
State of South Carolina
Department of Revenue
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SC REVENUE INFORMATIONAL BULLETIN #02-15

SUBJECT: Reorganized Sales and Use Tax Regulations
(Sales and Use Tax)

DATE: August 20, 2002

REFERENCE: Code of Regulations, Chapter 117, Article 7 (Repealed)
Code of Regulations, Chapter 117, Article 11 (Enacted June 28, 2002)
State Register, June 28, 2002 - Document Number 2658

AUTHORITY: S. C. Code Ann. Section 12-4-320 (Supp. 2000)
S.C. Code Ann. Section 1-23-10(4) (Supp. 2001)
SC Revenue Procedure #99-4

SCOPE: A Revenue Informational Bulletin is a written statement issued to the public by the Department to announce general information useful in complying with the laws administered by the Department. **A Revenue Informational Bulletin has no precedential value, and is not binding on the public or the Department.**

Reorganized Sales and Use Tax Regulations

Article 7 of Chapter 117 of the SC Code of Regulations (SC Regulations 117-145 through 117-178) has been repealed and new regulations concerning sales and use tax have been promulgated in a new Article 11. Under this reorganization, sales and use tax regulations are combined so that all regulations concerning one subject matter can be found in one regulation and therefore one place in the regulation code. In addition, each regulation has several “subsections” numbered in a manner to allow future issues concerning the subject matter to be added and still be in the same place in the regulation code as similar issues. For example, all issues concerning agriculture can be found in one regulation, Regulation 117-301. This regulation has several “subsections”

numbered 117-301.1, 117-301.2, and so on. This reorganization reduces the number of regulations from 225 to 37. These new regulations also incorporate longstanding department policy with respect to building materials used in the construction of commercial housing for poultry and livestock, meals sold to or by medical institutions, colleges and universities, charges by hotels and similar facilities, transactions involving state and local governments, and the calculation of the tax when a manufactured home is sold with furniture, appliances and other items. The new regulations are organized as follows:

<u>Regulation Number</u>	<u>Subject</u>
117-300	Retail Licenses
117-301	Agriculture
117-302	Manufacturers, Processors, Compounders, Miners and Quarriers
117-303	Laundries
117-304	State and Local Government
117-305	Meals
117-306	Repairs
117-307	Hotels, Motels and Similar Facilities
117-308	Services
117-309	Retailers
117-310	Freight and Delivery Charges
117-311	Railroads
117-312	Containers and Other Packaging Material
117-313	Labor
117-314	Construction
117-315	Newspaper
117-316	Books
117-317	Repossessed Property
117-318	Gross Proceeds of Sales and Sales Price
117-319	Warehousemen
117-320	Use Tax
117-321	Ships
117-322	Casual and Isolated Sales
117-323	Residential Heating
117-324	Dual Business
117-325	Bulk Sales
117-326	Saving and Loan Associations
117-327	Leased Departments
117-328	Radio and TV Stations
117-329	Communications
117-330	Automatic Data Processing
117-331	Airport Fixed Based Operators
117-332	Medicine and Prosthetic Devices

Regulation Number**Subject**

117-333	Donors and Goods Given Away for Advertising Purposes
117-334	Interstate Commerce
117-335	Manufactured and Modular Homes
117-336	Definition of Facility

Cross-Reference to Repealed Sales and Use Tax Regulations

<u>New Regulation</u>	<u>Repealed/Former Regulation</u>	<u>Subject Matter</u>
117-300	117-145, 117-174.86, 117-175.1, and 117-175.2	Retail Licenses
117-301	117-174.8, 117-174.9, 117-174.10, 117-174.12, 117-174.14, 117-174.15, 117-174.16, 117-174.17, 117-174.18, 117-174.19, 117-174.20, 117-174.21, 117-174.22, 117-174.23, 117-174.24, 117-174.25, 117-174.26, 117-174.27, 117-174.28, 117-174.84, 117-174.85, 117-174.87, 117-174.198, 117-174.199, 117-174.237, 117-174.243, 117-174.252, and 117-174.255	Agriculture
117-302	117-173, 117-174.30, 117-174.31, 117-174.35, 117-174.42, 117-174.46, 117-174.49A, 117-174.50, 117-174.61, 117-174.80, 117-174.83, 117-174.88, 117-174.102, 117-174.103, 117-174.117, 117-174.120, 117-174.121, 117-174.122, 117-174.123, 117-174.124, 117-174.125, 117-174.126, 117-174.127, 117-174.128, 117-174.129, 117-174.130, 117-174.132, 117-174.134, 117-174.135, 117-174.136, 117-174.137, 117-174.138, 117-174.139, 117-174.140, 117-174.141, 117-174.142, 117-174.143, 117-174.144, 117-174.145, 117-174.146, 117-174.148, 117-174.149, 117-174.172, 117-174.173, 117-174.174, 117-174.175, 117-174.176, 117-174.177, 117-174.178, 117-174.179, 117-174.209, 117-174.210, 117-174.212, 117-174.216, 117-174.227, 117-174.228, 117-174.229, 117-174.230, 117-174.236, 117-174.244, 117-174.245, 117-174.246, 117-174.248, and 117-174.258	Manufacturers, Processors, Compounders, Miners and Quarriers

