



**Revenue Information Bulletin
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Sales Tax**

**Meals Furnished by Certain Institutions and Organizations Are
Exempt from Sales Tax**

[La. R.S. 47:305\(D\)\(2\)](#) provides a sales tax exemption for meals furnished to staff and students of educational institutions, staff and patients of hospitals, staff, inmates and patients of mental institutions, boarders of rooming houses, and occasional meals furnished to the public in educational, religious, or medical organization facilities.

Generally, the meals must be consumed on the premises where purchased in order to qualify for the exemption. However, meals served to students or staff of educational institutions will also qualify for the exemption, regardless of where the meals are consumed, if purchased in advance pursuant to a meal plan or other payment arrangement sanctioned by the institution or organization.

Between July 1, 1986 and June 30, 2009, the exemption for meals under La. R.S. 47:305(D)(2) was either partially or fully suspended by the Louisiana Legislature. Consequently, the sale of meals furnished to consumers such as students, patients, boarders, or staff of affected institutions was subject to state sales tax at rates of 1 percent, 3 percent, or 4 percent during this time period. Between July 1, 2000 and June 30, 2009, the exemption under La. R.S. 47:305(D)(2) was fully suspended, making these transactions subject to 4 percent state sales tax.

[Act 473 of the 2009 Regular Session of the Louisiana Legislature](#) removed the suspensions on La. R.S. 47:305(D)(2) making the exemption fully effective and not subject to sales tax. Act 473 retroactively removed the suspensions on La. R.S. 47:305(D)(2) from January 1, 1998, thereby prohibiting the assessment of uncollected taxes by the Louisiana Department of Revenue (LDR). However, Section 2 of Act 473 contained language also prohibiting the refund of correctly paid taxes not paid under protest.

Therefore, LDR will not assess sales and use taxes on transactions where no taxes were collected or paid on meals exempted under La. R.S. 47:305(D)(2) during the period January 1, 1998 through June 30, 2009. Likewise, LDR will not refund any taxes correctly paid according to applicable law during the period January 1, 1998 through June 30, 2009, unless the taxes were paid under protest.

Questions may be directed to the LDR Call Center at 225-219-7462 or by email to sales.inquiries@la.gov.

Cynthia Bridges
Secretary

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