Refund of Tax Paid on Purchases of Meals or Lodging by Exempt Entities

General Purpose: Exempt organizations, qualifying governmental agencies, nonprofit charitable hospitals, nonprofit nursing homes, nonprofit rest homes, and nonprofit residential care homes must use this certificate to request a refund of tax paid on a qualifying exempt purchase of meals or lodging. (Any reference to tax in this document includes sales and use taxes and room occupancy tax, as applicable.) These organizations, governmental agencies, hospitals, and homes will be referred to as exempt entities throughout this certificate. Use this certificate only if all four of these conditions are met:

1. The retailer directly invoices and charges the exempt entity for the meals or lodging;
2. The exempt entity directly pays the retailer with a check drawn on its own account or with a credit card issued in its own name;
3. The exempt entity is not reimbursed, in whole or in part, by donation or otherwise, for its payment for the meals or lodging by those consuming the meals or lodging; and
4. This certificate is filed with the Department of Revenue Services (DRS) within three years from the last day of the month for which the sales tax was paid.

Statutory Authority: Conn. Gen. Stat. §12-412(1)(A), (5), (8), and (94); §12-425.

Credit Card Purchases: If a credit card is used to pay the retailer of meals or lodging, the card must be issued in the name of the exempt entity. The credit card must be used exclusively to make purchases for the use of the exempt entity (not for the convenience of its officers, employees, or members). The credit card charges must be paid by a check drawn on the exempt entity’s own checking account.

Nonqualifying Purchases: This certificate may not be used (and tax will not be refunded) on the purchase of meals or lodging not meeting all four conditions above. Nonqualifying purchases include fundraisers where those who attend are charged or required to make any payment or where any partial reimbursement for all of the meals, C is not eligible for a refund of any of the tax paid.

An exempt entity may purchase meals tax exempt using CERT-113, Purchases of Tangible Personal Property and Services by Certain Hospitals, Nonprofit Nursing Homes, Nonprofit Rest Homes, or Nonprofit Residential Care Homes; CERT-119, Purchases of Tangible Personal Property and Services by Qualifying Exempt Organizations; or CERT-134, Exempt Purchases by Qualifying Governmental Agencies; when it will resell the meals at one of the exempt entities included in the conference or seminar registration fee except as described below.

Example 1: B, an exempt organization, sponsors a dinner to honor one of its employees. The restaurant charges $50 per meal and B sells tickets for $50 per person. The honoree and members of the immediate family attend as guests of the organization. B must pay sales tax on all meals purchased. It may, however, complete and file CERT-122 to claim a refund of the taxes paid only on meals consumed by the honoree and members of the immediate family.

Example 2: C, an exempt organization, sponsors a retirement dinner to honor one of its employees. The restaurant charges $60 per meal. C sells tickets for $50 per person and pays the $10 difference to the restaurant from its own funds. C must pay sales tax on the full price of all meals purchased. Because the organization received partial reimbursement for all of the meals, C is not eligible for a refund of any of the tax paid.

Instructions for the Purchaser: An officer of an exempt entity must complete and sign this certificate to request a refund of taxes paid on the qualifying exempt purchase of meals or lodging. If the purchaser is an exempt organization, it must attach either a copy of its I.R.C. §501(c)(3) or (13) determination letter issued by the U.S. Treasury Department or, if it was issued an exemption permit number by DRS, enter its exemption permit number on CERT-122. If the purchaser is a qualifying governmental agency, no attachment is required. If the purchaser is a nonprofit charitable hospital, nonprofit nursing home, nonprofit rest home, or nonprofit residential care home, it must attach a copy of a valid and active license issued by the Department of Public Health under Chapter 368v of the Connecticut General Statutes and either a copy of its I.R.C. §501(c)(3) or (4) determination letter issued by the U.S. Treasury Department or, if it was issued an exemption permit number by DRS, enter its exemption permit number on CERT-122. If DRS concludes a qualifying exempt purchase was made, the tax paid will be refunded to the purchaser. Keep a copy of this certificate and records that substantiate the information entered on this certificate for at least six years from the date it was issued. The following items must be included with CERT-122:

