affecting the manufacturing industry in 2025. Let's start by looking at some stats.

What the numbers tell us about the manufacturing industry in 2025

40 states, plus Puerto Rico and Washington, D.C., include exempt sales in their economic nexus threshold

Source: Avalara

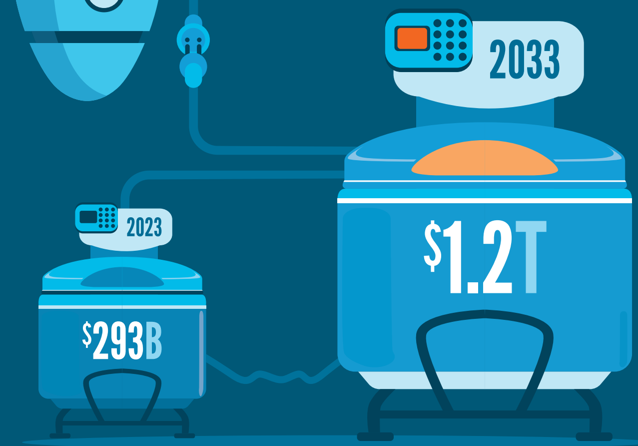


14 states broadly exempt tangible personal property from personal property tax; 10 states, plus Washington D.C., offer de minimis exemptions for taxable property

Sources: Tax Foundation, MyTax.DC.gov

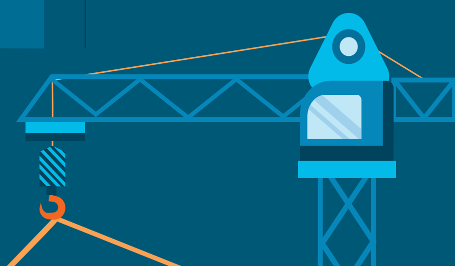
The global smart manufacturing market was valued at $293 billion in 2023 and is expected to reach $1.2 trillion by 2033

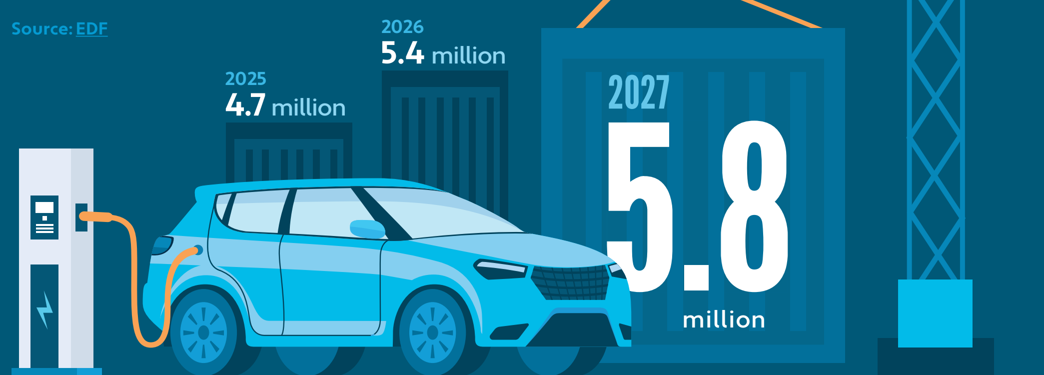
Source: The Brainy Insights



By 2027, U.S. EV manufacturing facilities should be able to produce around 5.8 million new electric vehicles each year

Source: EDF





32 states are offering tax incentives for data centers

Source: Tax Notes

New exemptions for the manufacturing industry

It's not only new *taxes* that complicate compliance for the industry; new *exemptions* can also throw a wrench into the works.

Whether your business buys or sells tax-exempt products, you'll need the appropriate paperwork to back up the exemptions. If you make tax-exempt sales, you need to collect exemption certificates from your customers; if you make tax-exempt purchases, you need to ensure your suppliers have up-to-date certificates from you. Manufacturers often have to manage hundreds or even thousands of exemption certificates, and if your team is collecting, verifying, and storing them manually, there's a lot of room for error.

Per Maria Tringali, Senior Solutions Consultant and Exemption Certificate Specialist at Avalara, "Most businesses I speak with are good at collecting something when the customer is set up initially. But thorough validation of all data and forms is more difficult than one would think. Businesses with the best of intentions to proactively request updated exemption certificates often find follow-through difficult without a dedicated resource. So what we see are PDFs saved to shared drives, with no idea of how compliant they might be."

Exemption certificate challenges can also become a cause of negative audit findings; missing or incorrect documentation can result in out-of-pocket fines and penalties. For example, let's say your total revenue is $10 million, and 90% of your sales is to tax-exempt buyers. If an auditor finds a 30% error rate in the exemption certificates they review, they'll multiply that error rate across your annual revenue. At a state sales tax rate of 8.25%, your business could owe $222,750 in sales tax not collected, plus fines and penalties. That's a big price to pay for just a few missing or invalid documents.

While all manufacturers have to deal with exemption certificates, sales tax exemptions and incentives are often industry specific. States tend to offer exemptions to encourage the industries they want, such as data mining, aircraft manufacturing, or the production of affordable housing.

Data mining and data center exemptions

Data mining and digital assets procurement is a growing industry, and its growth is fueled in part by state tax incentives. This includes the creation of new virtual currency using blockchain technology that requires the use of servers, computers, transformers, software, and lots of energy.

From November 1, 2024, to December 31, 2029, **Oklahoma is providing a sales tax exemption** for the sales of machinery, equipment, and electricity used in commercial digital asset mining.

In May 2024, the Michigan Senate passed a bill that **extends exemptions to data centers and data center equipment**. As of March 2024, Nevada offers tax **abatements for data centers, but not exemptions**. Lawmakers are split on **whether data centers are a good investment**, and they tend to vote with their tax exemptions.

