

Wednesday, March 21, 2018
Ways and Means Committee

H. 4021 - Sales Tax Exemption for Perishable Food Production

Sponsor: Rep. Finlay

Amendment No. 1

SECTION Section 12-20-20(9) of the 1976 Code, as last amended by Act 160 of 2016, is further amended to read:

"(B) Unless otherwise provided, corporations shall file an annual report on a form prescribed by the department on or before the date for filing the income tax return as provided in Section 12-6-4970. Any other entity subject to a license fee in this chapter must file an annual report on or before the fifteenth day of the fourth month following the close of the taxable year."

SECTION Section 12-36-2120 of the 1976 Code as amended, is further amended by adding the following:

() Incontinence supplies and related home medical supplies:

(a) As defined under federal and state Medicaid or Medicare laws;

(b) Which as paid directly by funds of this State or the United States under the Medicaid or Medicare programs, where state or federal law or regulation authorizing the payment prohibits the payment of the sale or use tax; and

(c) Sold by a person engaged in the business of selling such equipment and supplies at retail who holds a South Carolina retail sales license.

SECTION Section 12-43-335(A) of the 1976 Code is amended by adding appropriately numbered items to read:

“(7) Sector 11, subsectors 111, 112, 113, 114, and 115, unless exempt;

(8) Sector 52, subsectors 522, 523, 524, and 525; Sector 53, subsectors 531 and 533; and Sector 55, subsector 551, unless exempt.

(9) Sector 51, subsector 512; Sector 54, subsector 541; Sector 61, subsector 611; Sector 62, subsectors 621, 622, 623, and 624; Sector 71, subsector 712; Sector 72, subsector 721; and Sector 81, subsectors 813 and 814, unless exempt.”

SECTION Section 12-39-70 of the 1976 Code is repealed.

SECTION This act takes effect upon approval by the Governor and applies to property tax returns due after December 31, 2018.

SECTION Chapter 54, Title 12 of the 1976 Code is amended by adding:

“Section 12 54 265. Notwithstanding any other provision of law, the department may submit to a financial institution, as defined in Section 63 17 2310(A)(2), information that identifies a debtor named on a warrant for distraint that has been issued and filed by the department or whose debt has been submitted to the department for collection under the provisions of Section 12 4 580. For purposes of debts named on warrants for distraint, the debt must be at least one hundred eighty days old from the date of assessment. The department may submit the information to the financial institution on a quarterly basis or, with the agreement of the financial institution, on a more frequent basis. A financial institution that receives the information must conduct a data match. The financial institution must then provide to the department, in a manner and form prescribed by the department, information concerning the debtor for purposes of collecting outstanding debts. The information provided to the department must include, but is not limited to, the information required pursuant to Section 63 17 2320(A). The financial institution must be paid a reasonable fee out of the collected funds not to exceed actual cost.”

SECTION This act takes effect upon approval by the Governor.