**Private Letter Ruling**

|  |  |
| --- | --- |
| **Ruling Number:** | **P-1999-08** |

|  |  |
| --- | --- |
| **Tax Type:** | **Kansas Retailers' Sales Tax** |
| **Brief Description:** | **School Fund Raisers** |
| **Keywords:** |  |
| **Approval Date:** | **01/22/1999** |

**Body:**

Office of Policy & Research

January 22, 1999  
  
  
XXXXXXXXXXXXX  
XXXXXXXXXX  
XXXXXXXXXXXXXX  
XXXXXXXXXXXXXX  
  
  
Dear XXXXXXXXXXXXX:  
  
The purpose of this letter is to respond to your letter dated November 21, 1998.  
  
Kansas law exempts direct purchases by a public schools. K.S.A. 79-3606(b). Kansas law does not relieve a public school from the obligation of collecting and remitting sales tax on sales of tangible personal property or taxable services to students or the general public.  
  
Your questions are:  
  
“ If a school club or organization sponsor, such as cheerleaders or drama club collects money from students to purchase items such as T-shirts, deposits the money in the activity fund, and writes a check to the vendor, then this purchase would be tax exempt (no matter who the ultimate user of the product is).”

Answer: Assuming the activity fund is a fund of the public school and the transaction is a direct sale to the school, the purchase would be exempt.

“ Also, if a club or organization, such as cheerleaders or drama club, has a pizza party, if the sponsor collects the money from the students, deposits the money in the activity fund, and writes a check to Pizza Hut, this purchase would also be tax exempt.”

Answer: Assuming the activity fund is a fund of the public school and the transaction is a direct sale to the school, the purchase would be exempt.

This is a private letter ruling pursuant to Kansas Administrative Regulation 92-19-59. It is based solely on the facts provided in your request. If it is determined that undisclosed facts were material or necessary to an accurate determination by the department, this ruling is null and void. This private letter ruling will be revoked in the future by operation of law without further department action if there is a change in the statutes, administrative regulations, or case law, or a published revenue ruling, that materially affects this ruling.  
  
Sincerely,  
  
  
Mark D. Ciardullo  
Tax Specialist  
  
MDC  
  
  
**Date Composed: 01/25/1999 Date Modified: 10/11/2001**