Exemptions on certain aircraft and aircraft parts

Some states have more high-flying exemption goals. Mississippi's **House Bill 1855**, enacted in April 2024, exempts sales, leases, and other retail transfers of certain fixed-wing aircraft to certified common carriers.

And back in May 2023, in an effort to keep airports and maintenance jobs competitive, Maryland Governor Wes Moore signed two bills into law that extend a sales tax exemption on aircraft parts through June 30, 2030 (**HB 557** and **SB 574**).

Washington state exemptions for affordable housing and semiconductors

Washington state is **keeping tax exemptions closer to the ground**, to the benefit of numerous industries.

- HB 2003 allows an exemption for **leases of public lands used for affordable housing**, effective June 6, 2024.
- HB 1757 provides a partial sales and use tax exemption for goods and services purchased by an eligible farmer starting July 1, 2024 (good news for Washington apple and Rainier cherry farmers).
- HB 2454 exempts farmers from the hazardous substance tax as of June 6, 2024.
- HB 2484 extended tax incentives for **semiconductor manufacturers** in the state effective April 1, 2024.

Washington also offers a **Manufacturers' Sales and Use Tax Exemption** for machinery and equipment used directly in manufacturing or research and development.

Surprising sales tax exemptions in Texas

"A person processing food for sale is a manufacturer and may claim a sales or use tax exemption on purchases of equipment and other taxable items that qualify for exemption under Tax Code, § 151.318. For example, a restaurant may claim an exemption on the purchase of an oven or a mixer directly used in baking or mixing."

However, "the exemption in Tax Code, §151.317 for natural gas and electricity used in manufacturing is **not** applicable when the gas or electricity is used to prepare or store prepared food."

Source: 34 Tex. Admin. Code § 3.293(6)

What counts as "manufacturing," anyway?

The definition of **"manufacturing" varies between states** where tax is concerned, so if your business has warehouses, factories, or remote staff across states, it's important to know how the tax laws shake out across jurisdictions. Even in a single state, what qualifies as manufacturing for tax purposes can be hazy.

For example, North Carolina provides a sales and use tax **exemption for qualifying mill machinery** for specific industries and circumstances, and the North Carolina Department of Revenue checks that the exemption is properly applied. In one case, the department denied the mill machinery tax exemption claim for a business that used the exempt equipment to produce hot mix asphalt, on the grounds that the machinery was used internally for the company's own construction processes, not for customers.

The case was disputed **all the way up to the state Supreme Court**, which found the taxpayer to be entitled to the exemption. That's good news for the company, but it shows how costly and time-consuming managing manufacturing exemptions can be.

Navigating tax credits can be equally complex.

Research and development tax credits

Definitions of manufacturing are inconsistent from state to state, much like tax credits. Illinois **postponed the sunset of its research and development tax credit** (HB 5005) and included provisions related to aircraft. Meanwhile, California is offering an R&D tax credit beginning January 1, 2025.

Tax credits typically lower the tax that businesses owe, and companies see the savings on their annual bills. Tax incentives can include credits and deductions, and they're put in place to encourage businesses or investments. Exemptions exclude some assets, like income, property, and transactions from being taxed. Several states are using all of these in different ways to boost their economy and entice companies to do business in those states.

