

**RIB 16-024**  
**April 12, 2016**  
**Sales Tax**

**Taxability of Meals for Schools Participating in the  
National School Lunch and School Breakfast Programs**

The National School Lunch Program is a federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. The school districts and independent schools have chosen to take part in the National School Lunch and School Breakfast Programs. As a result, they receive cash subsidies and USDA foods from the U.S. Department of Agriculture (USDA) for each meal they serve. The purpose of this Revenue Information Bulletin is to set forth the tax treatment, for Louisiana sales tax purposes, of school meal plans.

School districts are public school entities organized under the state of Louisiana and administered by the Department of Education. Public schools include primary, secondary and charter schools. For those public and nonprofit private schools and residential child care institutions that participate in the National School Lunch and School Breakfast Programs, the meals provided to students shall be exempt from state sales tax. Purchases of food by public schools in fulfilling the requirements of the National School Lunch Program and School Breakfast Programs are purchases made by a political subdivision and are exempt pursuant to La. R.S. 47:301(8)(c). No sales tax will be due upon the purchase and sale of food items under the National School Lunch and School Breakfast Programs.

Food service provided to students by nonprofit private schools and residential child care institutions as a part of tuition is a part of the educational services provided by the school. An educational service is not one of the defined sales of services pursuant to La. R.S. 47:301(14); therefore, it is a non-taxable service. For those schools where food service is billed separately and the school does not participate in the National School Lunch and School Breakfast Programs, the meals would be taxable under Act 25 of the 2016 First Extraordinary Session and the school would be required to collect the four percent state sales tax on meals from April 1, 2016 through June 30, 2016 and the two percent state sales tax from July 1, 2016 through June 30, 2018.

Questions concerning the collection of state sales tax in effect can be directed to [sales.inquiries@la.gov](mailto:sales.inquiries@la.gov).

Kimberly Lewis Robinson  
Secretary