



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE

RESALE CERTIFICATE

ST-8A

(Rev. 5/21/02)
5010

Notice To Seller:

It is presumed that all sales are subject to the tax until the contrary is established. The burden of proof is on the seller that the sale of tangible personal property is not a retail sale. However, if the seller receives a resale certificate signed by the purchaser stating that the property is purchased for resale, the liability for the sales tax shifts from the seller to the purchaser.

This certificate is intended for use by licensed retail merchants purchasing tangible personal property for resale, lease or rental purposes. To be valid, it must be signed by the owner, partner or a corporate officer, and must include the purchaser's name, address and retail sales tax license number.

Purchaser's Statement:

As purchaser, I certify that I am engaged in the business of selling, leasing or renting tangible personal property of the kind and type sold by your firm. Unless otherwise specified, I certify that all tangible personal property purchased on or after this date is to be resold, leased or rented by me. This certificate shall remain in effect unless revoked or cancelled in writing. I also certify that if the tangible personal property is withdrawn for use other than for resale, lease or rent, that I will report the transaction to the SC Department of Revenue as a withdrawal from stock and pay the tax thereon based upon the reasonable and fair market value, but not less than the original purchase price. Furthermore, I understand that by extending this certificate that I am assuming liability for the sales or use tax on transactions between me and your firm.

TO: _____
(Seller's Name)

(Street Address) (City) (State) (Zip Code)

KIND OF BUSINESS ENGAGED IN BY PURCHASER _____

ITEMS SOLD, LEASED OR RENTED BY PURCHASER _____

(Purchaser's Business or Firm Name) (Print Name of Owner, Partner or Corp. Officer)

(Street Address) (Signature of Owner, Partner or Corp. Officer)

(City) (State) (Zip Code) (Title)

(South Carolina Retail License Number, if not S.C. indicate state) (Date)

INFORMATION

SALES TAX - A sales tax is imposed upon every person engaged or continuing within this state in the business of selling tangible personal property at retail.

USE TAX - A use tax is imposed on the storage, use, or other consumption in this state of tangible personal property purchased at retail for storage, use, or other consumption in this state.

TANGIBLE PERSONAL PROPERTY - "Tangible personal property" means personal property which may be seen, weighed, measured, felt, touched, or which is in any other manner perceptible to the senses. It also includes services and intangibles, including communication, laundry and related services, furnishing of accommodations and sales of electricity, and does not include stocks, notes, bonds, mortgages, or other evidences of debt.

WITHDRAWAL - A taxpayer who purchases tangible personal property for resale, but later consumes or uses the property is considered to owe tax on the fair market value of the property. The fair market value is considered to be the price at which an item would sell, but not less than the cost of the item.

SALE AND PURCHASE - "Sale" and "purchase" mean any transfer, exchange, or barter, conditional or otherwise, or tangible personal property for a consideration including:

- (1) a transaction in which possession of tangible personal property is transferred but the seller retains title as security for payment, including installment and credit sales;
- (2) a rental, lease, or other form of agreement;
- (3) a license to use or consume; and
- (4) a transfer of title or possession, or both.

ADDITIONAL INFORMATION

- (1) A valid S.C. retail license number will look like the following:
$$\frac{040 \quad -12345- \quad 6}{\text{co. code - serial \# - ck digit}}$$
- (2) The following are examples of numbers which are not acceptable for resale purposes: social security numbers, Federal Employer Identification numbers and use tax numbers (example 040-88888-8). A South Carolina use tax number is simply for reporting of tax and not a retail license number; an "eight" will always be the first digit in the serial number, the county code will be between 1 and 46.
- (3) Another state's resale certificate and number is acceptable in this State. Indicate the other state's number on the front when using this form.
- (4) A wholesaler's exemption number may be applicable in lieu of a retail license number. A South Carolina wholesaler's exemption number will have an (18) following the serial number.
- (5) The following are examples of items that are not deductible as sales for resale:
 - a. cost of goods sold
 - b. electricity usage
 - c. business overhead