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Date: 4/21/2014 5:49:49 PM
Subject: SALT & Realtors List serves: Senate votes out ATAX Bill

Last week the SC State Senate voted out a House Accommodations (ATAX) bill; the bill lowers the ATAX base by removing amenities, entertainment, special items in promotional tourist packages, and other guest services; these items are currently in the 5% ATAX base

Since the Senate amended a House bill, it goes back to the House; the House can (1) amend it and return to the Senate; (2) concur in the Senate amendments, in which case the Bill goes to the Governor; or (3) non-concur, in which case the bill goes to a Conference Committee.

The bill has an effective date of July 1st

The House and Senate are on furlough this week and will convene at noon on Tuesday, April 29, 2014.

COMMITTEE AMENDMENT ADOPTED

March 5, 2014

H. 3561

Introduced by Reps. White, Stavrinakis and Merrill

S. Printed 3/5/14--S.

Read the first time May 1, 2013.

A BILL

TO AMEND SECTION [12-36-920](#), AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX ON ACCOMMODATIONS, SO AS TO DELETE CERTAIN ITEMS SUBJECT TO THE FIVE PERCENT TAX ON ADDITIONAL SURCHARGES.

Amend Title To Conform

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

SECTION 1. Subsections (A) and (B) of Section [12-36-920](#) of the 1976 Code, as last amended by Act 56 of 2005, are further amended to read:

"(A) A sales tax equal to seven percent is imposed on the gross proceeds derived from the rental or charges for any rooms, campground spaces, lodgings, or sleeping accommodations furnished to transients by any hotel, inn, tourist court, tourist camp, motel, campground, residence, or any place in which rooms, lodgings, or sleeping accommodations are furnished to transients for a consideration. This tax does not apply where the facilities consist of less than six sleeping rooms, contained on the same premises, which is used as the individual's place of abode. The gross proceeds derived from the lease or rental of sleeping accommodations supplied to the same person for a period of ninety continuous days are not considered proceeds from transients. The tax imposed by this subsection (A) does not apply to additional guest charges as defined in subsection (B) or separately stated optional charges on a bill to a customer for amenities, entertainment, special items in promotional tourist packages, and other guest services.

(B) A sales tax of five percent is imposed on additional guest charges at any place where rooms, lodgings, or accommodations are furnished to transients for a consideration, unless otherwise taxed under this chapter. For purposes of this subsection, The term additional guest charges includes, but is not limited to are limited to charges for:

- (1) room service;
- (2) amenities;
- (3) entertainment;
- (4) special items in promotional tourist packages;
- (5) laundering and dry cleaning services;
- (6)(3) in-room movies;
- (7)(4) telephone charges service; and
- (8)(5) rentals of meeting rooms; and
- (9) other guest services."

SECTION 2. This act takes effect July 1, 2014.

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