~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 18, 2013

**H. 3561**

Introduced by Reps. White, Stavrinakis and Merrill

S. Printed 4/18/13--H.

Read the first time February 19, 2013.

**THE COMMITTEE ON WAYS AND MEANS**

To whom was referred a Bill (H. 3561) 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, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, and if amended, by striking SECTION 1, page 1, and inserting:

/ 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~~.” /

Renumber sections to conform.

Amend title to conform.

W. BRIAN WHITE for Committee.

**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.

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

SECTION 1. Section 12‑36‑920(B) of the 1976 Code is amended to read:

“(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. The term additional guest charges includes, but is not limited to:

(1) ~~room service;~~

~~(2) amenities;~~

~~(3) entertainment;~~

~~(4) special items in promotional tourist packages;~~

~~(5)~~ laundering and dry cleaning services;

~~(6) in‑room movies;~~

~~(7)~~(2) telephone charges;

~~(8)~~(3) rentals of meeting rooms~~; and~~

~~(9) other guest services~~.”

SECTION 2. This act takes effect July 1, 2013.

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