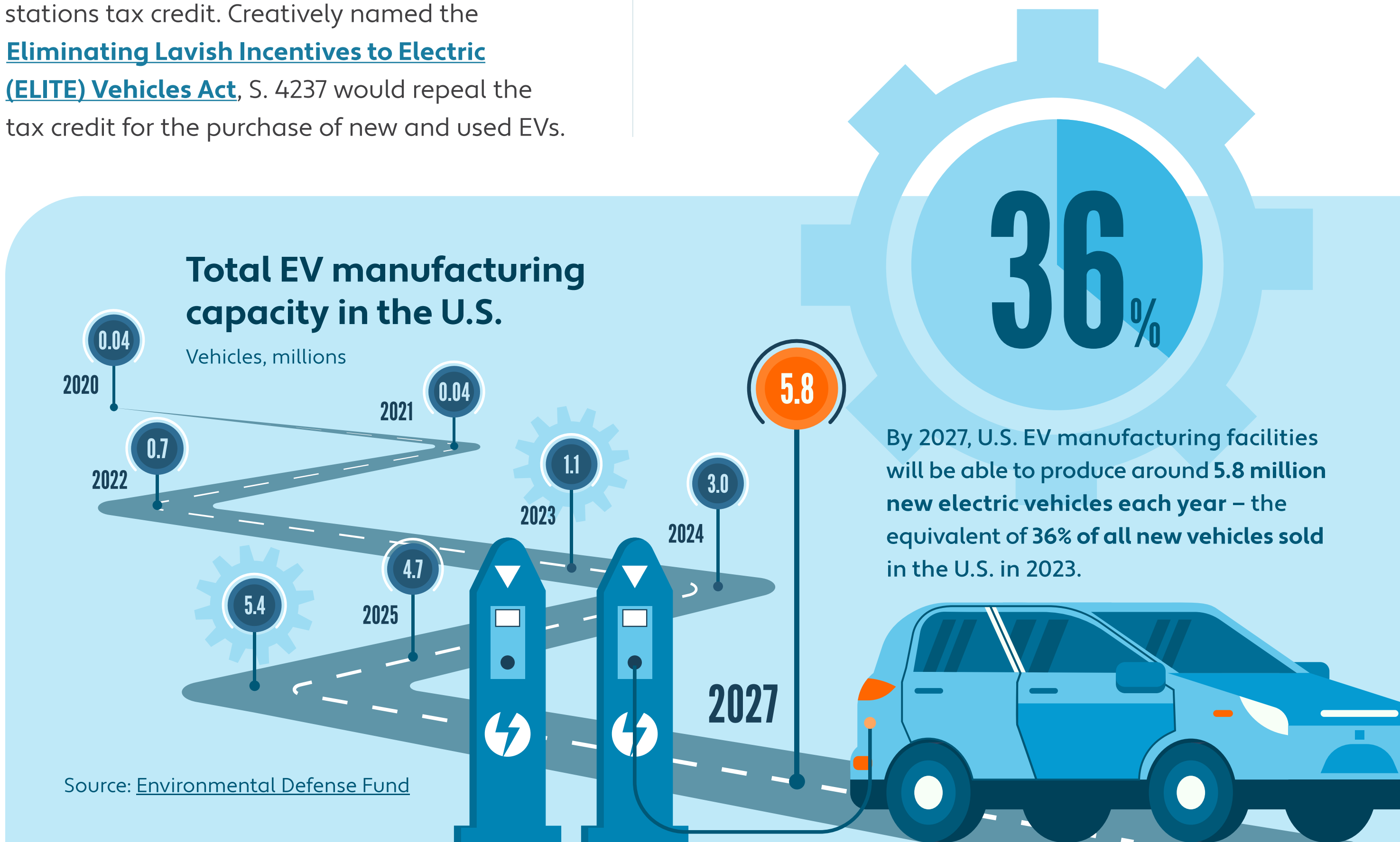
Tax credits and electric vehicles

The electric vehicle (EV) tax credit has been sparking debate among legislators. The **tax credit** contributed to the popularity of EVs among consumers in the last few years. And thanks to the Inflation Reduction Act, EV manufacturing is a booming industry in the U.S.; a **2024 report from the Environmental Defense Fund** predicts that by 2027, U.S. EV manufacturing facilities will be able to produce around 5.8 million new electric vehicles each year – the equivalent of 36% of all new vehicles sold in the U.S. in 2023.

To **qualify for the Clean Vehicle Credit**, vehicles purchased after December 31, 2022, must undergo final assembly in North America. **Battery sourcing rules changed effective 2024**; an eligible clean vehicle may not contain battery components manufactured or assembled by a "foreign entity of concern" (FEOC) – any country that proves an economic or security threat to the United States. Beginning in 2025, eligible vehicles may not contain critical minerals that were extracted, processed, or recycled by an FEOC. These changes were proposed in an effort to boost U.S. manufacturing and prevent jobs and factories from going overseas.

But some members of Congress want to end electric vehicle tax incentives. In September 2023, an Ohio senator introduced legislation that would eliminate federal tax credits for electric vehicles and instead **replace them with a credit for gas-powered vehicles**. And in May 2024, a Wyoming senator introduced legislation to end the federal electric vehicle and charging stations tax credit. Creatively named the **Eliminating Lavish Incentives to Electric (ELITE) Vehicles Act**, S. 4237 would repeal the tax credit for the purchase of new and used EVs.

Sales and use tax challenges aren't the only tax hurdle manufacturing businesses are up against in 2025. Personal property taxes – especially on equipment like machinery and office furniture – are still a huge pain for manufacturers.