1. A copy of an itemized bill directly invoicing and charging the exempt entity for the meals or lodging. The bill must separately state the amount of sales tax charged on meals and lodging; and either
2. A copy of the cancelled check(s) (front and back), including the initial deposit, drawn on the exempt entity’s checking account, directly paying for the meals or lodging; or
3. If payment is made by credit card, a copy of the exempt entity’s credit card statement showing the purchase of the meals and lodging and a copy of the cancelled check(s) (front and back) drawn on the exempt entity’s checking account that paid the credit card bill.
Name of Exempt Entity: University of Rhode Island
Address of Exempt Entity: 75 Lower College Road, Kingston, RI 02881

Name of Retailer
Address of Retailer

Describe Purpose or Reason for Event: (Be specific. For example, meeting of board of trustees, or luncheon to honor volunteers)

The exempt entity must provide the following information about the purchases of meals or lodging: (See instructions)

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Meals or Lodging Purchased</td>
<td>Number for Which No Reimbursement, Full or Partial, Was Received</td>
<td>Number for Which Reimbursement, Full or Partial, Was Received</td>
</tr>
<tr>
<td>Cost of Meals or Lodging Purchased (Excluding Tax)</td>
<td>Cost of Meals or Lodging for Which No Reimbursement, Full or Partial, Was Received (Excluding Tax)</td>
<td>Cost of Meals or Lodging for Which Reimbursement, Full or Partial, Was Received (Excluding Tax)</td>
</tr>
<tr>
<td>Total Tax Paid on This Amount</td>
<td>Total Tax Paid on This Amount</td>
<td>Total Tax Paid on This Amount</td>
</tr>
</tbody>
</table>

The sum of the numbers entered in Column B and in Column C should equal the number entered in Column A.

I declare that the exempt organization, qualifying governmental agency, nonprofit charitable hospital, nonprofit nursing home, nonprofit rest home, or nonprofit residential care home:
- Was directly invoiced and charged by the retailer;
- Directly paid the retailer with a check drawn on its own account or with a credit card issued in its own name; and
- Was not or will not be reimbursed, directly or indirectly, by donation or otherwise, for all or a portion of the cost of the meals or lodging by those consuming the meals or lodging.

I also declare that any exemption permit noted on this certificate, any determination letter or group exemption letter (as the case may be), and license issued by the Department of Public Health, if applicable, attached to this certificate, has not been canceled or revoked. I declare under penalty of law that I have examined this document (including any accompanying schedules and statements) and, to the best of my knowledge and belief, it is true, complete, and correct. I understand the penalty for willfully delivering a false return or document to DRS is a fine of not more than $5,000, or imprisonment for not more than five years, or both. The declaration of a paid preparer other than the taxpayer is based on all information of which the preparer has any knowledge.

Cynthia A. Mace
Print Name
Interim Controller
Title
1/29/2020
Date
401.874.2378
Telephone Number

This Section is Completed by DRS

Request Approved by DRS

Official Approval/DRS

Date Approved

Request Disapproved by DRS

- Exempt entity did not provide proof of exempt status. (Connecticut exemption permit number or I.R.C. §501(c)(3), (4), or (13) determination letter and the license issued by the Department of Public Health, if applicable.)
- Exempt entity was not directly invoiced and charged by the retailer of the meals or lodging.
- Exempt entity did not directly pay the retailer of the meals or lodging with a check drawn on its own checking account or with a credit card issued in its own name (and not in the name of one of its members, employees, or officers).
- Exempt entity was or will be reimbursed, in whole or in part, for its payment for the meals or lodging by those consuming the meals or lodging.
- Certificate was not timely filed.

Official Disapproval/DRS

Date Disapproved

Forms and Publications: Visit the DRS website at www.ct.gov/DRS to download and print Connecticut tax forms and publications.
For More Information Regarding CERT-122: Call the DRS Public Services Unit at 860-541-7544 and choose Option 0.

CERT-122 (Rev. 12/15)