**Private Letter Ruling**

|  |  |
| --- | --- |
| **Ruling Number:** | **P-1998-119** |

|  |  |
| --- | --- |
| **Tax Type:** | **Kansas Retailers' Sales Tax** |
| **Brief Description:** | **Utilities purchased by religious organizations.** |
| **Keywords:** |  |
| **Approval Date:** | **08/28/1998** |

**Body:**

Office of Policy & Research

August 28, 1998

TTTTTTTTTTTT
TTTTTTTTTTTT
TTTTTTTTTTTT
TTTTTTTTTTTT

Dear Mr. TTTTTT:

We wish to acknowledge receipt of your letter which was received by this office on August 22, 1998, regarding the application of Kansas Retailers’ Sales tax.

K.S.A. 79-3606(aaa) exempts from sales tax: “all sales of tangible personal property and services purchased by a religious organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes.”

Therefore, if the tangible personal property and services that your church purchases are used exclusively for religious purposes, the purchase could be made by the church without having to pay Kansas sales tax.

If the utility is purchased exclusively for religious purposes, you will not need to fill out worksheets to determine how much of the utilities qualify for exemption. However, on the other hand, if the utility is purchased for both a taxable and a non-taxable use, then a determination would need to be made as to how much of the purchase is exempt from sales tax. You should supply your utility company with a copy of the exemption certificate (BT/st-28B).

For your convenience, I have enclosed a copy of Revenue Notice 98-5, entitled, “Sales Taxation of Purchases by Religious Organizations”.

If I may be of further assistance, please contact me at your earliest convenience at (785) 296-7776.

Sincerely yours,

Thomas P. Browne, Jr.
Tax Specialist

TPB

Enc

**Date Composed: 09/14/1998 Date Modified: 10/10/2001**