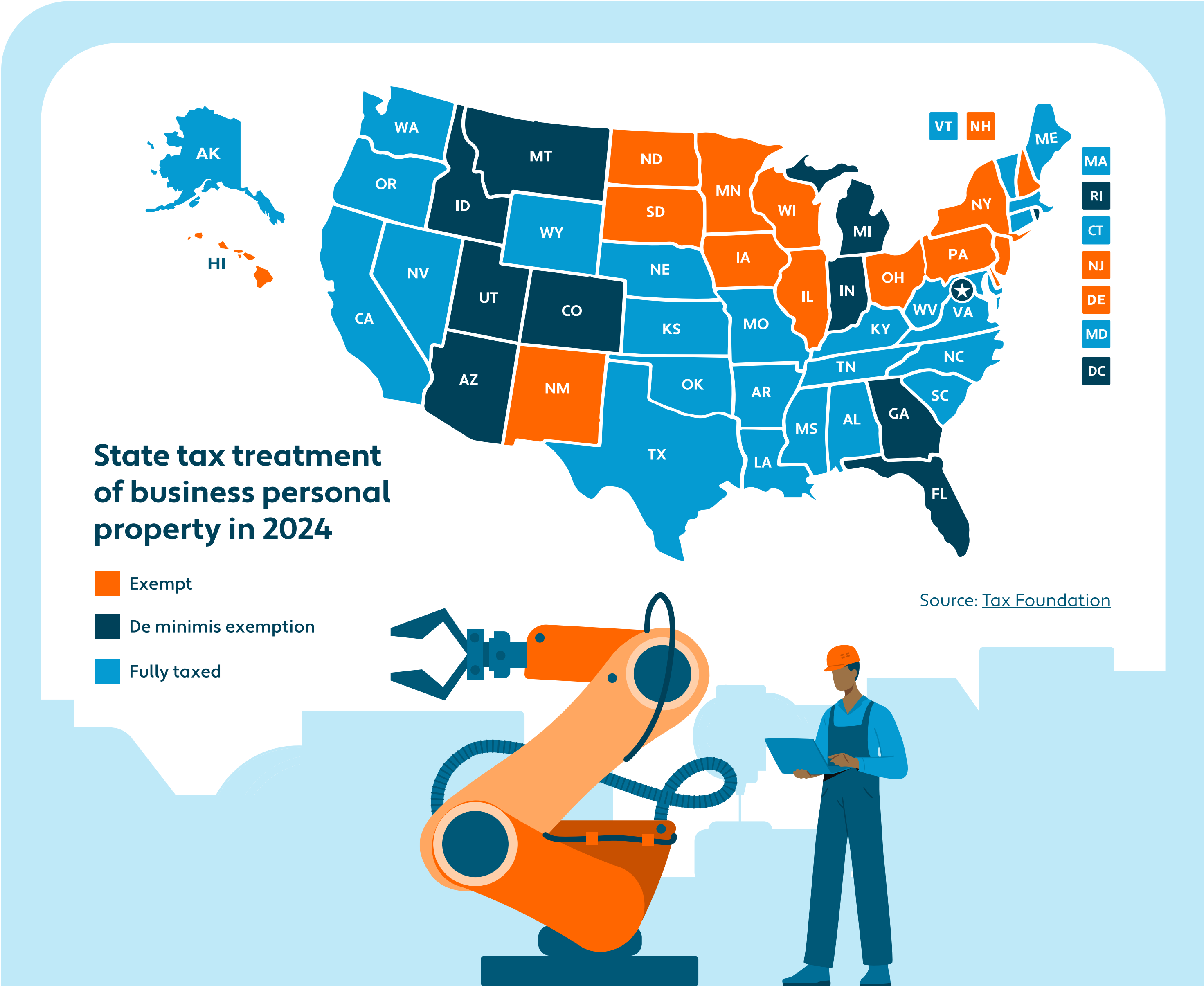


Source: Environmental Defense Fund

Business personal property tax challenges

Property tax is a headache for manufacturers with a lot of equipment. While real property tax (applicable to land and structures affixed to the land) is relatively straightforward, personal property tax, which includes machinery, equipment, fixtures, and supplies used in the manufacturing process, can get complicated quickly.

Property tax is administered at a local (usually a county or township) level. Consequently, local authorities are often challenged by functions typically afforded by large state organizations – this includes access to labor with domain expertise, expensive software and technology, and infrastructure with the ability to scale the assessment and collection of taxes. As such, many taxing authorities depend on paper and manual processes to manage the property tax process.



This results in a heavy, paper-driven field relying on older means of processing data, whether it's still sending notices and tax bills to taxpayers via snail mail or manually reading through handwritten returns or returns corporations have filed using automation tools. All of this data then requires manual extraction and data entry into the property tax systems the jurisdiction uses. These challenges leave the taxing authorities with limited time to process valuations, much less the administration of appeals.

States realize personal property tax compliance can be a huge burden for businesses. Even for local governments, it can be more trouble than it's worth. Thus, a number of states have considered making changes to their property tax policies recently:

- **Michigan** passed a bill back in December 2021 that **allows qualified manufacturers to claim a late exemption** of eligible manufacturing personal property beginning in 2024.
- **Arizona, Colorado, Texas,** and 20 other states **sought to reduce or eliminate personal property tax in 2023**.
- **Wisconsin** repealed **local personal property taxes and state taxes** on manufacturing and rail personal property as of January 2024. However, the Badger State failed to pass two other bills to amend property tax (**Senate Bill 2** and **Assembly Bill 2**).
- As of March 2024, many states, including **Arizona, Colorado, Idaho, Indiana, Michigan, Montana**, and **Rhode Island**, have **exempted personal property or allowed a de minimis exemption** for businesses with smaller amounts of property, but inconsistent rules across states can prove to be a problem for manufacturers with warehouses, equipment, and staff across state lines.
- **Georgia** will **increase its personal property tax exemption** from $7,500 to $20,000 as of January 1, 2025.
- **Missouri** looked to **decrease personal property valuations** beginning in 2025, but the bill didn't pass.

The year ahead may see more exemptions for personal property. In 2025, Maryland may try to pass a bill that **exempts all personal property for small and midsize manufacturers** (although small businesses have been **exempt since 2022**).

So what makes personal property tax compliance so onerous? To start, **how personal property is assessed** can be complicated. Each year, business owners file a tax return with a property appraiser, who takes into account the fair market value of everything from office furniture to machinery to vehicles and other equipment. Fair market value is determined by the current cost to replace an item, the item's depreciation, and functional or economic obsolescence. And if your business grows or expands, or downsizes, your tangible personal property obligations will change.

It's also a ton of work, time, and hassle to keep up with personal property tax compliance. Last September, the city of Portland, Maine, began the City of Portland's Personal Property Revaluation, which included **an inspection of every business in the city by an appraiser**. The idyllic coastal city has at least 151,212 small businesses alone, and the appraisal process will likely take a full year. This audit is the first of its kind in at least 50 years, so it wouldn't be surprising for businesses to find that they've been paying the wrong tax amounts for a while.

Whether the assets are tangible or intangible, states are finding ways to tax them. And even though businesses have been grappling with personal property tax for centuries, new technological developments are causing new tax headaches.

Tech trends and taxability trouble

Digital transformation is still the name of the game for the manufacturing industry (this shift to high-tech processes and products is also referred to as Industry 4.0). To streamline production and reduce costs, businesses are leaning into automation, IoT, digital twins, and smart factories. Using these technologies can have unexpected consequences for tax compliance.

The more technology you integrate into a product, process, or business, the more likely you'll come up against communications taxes. Many manufacturers who have never had to worry about communications taxes are now realizing that the smart technology they integrated into their new product, the software they distribute to remote workers, and the AI they're using to put predictive maintenance systems in place all come with tax obligations.

Other tax changes affecting manufacturers stem from more traditional activities, like deliveries.

