



**STATE BOARD OF EQUALIZATION**

1020 N STREET, SACRAMENTO, CALIFORNIA  
(P.O. BOX 942879, SACRAMENTO, CALIFORNIA 94279-0001)

April 23, 1970

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Gentlemen:

This is in response to your letter of April 15 asking the correct application of tax to meals served by you at religious functions.

You will note that Ruling 52(j) [now Reg. 1603(l)] exempts meals sold by religious organizations if the purpose in serving the meals is to obtain revenue for the functions and activities of the organization. This exemption extends to meals sold by a caterer to the religious organization.

However, the exemption is limited to meals served at "fund-raising" functions and does not extend to receipts from receptions following weddings, bar mitzvahs or other social functions. If the religious organization does not charge their invitees, as in the example in your letter, then the purpose of serving the meals is obviously not to raise revenue and the exemption would not apply.

If you are entitled to any refund, Revenue and Taxation Code Section 6902 limits the period for which refunds may be granted to three years from the last day of the month following the close of the quarterly period for which the overpayment was made, or, if a determination was made for any past period, to six months after the determination became final, whichever period expires later.

Very truly yours,

Lawrence A. Augusta  
Tax Counsel

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