

"THE BELOW CONSTITUTED SUMMARY IS PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. IT IS STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND IS NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT".

REPORT OF THE SALES, USE AND INCOME TAX SUBCOMMITTEE

(Newton, Stavrinakis, Dillard, Taylor & Hyde - Staff Contact: Teesha Trapp)

HOUSE BILL 4082

H. 4082 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS SO AS TO EXEMPT CERTAIN MEDICINE USED FOR OPHTHALMIC DISEASE.

Received by Ways and Means: 3/7/23

Summary of Bill:

This bill codifies Proviso 117.184 of the FY 2023-24 Appropriations Act. It exempts from sales tax insertable medicines administered in a physician's office, independent surgery center or in a hospital-based outpatient department for the prevention, treatment or cure of ophthalmic diseases.

Estimated Revenue Impact:

None

Subcommittee Action/Explanation

Received **FAVORABLE REPORT** on March 19, 2024.

Full Committee Action/Explanation

Other Notes/Comments:



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

STATEMENT OF ESTIMATED FISCAL IMPACT

(803)734-3780 • RFA.SC.GOV/IMPACTS

This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number:	H. 4082	Introduced on March 7, 2023
Author:	Bannister	
Subject:	Sales Tax Exemption	
Requestor:	House Ways and Means	
RFA Analyst(s):	Daigle	
Impact Date:	March 8, 2024	

Fiscal Impact Summary

This bill codifies Proviso 117.184 of the FY 2023-24 Appropriations Act, which exempts from sales tax insertable medicine used in the prevention, treatment, or cure of an ophthalmic disease or condition. The medicine must be administered in a physician office, independent surgery center, or in a hospital-based outpatient department.

This bill will have no expenditure impact for the Department of Revenue (DOR) as this bill codifies an existing proviso, included in the FY 2023-24 Appropriations Act. Guidance and processes are already in place to administer the exemption.

This bill will have no impact on state or local sales tax revenue. The exempt sales outlined by this bill are already exempt under Proviso 117.184 of the FY 2023-24 Appropriations Act, and therefore, already considered in General Fund revenue estimates by the Board of Economic Advisors (BEA). Further, this bill will not impact local sales tax revenue as these sales are already exempt from local sales tax.

Explanation of Fiscal Impact

Introduced on March 7, 2023

State Expenditure

This bill exempts from sales tax, insertable medicine used in the prevention, treatment, or cure of an ophthalmic disease or condition. The medicine must be administered by or pursuant to the supervision of a physician, and in an office under the supervision of a physician, in an independent surgery center, or in a hospital-based outpatient department. This bill codifies existing Proviso 117.184, and therefore, the bill will have no impact on DOR to administer the exemption.

State Revenue

This bill will have no state revenue impact. The exempt sales outlined by this bill are already exempt under Proviso 117.184 of the FY 2023-24 Appropriations Act, and therefore, are already considered in the BEA General Fund revenue estimate.

Local Expenditure

N/A

Local Revenue

This bill will not impact local sales tax revenue as the exempt sales outlined by this bill are already exempt under Proviso 117.184.



Frank A. Rainwater, Executive Director

South Carolina General Assembly
125th Session, 2023-2024

H. 4082

STATUS INFORMATION

General Bill
Sponsors: Rep. Bannister
Document Path: LC-0181DG23.docx

Introduced in the House on March 7, 2023
Currently residing in the House Committee on **Ways and Means**

Summary: Sales tax exemption

HISTORY OF LEGISLATIVE ACTIONS

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
3/7/2023	House	Introduced and read first time (House Journal-page 9)
3/7/2023	House	Referred to Committee on Ways and Means (House Journal-page 9)

View the latest [legislative information](#) at the website

VERSIONS OF THIS BILL

03/07/2023

1
2
3
4
5
6
7
8
9
10

A BILL

11 TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120,
12 RELATING TO SALES TAX EXEMPTIONS SO AS TO EXEMPT CERTAIN MEDICINE USED
13 FOR OPHTHALMIC DISEASE.
14

15 Be it enacted by the General Assembly of the State of South Carolina:

16

17 SECTION 1. Section 12-36-2120(28) of the S.C. Code is amended by adding a subitem to read:

18

19 (g) insertable medicine used in the prevention, treatment, or cure of an ophthalmic disease or
20 condition so long as the medicine is administered by or pursuant to the supervision of a physician, and
21 in an office which is under the supervision of a physician, in an independent surgery center, or in a
22 hospital-based outpatient department;

23

24 SECTION 2. This act takes effect on July 1, 2023.

25

----XX----