Retail delivery fees and you

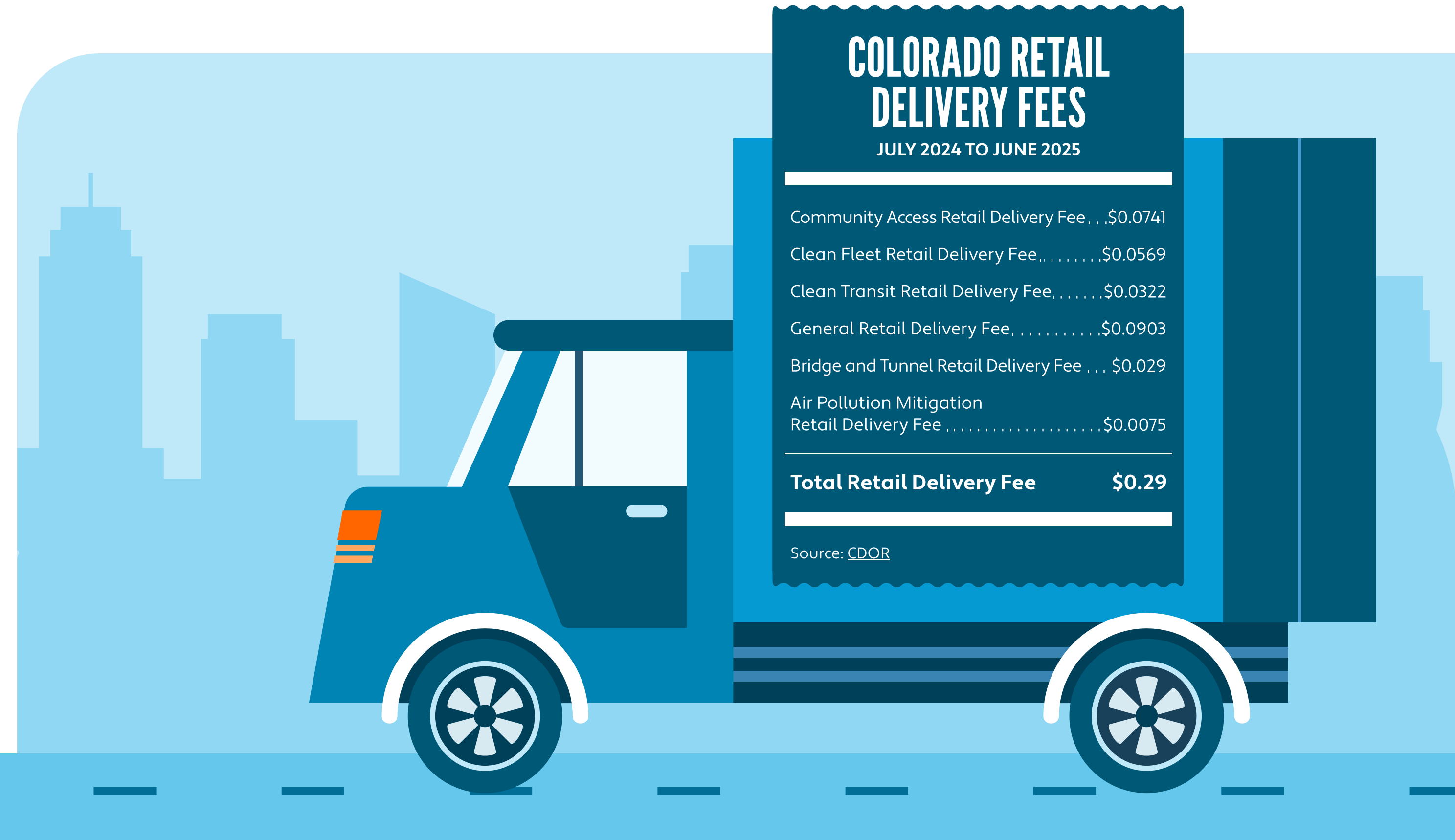
[Colorado led the charge in 2022 with the retail delivery fee] (RDF) and [Minnesota soon followed suit]. RDFs can impact manufacturers too. A manufacturer of refrigeration systems, for example, that sells to a grocery store in Minnesota or Colorado would need to remit the fee on those sales.

Business-to-business (B2B) retail sales are subject to the Colorado fee, and after some deliberation, it was determined that USPS deliveries are subject to the fee. The fee increased to 29 cents on July 1, 2024, and although it's a negligible amount per sale, it can add up. Businesses can pay the fee themselves. However, if you collect the fee from the customer in [Colorado] or [Minnesota], you must show the fee on the receipt or invoice.

While only two states have retail delivery fees now, the trend is catching on as states, including Maryland, Nebraska, Nevada, New York, Ohio, and Washington, look for new ways to get revenue.

An automated tax solution like [Avalara AvaTax] can help you collect and remit delivery fees automatically. Businesses will want to put systems in place sooner rather than later; the implementation of the Colorado fee was fast and furious, taking effect just a few weeks after it was announced. Learn about the impact of retail delivery fees on other industries in the [retail section] of this report.

While RDFs are only a concern in a couple of states, every state with a sales tax has an economic nexus law.



COLORADO RETAIL DELIVERY FEES

JULY 2024 TO JUNE 2025

Community Access Retail Delivery Fee	$0.0741
Clean Fleet Retail Delivery Fee	$0.0569
Clean Transit Retail Delivery Fee	$0.0322
General Retail Delivery Fee	$0.0903
Bridge and Tunnel Retail Delivery Fee	$0.029
Air Pollution Mitigation Retail Delivery Fee	$0.0075
Total Retail Delivery Fee	**$0.29**

Source: CDOR

Economic nexus for manufacturers in 2025

We could write our annual tax changes report every year for the next decade and there will always be a section for **economic nexus**. Since the 2018 United States Supreme Court decision in South Dakota v. Wayfair, Inc., manufacturers have puzzled over the different business activities that give them an obligation to register for sales tax in different states.

Thirteen states, including Indiana, Wyoming, and North Carolina, have **eliminated the transaction threshold**. **Alaska** is cutting its threshold effective January 1, 2025, and **New Jersey** is also looking to cut the threshold in 2025.

This means that to reach the nexus threshold and have sales tax obligations in the state, sellers only have to meet a sales threshold. But even in those states, calculating economic nexus is still pretty complex, and of course, the laws, threshold amounts, and rules vary between states.

