**Private Letter Ruling**

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| **Ruling Number:** | **P-2011-006** |

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| **Tax Type:** | **Kansas Retailers' Sales Tax** |
| **Brief Description:** | **Entry fees collected for youth baseball tournaments.** |
| **Keywords:** |  |
| **Approval Date:** | **07/08/2011** |

**Body:**

Office of Policy & Research

July 8, 2011

XXXXXXXXX
XXXXXXXXXXX
XXXXXXXXXXXX

Dear XXXXXXXX:

Re: XXXXXXXXXXXXXXXXXXXXX

We acknowledge receipt of your letter dated May 25, 2011 regarding the application of Kansas Retailers’ Sales tax.

My understanding of the relevant facts pertaining to your taxation question are as follows: (1) the taxpayer in question is a Missouri LLC that conducts youth baseball tournaments currently in Missouri but intends to expand its operations to Kansas, (2) the tournaments are sanctioned and approved by the United States Sports Association, Inc. an organization described in I.R.C. § 501(c)(4) as an organization exempt from federal income taxation, and (3) the admission fees charged to spectators for the aforementioned baseball tournaments are subject to Kansas sales tax pursuant to K.S.A. 79-3603(e).

K.S.A. 79-3603(m) imposes a sales tax upon: “the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from. . . entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to K.S.A. 79-3603(e).

Based solely upon the information and documents you submitted, it is the opinion of the Kansas Department of Revenue that entry fees collected for your youth baseball tournaments are exempt from Kansas sales tax pursuant to K.S.A. 79-3603(m).

This is a private letter ruling pursuant to K.A.R. 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 make 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 private letter ruling.

Sincerely,

Mark D. Ciardullo
Tax Specialist

**Date Composed: 07/08/2011 Date Modified: 07/08/2011**