

PUBLIC DRAFT

Circulated for Public Comments

Comments Due by: **April 15, 2026**

SC REVENUE RULING #26-xx [PUBLIC DRAFT – 3/24/2026]

SUBJECT: Charges, Fees, and Tax Liability
(Admissions Tax)

EFFECTIVE DATE: All periods upon under the statute.

SUPERSEDES: SC Revenue Ruling #90-10

REFERENCES: S.C. Code Ann. Section 12-21-2410 (2014)
S.C. Code Ann. Section 12-21-2420 (2014)

AUTHORITY: S.C. Code Ann. Section 12-4-320 (2014)
S.C. Code Ann. Section 1-23-10(4) (2005)
SC Revenue Procedure #09-3

SCOPE: The purpose of a Revenue Ruling is to provide guidance to the public. It is an advisory opinion issued to apply principles of tax law to a set of facts or general category of taxpayers. It is the Department’s position until superseded or modified by a change in statute, regulation, court decision, or another Department advisory opinion.

INTRODUCTION:

These ruling updates the Department of Revenue’s (Department) policy on whether the measure of the admissions tax includes additional charges and fees, such as service or convenience charges and credit card fees. Further, this ruling clarifies who is responsible for remitting the admissions tax to the Department in situations where the licensed operator of a place of amusement designates or contracts with a third-party to collect the admissions price from patrons on the operator’s behalf.

LAW AND DISCUSSION:

Charges and Fees

Code Section 12-21-2420 imposes a 5% admissions tax “upon all paid admissions to all places of amusement within this State” Code Section 12-21-2410 defines admissions as “the right or privilege to enter into or use a place or location.”

Therefore, paid admissions (the measure of the admissions tax) is the amount patrons are required to pay for the right or privilege to enter into or use a place or location. If a patron is required to

pay any charges or fees in addition to the admissions price in order to gain admittance into a place of amusement (i.e., service charges, convenience charges, handling charges, credit card fees, etc.), then the admissions tax is measured on the entire amount the patron is required to pay.

The measure of the admissions tax may vary based on the chosen method of payment as shown in the examples below.

Example 1—Ticket Purchase to Event A with Service Charge and Credit Card Fee:

Standard Admission Charge:	\$50.00
Service Fee:*	\$26.30
<u>Credit Card Fee:</u>	<u>\$5.00</u>

Total Cost Required to Purchase Admission with Credit Card:	\$81.30
---	---------

In Example 1, the measure of the admissions tax is based on \$81.30, because that is the amount this particular patron is required to pay for the right or privilege to enter into or use a place or location.

Example 2—Ticket Purchase to Event A with Service Fee, but without Credit Card Fee:

Standard Admission Charge:	\$50.00
<u>Service Fee:*</u>	<u>\$26.30</u>

Total Cost Required to Purchase Admission:	\$76.30
---	---------

In Example 2, the measure of the admissions tax is based on \$76.30, because that is the amount this particular patron is required to pay for the right or privilege to enter into or use a place or location.

Example 3—Ticket Purchase to Event A, no additional charges or fees

Standard Admission Charge: \$50.00

Total Cost Required to Purchase Admission:	\$50.00
---	---------

In Example 3, the measure of the admissions tax is based on \$50.00, because that is the amount this particular patron is required to pay for the right or privilege to enter into or use a place or location.

PUBLIC DRAFT

Circulated for Public Comments

Comments Due by: **April 15, 2026**

Tax Liability

South Carolina law imposes the admissions tax on the person who pays the admissions price. See S.C. Code Ann. § 12-21-2420. It further imposes the duty of collecting and remitting the admissions tax to the Department on “the person or persons collecting the admissions price.” Id. Further, “[b]efore engaging in business every person operating a place of amusement within the State subject to the tax imposed by this article shall file with the [D]epartment an application for a permanent license permitting him to engage in the business.” S.C. Code Ann. § 12-21-2440.

Thus, the licensed operator of a place of amusement is responsible for collecting and remitting the admissions tax to the Department. The licensed operator may contract with a third-party to collect payment on behalf of the licensed operator; however, such an arrangement does not alleviate the licensed operator’s liability to remit the admissions tax due on any admissions collected on its behalf. The licensed operator shall maintain records to support the amounts claimed on admissions tax returns, including any records to support any third-party collection arrangements.

CONCLUSION:

If a place of amusement requires a patron to pay any charges or fees (i.e., convenience fees, service charges, credit card fees, etc.) in addition to the charge for admission to gain admittance into its place or location, then said charges or fees must be included in the measure of the admissions tax.

The licensed operator of the place of amusement is liable for collecting and remitting the admissions tax to the Department, regardless of whether the operator has delegated or contracted with a third-party to collect the admissions on their behalf.