Even if you only make exempt sales, you're still required to **register and comply with sales tax laws in many states**. If you can't get enough of economic nexus updates, check out the **sales tax section** of this report, where we cover it more in depth.

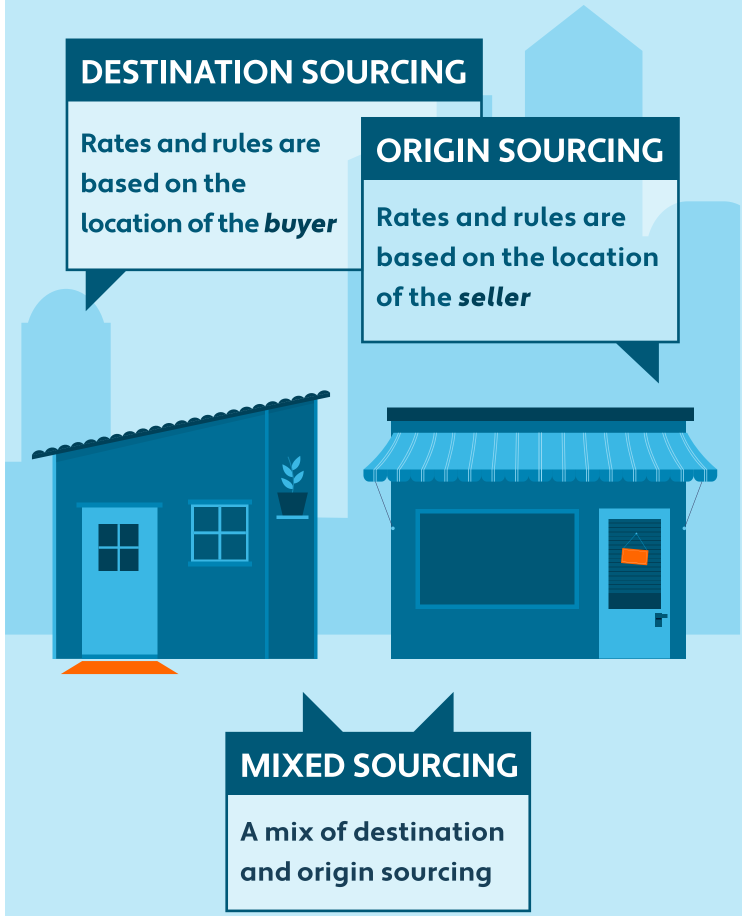
Sourcing rules struggles

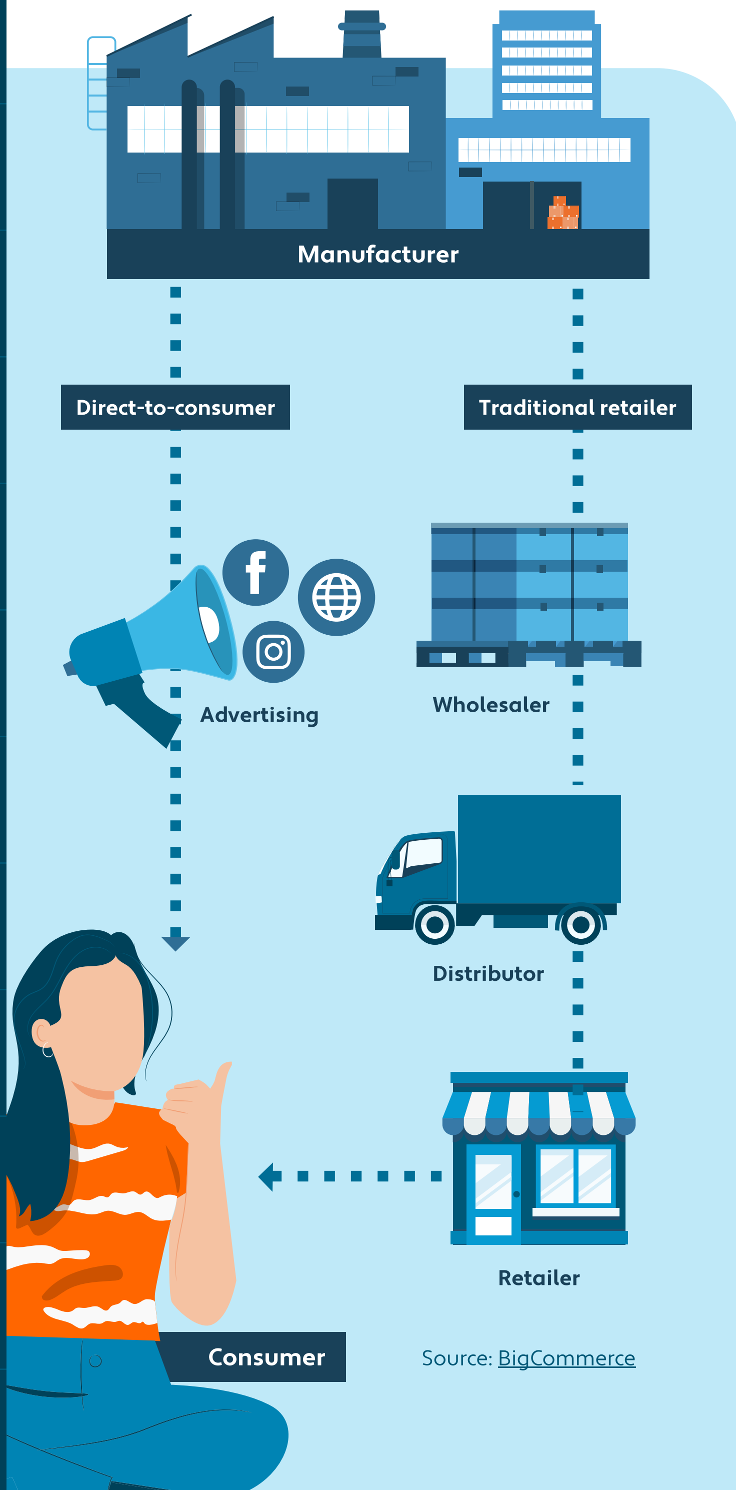
It's important to know the **sales rules that are in effect** when you sell into another state or jurisdiction. Is the applicable tax rate based on where the order is shipped from, where it's shipped to, or a combination of both. It becomes particularly challenging when a state switches sourcing rules, or changes requirements for in-state or out-of-state sellers.