<u>New Regulation</u>	<u>Repealed/Former Regulation</u>	<u>Subject Matter</u>
117-303	117-174.232, 117-174.233, 117-174.234, 117-174.241 and 117-175.3	Laundries
117-304	117-174.92, 117-174.93, 117-174.94, 117-174.95, 117-174.96, 117-174.97, 117-174.98 and 117-174.100	State and Local Government
117-305	117-174.113, 117-174.114, 117-174.115, and 117-174.116	Meals
117-306	117-162, 117-163, 117-174.32, 117-174.33, 117-174.191, and 117-174.192	Repairs
117-307	117-174.101	Hotels, Motels and Similar Facilities
117-308	117-162, 117-163, 117-166, 117-167, 117-169, 117-174.33, 117-174.153, 117-174.158, 117-174.160, 117-174.161, 117-174.162, 117-174.163, 117-174.205, 117-174.206, 117-174.263, 117-174.264 and 117-174.266	Services
117-309	117-164, 117-165, 117-168, 117-174.36, 117-174.39, 117-174.40, 117-174.89, 117-174.90, 117-174.104, 117-174.109, 117-174.110, 117-174.165, 117-174.208, 117-174.218, 117-174.225, 117-174.231, 117-174.247 and 117-174.259	Retailers
117-310	117-156, 117-174.214 and 117-174.215	Freight and Delivery Charges
117-311	117-174.54, 117-174.55, 117-174.56, 117-174.114, 117-174.180, 117-174.181, 117-174.182, 117-174.183, 117-174.184, 117-174.185 and 117-174.186	Railroads
117-312	117-174.68, 117-174.78, 117-174.79, 117-174.91, 117-174.105, 117-174.164, 117-174.201, 117-174.222 and 117-174.260	Containers and Other Packaging Material
117-313	117-174.202, 117-174.203, 117-174.204 and 117-174.261	Labor
117-314	117-174.6, 117-174.7, 117-174.45, 117-174.47, 117-174.53, 117-174.62, 117-174.63, 117-174.131, 117-174.157, 117-174.170, 117-174.171 and 117-174.249	Construction
117-315	117-174.166, 117-174.167 and, 117-174.168	Newspaper
117-316	117-174.213 and 117-174.251	Books
117-317	117-176.1 and 117-176.2	Repossessed Property
117-318	117-174.48, 117-174.59, 117-174.106, 117-174.238, 117-174.240, 117-174.253 and 117-174.265	Gross Proceeds of Sales and Sales Price
117-319	117-174.223 and 117-174.224	Warehousemen
117-320	117-174.220 and 117-174.239	Use Tax

<u>New Regulation</u>	<u>Repealed/Former Regulation</u>	<u>Subject Matter</u>
117-321	117-174.81 and 117-174.207	Ships
117-322	117-154	Casual and Isolated Sales
117-323	117-177	Residential Heating
117-324	117-174.82	Dual Business
117-325	117-174.196	Bulk Sales
117-326	117-174.41	Saving and Loan Associations
117-327	117-174.107	Leased Departments
117-328	117-174.250	Radio and TV Stations
117-329	117-174.235	Communications
117-330	117-174.262	Automatic Data Processing
117-331	117-174.254	Airport Fixed Based Operators
117-332	117-174.257	Medicine and Prosthetic Devices
117-333	117-157	Donors and Goods Given Away for Advertising Purposes
117-334	117-170	Interstate Commerce
117-335	117-178	Manufactured and Modular Homes
117-336	117-160.5	Definition of a Facility

In addition, the following regulations have been repealed due to changes in the law, recent court cases, or because they are no longer needed as a result of the sales and use tax regulation reorganization project.

<u>Repealed Regulation</u>	<u>Subject Matter</u>
117-174.38	Automobile Dealer's Demonstrator
117-174.62	Contractor's Liability
117-174.178	Materials Used in Processing by Paper Manufacturers
117-174.188	Religious Publications
117-174.221	Vendor's Discount
117-175.4	Partnerships

Where to Find the New Sales and Use Tax Regulations

The final notice concerning this document, which includes the text of the new regulations, was published in the State Register on June 28, 2002 and can be found at <http://www.lpittr.state.sc.us/regnsrch.htm> by typing in Document Number 2658.