

STATE NAME: North Carolina

Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions

Effective Date: 8/1/2011

Completed by: Eric K. Wayne, Director
E-mail address: eric.wayne@dorncc.com
Phone number: 919-733-2151
Date Submitted: 8/17/2011

Each of the items listed in the chart is defined in the Library of Definitions in the Streamlined Sales and Use Tax Agreement (SSUTA) as amended through December 13, 2010. Refer to Appendix C of the SSUTA for each definition.

Place an "X" in the appropriate column under the heading "Treatment of definition" to indicate the treatment of each definition in your state. If a product definition was not adopted by your state, enter "NA" in the column under the heading "Reference" and indicate in the "Treatment of definition" columns the treatment of the product in your state. In accordance with the SSUTA, your state must adopt the definitions in the Library of Definitions that apply to your state without qualifications except for those allowed by the SSUTA. For this reason, do not enter any comments or qualifications in the two columns under the heading "Treatment of definition". If your state has adopted a definition in the Library of Definitions with a qualification not specified in the SSUTA, do not place an "X" in either column under the heading "Treatment of definition" but include a comment in the "Reference" column explaining the qualification. Enter the applicable statute/rule cite in the "Reference" column.

Sellers and certified service providers are relieved from tax liability to the member state and its local jurisdictions for having charged and collected the incorrect amount of sales and use tax resulting from the seller or certified service provider relying on erroneous data provided by the member state relative to treatment of the terms defined in the Library of Definitions.

Administrative Definitions	Treatment of definition		Reference
	Included in Sales Price	Excluded from Sales Price	Statute/Rule Cite/Comment
Sales price: Identify how the options listed below are treated in your state. The following options may be excluded from the definition of sales price only if they are separately stated on the bill to the purchaser.			
<ul style="list-style-type: none">Charges by the seller for any services necessary to complete the sale other than delivery and installation	X		G.S. 105-164.3(37)
<ul style="list-style-type: none">Telecommunication nonrecurring charges	X		G.S. 105-164.3(37)
<ul style="list-style-type: none">Installation charges		X	G.S. 105-164.13(49)
<ul style="list-style-type: none">Value of trade-in	X		G.S. 105-164.3(37)
Delivery Charges for personal property or services other than direct mail. The following charges are included in the definition of sales price unless your state excludes them from sales price when such charges are separately stated on the bill to the purchaser. For responses below assume the charges are separately stated on the bill to the purchaser.	Included in Sales Price	Excluded from Sales Price	Statute/Rule Cite/Comment
<ul style="list-style-type: none">Handling, crating, packing, preparation for mailing or delivery, and similar charges	X		G.S. 105-164.3(6) & G.S. 105-164.3(37)
<ul style="list-style-type: none">Transportation, shipping, postage, and similar charges	X		G.S. 105-164.3(6) &