Illinois is changing its sourcing rules effective January 1, 2025, at least for some retailers and transactions. Under SB 3362, out-of-state retailers that have a physical presence in Illinois must collect the tax rate in effect at the delivery address (aka, destination sourcing) when shipping goods from outside of Illinois. Previously, these businesses could apply a single use tax rate for orders shipped from out of state. Learn more about the state's new sourcing rules in the **sales tax section**.

Sales tax sourcing

Source: Avalara





Source: BigCommerce

Manufacturers and omnichannel sales

Direct-to-consumer (D2C) manufacturing is still trending, but what does that mean for manufacturers?

By **selling directly to the consumer**, you have more control over your relationships with customers; you determine pricing and messaging, you can be more agile with your customer service, and your customers get to interact directly with you. And while D2C shipping allows you to have customers all over the world, it could potentially expand your tax obligations thanks to nexus laws.

If you sell into other countries (B2B or B2C), you may also need to contend with the growing number of e-invoicing mandates. Learn more about e-invoicing mandates and other factors that may affect your cross-border business in the **global section** of this report.

Marketplace sales further complicate tax compliance for manufacturers

With the rise in popularity of marketplaces like Amazon and Etsy, it's no surprise manufacturers are getting in on the retail trend. But marketplace facilitator laws can complicate sales tax compliance.

Under these laws, online marketplaces are responsible for collecting and remitting applicable sales tax in states where they have sales tax nexus. Many states don't require individual sellers to register and file returns if they only sell through a marketplace as a remote seller, but some states do. This is one area where manufacturers are getting tripped up. Another is the challenges posed by direct-to-consumer sales.

Maria Tringali puts it this way: "Many manufacturers are turning to marketplaces to increase direct-to-consumer sales. While laws require the marketplace to collect and remit the sales tax, businesses often are unaware that these sales are part of their overall income and, added to direct sales, may require them to register, charge sales tax on non-marketplace sales, and file sales tax returns that include reporting the marketplace sales."

[Where you store your marketplace inventory]() can also trigger physical presence nexus. If you use marketplaces like Fulfillment by Amazon (FBA), eWorldTrade, or Alibaba and they store your products in fulfillment centers, you may have tax obligations you weren't previously aware of.

Ecommerce and marketplace sales give businesses the agility to compare prices, vendors, and shipping times, but can also present a tax compliance problem. It's important for manufacturers to have a way to collect and verify exemption certificates from buyers at the point of sale. And manufacturers that make exempt sales through marketplaces need to know **whether they're responsible for collecting and storing exemption certificates**, or if the marketplace handles it (most do). Otherwise, you're left emailing back and forth, refunding tax, and managing a lot of paperwork manually.

Another reason to make sure your exemption certificate documentation is in order? Exemption certificates are a point of interest for audits.

MARIA TRINGALI
Senior Solutions Consultant and Exemption Certificate Specialist at Avalara

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The A-word … *audits*

Between the high-tech trends that opened the industry to a remote workforce and the upsurge of work-from-home during 2020, many manufacturers were able to hire staff all over the country. Having employees in other states can trigger physical presence nexus, which can result in tax obligations.

And the more people you hire from a state, the more likely you are to be exposed to audit risk, according to Myles Metzger, Use Tax Solution Consultant for Avalara. "The remote work boom post-COVID created physical presence sales tax nexus for a number of companies. Since many businesses needed to register for payroll withholding tax in states, it increased their detection risk for sales and use tax. Items employers ship to remote employees, such as laptops and monitors, are subject to sales or use tax, as is software they're accessing in the state."

Just because a product, buyer, or seller is exempt from sales tax doesn't mean they're exempt from sales and use tax audits. There are 40 states, plus Puerto Rico and Washington, D.C., that include some type of exempt sales in their nexus threshold, so you may have more tax obligations than you think.

More auditors are focusing on exemption certificates too, according to David Knuff, Use Tax Product Solution Consultant at Avalara. “While the number of audits we’re seeing hasn’t really changed, more states are focusing on exemption certificates. Sales and use tax is the second biggest contributor to state budgets, so states are trying to maximize revenue any way they can. Exemption certificate management and compliance is low-hanging fruit for them, since spreadsheets, filing cabinets, and poor recordkeeping can get messy fast.”

