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SALES TAX: PASTRY

House Bill 4222

Sponsor: Rep. Kirk A. Profit

Committee: Tax Policy

Complete to 2-22-95

A SUMMARY OF HOUSE BILL 4222 AS INTRODUCED 1-30-95

The bill would amend the General Sales Tax Act to exempt pastry from the sales tax when sold from a vending machine or from a mobile facility (e.g., a lunch cart).

Generally speaking, food is exempt from the sales tax unless it is prepared for immediate consumption, in which case it is taxable. The General Sales Tax Act contains a definition of "prepared food intended for immediate consumption." It includes food or drink intended for immediate consumption sold from a vending machine or by a vendor from a mobile facility, but excludes milk, juices, fresh fruit, candy, nuts, chewing gum, cookies, crackers, and chips. This means those listed products are not subject to the sales tax. The bill would add pastry to the list.

(Another provision in the act says: "Prepared food intended for immediate consumption does not include bakery products for off premise consumption, such as doughnuts, pastry, bread, and cakes, . . .")

MCL 205.54g

House Bill 4222 (2-22-95)