STATE NAME: North Carolina

**Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions**

Effective Date: 8/1/2011

		Included in Sales Price	Excluded from Sales Price	G.S. 105-164.3(37) Statute/Rule Cite/Comment
<ul style="list-style-type: none"> • Delivery Charges for direct mail. The following charges are included in the definition of sales price unless your state excludes them from sales price when such charges are separately stated on the bill to the purchaser. For responses below assume the charges are separately stated on the bill to the purchaser. 				
<ul style="list-style-type: none"> • Handling, crating, packing, preparation for mailing or delivery, and similar charges 			X	G.S. 105-164.3(6) G.S. 105-164.13(49a)
<ul style="list-style-type: none"> • Transportation, shipping, and similar charges 			X	G.S. 105-164.3(6) G.S. 105-164.3(49a)
<ul style="list-style-type: none"> • Postage 			X	G.S. 105-164.3(6) G.S. 105-164.3(49a)
Sales Tax Holidays		Yes	No	Statute/Rule Cite/Comment
Sales Tax Holidays: Does your state have a sales tax holiday?		X		
If yes, indicate the tax treatment during your state sales tax holiday for the following products.		Taxable	Exempt	Statute/Rule Cite/Comment
<ul style="list-style-type: none"> • All Energy star qualified products 				See specific items
<ul style="list-style-type: none"> • Specific energy star qualified products or energy star qualified classifications 			X	G.S. 105-164.3(8g) & G.S. 105-164.13D(a)
<ul style="list-style-type: none"> ➤ Clothes washers 			X	G.S. 105-164.3(8g) & G.S. 105-164.13D(a)(1)
<ul style="list-style-type: none"> ➤ Freezers and refrigerators 			X	G.S. 105-164.3(8g) & G.S. 105-164.13D(a)(2)
<ul style="list-style-type: none"> ➤ Central air conditioners and room air conditioners 			X	G.S. 105-164.3(8g) & G.S. 105-164.13D(a)(3)
<ul style="list-style-type: none"> ➤ Air-source heat pumps and geothermal heat pumps 			X	G.S. 105-164.3(8g) & G.S. 105-164.13D(a)(4)
<ul style="list-style-type: none"> ➤ Ceiling fans 			X	G.S. 105-164.3(8g) & G.S. 105-164.13D(a)(5)
<ul style="list-style-type: none"> ➤ Dehumidifiers 			X	G.S. 105-164.3(8g) & G.S. 105-164.13D(a)(6)
<ul style="list-style-type: none"> ➤ Programmable thermostats 			X	G.S. 105-164.3(8g) & G.S. 105-164.13D(a)(7)
<ul style="list-style-type: none"> • All Disaster Preparedness Supply 		X		G.S. 105-164.4
<ul style="list-style-type: none"> • Specific Disaster Preparedness Supply 				
<ul style="list-style-type: none"> ➤ Disaster preparedness general supply 				
<ul style="list-style-type: none"> ➤ Disaster preparedness safety supply 				
<ul style="list-style-type: none"> ➤ Disaster preparedness food-related supply 				

STATE NAME: North Carolina

**Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions**

Effective Date: 8/1/2011

➤ Disaster preparedness fastening supply				
• School supply	100.00		X	G.S. 105-164.3(37d) & G.S. 105-164.13C(a)(2)
• School art supply	100.00		X	G.S. 105-164.3(37d) & G.S. 105-164.13C(a)(2)
• School instructional material	300.00		X	G.S. 105-164.3(37b) & G.S. 105-164.13C(a)(2a)
• School computer supply	250.00		X	G.S. 105-164.3(4d) & G.S. 105-164.13C(a)(3a)
Other products defined in Part II of the Library of Definitions included in your state sales tax holiday.	Amount of Threshold	Taxable	Exempt	Statute/Rule Cite/Comment
• Clothing	100.00		X	G.S. 105-164.3(3) & G.S. 105-164.13C(a)(1)
• Computers	3500.00		X	G.S. 105-164.3(4b) & G.S. 105-164.13C(a)(3)
• Prewritten computer software		X		G.S. 105-164.3(29a)
• Clothing accessories or equipment		X		G.S. 105-164.3(4) & G.S. 105-164.13C(b)(1)
• Protective Equipment		X		G.S. 105-164.3(31) & G.S. 105-164.13C(b)(2)
• Sport and Recreational Equipment	50.00		X	G.S. 105-164.3(42) & G.S. 105-164.13C(a)(4)
Product Definitions				
Clothing and related products				
		Taxable	Exempt	Statute/Rule Cite/Comment
• Clothing		X		G.S. 105-164.3(3)
➤ Essential clothing priced below a state specific threshold		X		NA. See G.S. 105-164.3(3)
➤ Fur clothing		X		NA. See G.S. 105-164.3(3)
• Clothing accessories or equipment		X		G.S. 105-164.3(4)
• Protective equipment		X		G.S. 105-164.3(31)
• Sport or recreational equipment		X		G.S. 105-164.3(42)
Computer related products				
		Taxable	Exempt	Statute/Rule Cite/Comment
• Computer		X		G.S. 105-164.3(4b)
• Prewritten computer software		X		G.S. 105-164.3(29a) Some exemptions under G.S. 105-164.13(43a) & (43b)
• Prewritten computer software delivered electronically		X		G.S. 105-164.3(29a);