DAVID KNUFF
Use Tax Product Solution Consultant at Avalara

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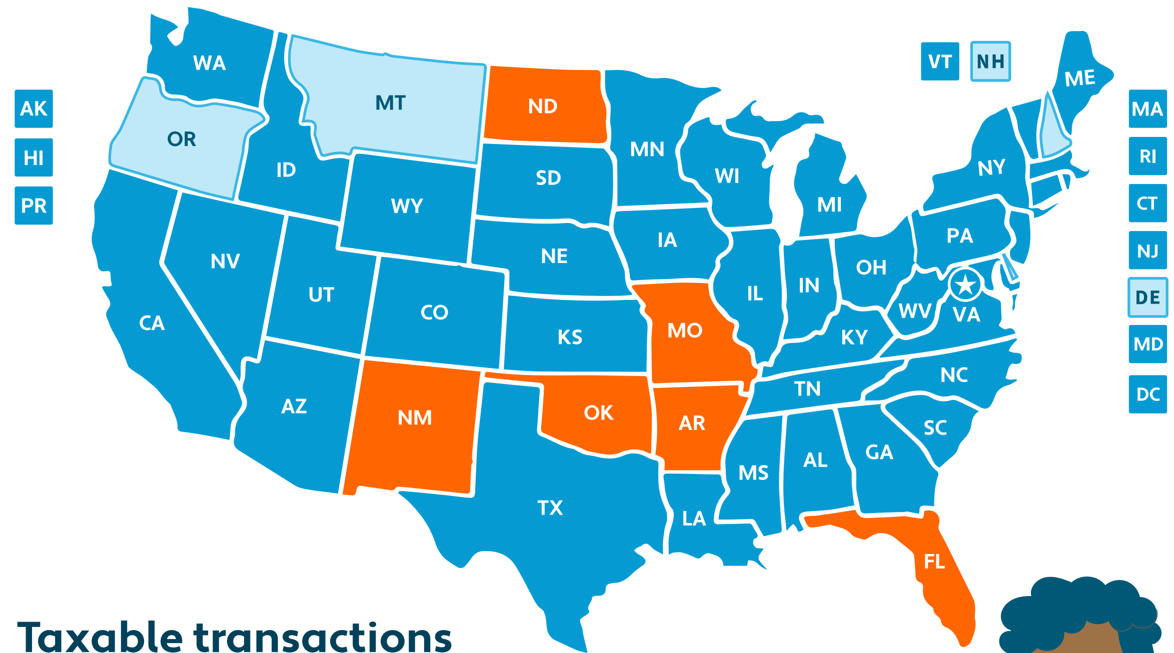

Taxable transactions and exempt sales

- No economic nexus
- States that generally include exempt sales in the threshold
- States that generally ***don’t*** include exempt sales in the threshold

Source: Avalara

Procure-to-pay and compliance

Getting the procure-to-pay process right is important. Otherwise, you could be looking at missed deadlines, increased costs due to a rushed order or new vendor, unhappy customers, and even a penalty or a fine if an audit goes wrong.

When purchasing goods and services for your company, it's best practice to track and verify invoices to confirm sales tax and exemptions were correctly applied, make sure vendors have valid exemption certificates, and self-assess and pay consumer use tax. Many manufacturers are **turning to technology to help maintain compliance** during these processes; automation software can track and verify invoices at receipt and ensure the exemption certificates in your system are valid and updated regularly.

Economic nexus can also impact the purchases your business makes; if you buy supplies from a vendor with nexus in a state, you'll need to pay sales tax or provide the vendor with a valid exemption certificate. If the vendor doesn't have nexus, you may be responsible for remitting consumer use tax directly to your state tax authority.

Avalara Vendor Exemption Management

SEND CERTIFICATES TO VENDORS TO PREVENT DELAYS AND UNNECESSARY TAXES

Streamline vendor exemption management as your business grows. Increase accuracy while you improve compliance, save time, and reduce risk.

LEARN MORE

Avalara AvaTax for Accounts Payable

CATCH VENDOR SALES TAX ERRORS AND REDUCE LIABILITY

Identify over- and underpaid sales tax on your purchases and apply the correct use tax based on jurisdiction, taxability, and special rules.

LEARN MORE

Consumer use tax

Consumer use tax continues to be a particular challenge for manufacturers. This tax is required when sales tax isn't collected on a purchase. For example, when a manufacturer buys machinery in a state where equipment is exempt, then uses it in a state where it's taxable. A Minnesota-based construction company learned this the hard way in the case of Ellingson Drainage, Inc. v. South Dakota Department of Revenue. Ellingson Drainage, Inc. neglected to pay South Dakota use tax, and now has to pay a large use tax assessment; learn more about the case in the **sales tax section**.

In some states, machinery or equipment is exempt from tax only if it's used in manufacturing. The degree to which a product has to be used and what counts as manufacturing varies from state to state. So if your business didn't pay sales tax at the outset then doesn't meet the use threshold or uses the item for any purposes other than manufacturing, use tax will apply.

Take forklifts, for example. According to Metzger, "In Wisconsin, a forklift has to be used exclusively and directly (95% or more) in the manufacturing process to be exempt from sales or use tax. If you're under that threshold, the forklift is not used exclusively and directly in manufacturing and is taxable. Texas has a much lower threshold; 50%. The taxability rules for your equipment vary widely for taxpayers with factories across multiple states."

As manufacturing becomes increasingly high tech, companies are buying software for employees around the world. If your team in the Seattle office purchases new laptops and drafting software for employees in San Diego, Boston, and Atlanta, your business could owe use tax in California, Massachusetts, and Georgia.

With all these changes and trends, it sure looks like businesses in the manufacturing industry are in for an interesting year. But not to worry – Avalara will be right there with you, keeping track of tax changes and helping you understand how they might affect your business.

How Avalara can help

Avalara Exemption Certificate Management and Avalara Vendor Exemption Management allow manufacturers to collect, store, and manage exemption certificates, making it easier to stay tax-compliant and audit-ready. Coupled with Avalara AvaTax and Avalara AvaTax for Accounts Payable, they can also monitor for potential sales tax obligations, collect the certificates you need from customers, and streamline consumer use tax calculation and vendor invoice management.

EXPLORE SOLUTIONS

Download the full Avalara Tax Changes 2025 report to read about what's happening in other industries and with tax compliance in general.

READ ON

Looking ahead

It's impossible to cover every sales tax change in one report, so we aimed to spotlight the biggest headlines impacting the tax landscape and your business. Leading tax experts take a deeper dive into some of the most pressing issues affecting tax compliance in our 2025 tax changes webinar.

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