HOUSE RESEARCH

Bill Summary -

File Number: H.F. 1275 Date: February 17, 2017

Version: As introduced

Authors: Smith and others

Subject: Exempts certain vending machine sales

Analyst: Pat Dalton

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Overview

Provides a sales tax exemption for generally non-taxable food when sold in vending machines, regardless of a vending machine's location. Currently all food sold in vending machines is taxable. Items that will no longer be taxed included water, fruit, cookies and other baked goods.

Prepared food, candy, and soft drinks will remain taxable when sold through a vending machine. Coffee and similar hot beverages will remain taxable as prepared food. Sandwiches and similar items will be taxable or non-taxable depending on whether they are prepared or heated by the seller and therefore are defined as prepared food, or purchased from another company and sold unheated (this is the same tax treatment for sandwiches and similar items sold at a convenience store).

Effective for sales and purchases made after June 30, 2017.

Section

Sale and purchase. Removes sales of food through vending machines from the definition of taxable food.

Effective for sales and purchases made after June 30, 2017.

Taxable food sold through vending machines. Defines taxable food sold through vending machines as prepared food, candy, and soft drinks.

Effective for sales and purchases made after June 30, 2017.

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Section

Food and food ingredients. Stops excluding food sold through vending machines from the sales tax exemption for food and food ingredients. However, since candy, soft drinks, and prepared food continue to be excluded from the definition of tax exempt food, those items will continue to be taxable when sold through vending machines.

Effective for sales and purchases made after June 30, 2017.

- **Exempt meals at residential facilities.** Limits the taxability of food sold in vending machines at residential facilities to only taxable food as defined in section 2.
 - Effective for sales and purchases made after June 30, 2017.
- **Exempt meals at schools.** Limits the taxability of food sold in vending machines to only taxable food as defined in section 2, in machines located at all schools, including both K-12 and post-secondary schools.
 - Effective for sales and purchases made after June 30, 2017.
- **Other exempt meals.** Limits the taxability of food sold in vending machines to only taxable food as defined in section 2 in machines located at places serving food exclusively to seniors or disabled persons and their spouses.
 - Effective for sales and purchases made after June 30, 2017.