

SOUTH CAROLINA DEPARTMENT OF REVENUE

Chapter 117

Statutory Authority: 1976 Code Section 12-4-320

Notice of Drafting:

The South Carolina Department of Revenue is considering amending SC Regulation 117-305.5 to comply with Code Section 12-36-2120(10). Code Section 12-36-2120(10)(a) provides a sales tax exemption for sales of meals to school children and sales of foodstuffs to schools which are used in furnishing meals to school children, if the sales or use are within school buildings and are not for profit. SC Regulation 117-305.5 discusses sales of meals under Code Section 12-36-2120(10)(a), but it does not address sales of foodstuffs.

The department has always recognized both exemptions provided by Code Section 12-36-2120(10)(a) and is proposing to amend SC Regulation 117-305.5 to clarify that there is a sales tax exemption for sales of foodstuffs to schools which are used in furnishing meals to school children, if the sales or use are within school buildings and are not for profit. The amendment would be effective upon the date of publication in the State Register.

Interested persons may submit written comments to Meredith F. Cleland, South Carolina Department of Revenue, Legislative Services, P.O. Box 125, Columbia, SC 29214. To be considered, comments must be received no later than 5:00 p.m. on October 24, 2016.

Synopsis:

The South Carolina Department of Revenue is considering amending SC Regulation 117-305.5 to comply with Code Section 12-36-2120(10)(a) to clarify that there is a sales tax exemption for sales of foodstuffs to schools which are used in furnishing meals to school children, if the sales or use are within school buildings and are not for profit. The department has always recognized both exemptions provided by Code Section 12-36-2120(10)(a). However, as written, SC Regulation 117-305.5 does not address foodstuffs. The amendment would be effective upon the date of publication in the State Register.