

**HOTEL TAX MATRIX
FROM INFORMATION BULLETIN #41**

RENTALS BY NONPROFIT ORGANIZATIONS (Includes nonprofit organizations organized and operated exclusively for one or more of the following purposes: charitable, literary, civic, religious, educational, scientific, or fraternal.)	TAXABILITY				COMMENTS
	SALES TAX		INNKEEPERS TAX		
	YES	NO	YES	NO	
A nonprofit organization rents transient (i.e., sleeping) rooms for its employees attending a conference held by the nonprofit organization	X		X		The rental confers a private benefit on the members of the nonprofit organization.
A nonprofit organization rents hospitality rooms for its employees attending a conference held by the nonprofit organization	X			X	
An employee of a nonprofit organization rents a transient (i.e., sleeping) room while attending a conference held by the nonprofit organization. The employee pays for the room but is reimbursed for the charge.	X		X		The rental confers a private benefit on the member of the nonprofit organization and is not subject to exemption on that basis alone. However, even if the transaction was potentially exempt (which it is not), the charges are not directly invoiced to and paid by the nonprofit organization precludes the transaction from being exempt from sales tax.
A nonprofit organization rents transient (i.e., sleeping) rooms for individuals in need, to further the mission of the nonprofit organization		X		X	The nonprofit organization must present the hotel with an exemption certificate (Form ST-105 or the Streamlined Sales and Use Tax Governing Board Form F0003). The charges must be directly invoiced to and paid by the nonprofit.

A nonprofit organization rents transient (i.e., sleeping) rooms to auction as part of a fundraising event held by the nonprofit organization		X		X	The nonprofit organization must present the hotel with an exemption certificate (Form ST-105 or the Streamlined Sales and Use Tax Governing Board Form F0003). The charges must be directly invoiced to and paid by the nonprofit.
A nonprofit organization rents a meeting room for its employees attending a conference held by the nonprofit organization to conduct business to further the mission of the nonprofit organization		X		X	The nonprofit organization must present the hotel with an exemption certificate (Form ST-105 or the Streamlined Sales and Use Tax Governing Board Form F0003). The charges must be directly invoiced to and paid by the nonprofit.
A nonprofit organization purchases food and beverages, including alcohol, to be consumed by its members attending a conference held by the nonprofit organization	X			X	The purchase confers a private benefit on the members of the nonprofit organization.
A nonprofit organization purchases food and beverages, excluding alcohol, for individuals in need to further the mission of the nonprofit organization		X		X	The nonprofit organization must present the hotel with an exemption certificate (Form ST-105 or the Streamlined Sales and Use Tax Governing Board Form F0003). The charges must be directly invoiced to and paid by the nonprofit.
A nonprofit organization headquartered in another state and not registered with the Indiana Department of Revenue rents transient (i.e., sleeping) rooms for its employees attending a conference held by the nonprofit organization	X		X		

Rentals of transient (i.e., sleeping) rooms by organizations organized and operated predominantly for social purposes	X		X		Purchases by organizations organized and operated predominantly for social purposes are not exempt. If more than 50% of an organization's expenditures are related to social activities, the organization is considered to be predominantly organized and operated for social purposes.
RENTALS BY STATE AND LOCAL GOVERNMENT ENTITIES	TAXABILITY				COMMENTS
	SALES TAX		INNKEEPERS TAX		
	YES	NO	YES	NO	
An Indiana state or local government employee rents a transient (i.e., sleeping) room		X		X	The Indiana government employee must present the hotel with an exemption certificate (Form ST-105 or the Streamlined Sales and Use Tax Governing Boards Form F0003). The charges must be directly invoiced to and paid by the Indiana state or local government entity.
An Indiana state or local government employee rents a transient (i.e., sleeping) room. The employee pays for the room but is reimbursed for the charge	X		X		The charges must be directly invoiced to and paid by the Indiana state or local government entity.
A non-Indiana state or local government employee rents a transient (i.e., sleeping) room	X		X		The state and local government exemption is available only to Indiana entities.

An Indiana state or local government employee purchases food and beverages		X		X	The Indiana government employee must present the hotel with an exemption certificate (Form ST-105 or the Streamlined Sales and Use Tax Governing Boards Form F0003). The charges must be directly invoiced to and paid by the Indiana state or local government entity.
RENTALS BY FEDERAL GOVERNMENT ENTITIES	TAXABILITY				COMMENTS
	SALES TAX		INNKEEPERS TAX		
	YES	NO	YES	NO	
Rentals by foreign diplomats		X		X	Foreign missions and diplomats that have received a hotel tax exemption from the Office of Foreign Missions, U.S. Department of State, are exempt from local hotel taxes. Foreign Missions Act, 22 U.S.C. 4301-4316. http://www.state.gov/ofm/tax/ . The diplomat must still present the hotel with an exemption certificate (form ST-105 or the Streamlined Sales and Use Tax Governing Board Form F0003).
A federal government employee rents a transient (i.e., sleeping) room		X		X	The federal government employee must present the hotel with an exemption certificate. The charges must be directly invoiced to and paid by the federal government entity.
A federal government employee rents a transient (i.e., sleeping) room. The employee pays for the room but is reimbursed for the charge	X		X		The charges must be directly invoiced to and paid by the federal government entity.
A federal government employee purchases food and beverages		X		X	The federal government employee must present the hotel with an exemption certificate. The charges must be directly invoiced to and paid by the federal government entity.