Effective Date: 8/1/2011

			Some exemptions under G.S. 105-164.13(43a) & (43b)
• Prewritten computer software delivered via load and leave	X		G.S. 105-164.3(29a); Some exemptions under G.S. 105-164.13(43a) & (43b)
• Non-prewritten (custom) computer software		X	G.S. 105-164.3(5b) & G.S. 105-164.13(43)
• Non-prewritten (custom) computer software delivered electronically		X	G.S. 105-164.3(5b) & G.S. 105-164.13(43)
• Non-prewritten (custom) computer software delivered via load and leave		X	G.S. 105-164.3(5b) & G.S. 105-164.13(43)
Mandatory computer software maintenance contracts	Taxable	Exempt	Statute/Rule Cite/Comment
• Mandatory computer software maintenance contracts with respect to prewritten computer software	X		NA – G.S. 105-164.3(29a); G.S. 105-164.3(37). Some exemptions under G.S. 105-164.13(43a) & (43b)
• Mandatory computer software maintenance contracts with respect to prewritten computer software which is delivered electronically	X		NA – G.S. 105-164.3(29a); G.S. 105-164.3(37). Some exemptions under G.S. 105-164.13(43a) & (43b)
• Mandatory computer software maintenance contracts with respect to prewritten computer software which is delivered via load and leave	X		NA – G.S. 105-164.3(29a); G.S. 105-164.3(37). Some exemptions under G.S. 105-164.13(43a) & (43b)
• Mandatory computer software maintenance contracts with respect to non-prewritten (custom) computer software		X	NA – G.S. 105-164.3(5c) & G.S. 105-164.13(43)
• Mandatory computer software maintenance contracts with respect to non-prewritten (custom) software which is delivered electronically		X	NA – G.S. 105-164.3(5c) & G.S. 105-164.13(43)
• Mandatory computer software maintenance contracts with respect to non-prewritten (custom) software which is delivered via load and leave		X	NA – G.S. 105-164.3(5c) & G.S. 105-164.13(43)
Optional computer software maintenance contracts	Taxable	Exempt	Statute/Rule Cite/Comment
• Optional computer software maintenance contracts with respect to prewritten computer software that only provide updates or upgrades with respect to the software	X		NA – G.S. 105-164.3(29a) G.S. 105-164.3(37) Some exemptions under G.S. 105-164.13(43a) & (43b)
• Optional computer software maintenance contracts with respect to prewritten computer software that only provide updates or upgrades delivered electronically with respect to the software	X		NA – G.S. 105-164.3(29a) G.S. 105-164.3(37) Some exemptions under G.S. 105-164.13(43a) & (43b)
• Optional computer software maintenance contracts with respect to prewritten	X		NA – G.S. 105-164.3(29a)

Effective Date: 8/1/2011

computer software that only provide updates or upgrades delivered via load and leave with respect to the software			G.S. 105-164.3(37) Some exemptions under G.S. 105-164.13(43a) & (43b)
<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to non-prewritten (custom) computer software that only provide updates or upgrades with respect to the software 		X	NA – G.S. 105-164.3(5c) & G.S. 105-164.13(43)
<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to non-prewritten (custom) computer software that only provide updates or upgrades delivered electronically with respect to the software 		X	NA – G.S. 105-164.3(5c) & G.S. 105-164.13(43)
<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to non-prewritten (custom) computer software that only provide updates or upgrades delivered via load and leave with respect to the software 		X	NA – G.S. 105-164.3(5c) & G.S. 105-164.13(43)
<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to non-prewritten (custom) computer software that only provide support services to the software 		X	N/A – NC does not impose a tax on services of this nature. G.S. 105-164.3(5c) & G.S. 105-164.13(43).
<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to non-prewritten (custom) computer software that provide updates or upgrades and support services to the software 		X	NA – G.S. 105-164.3(5c) & G.S. 105-164.13(43)
<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to non-prewritten (custom) computer software that provide updates or upgrades delivered electronically and support services to the software 		X	NA – G.S. 105-164.3(5c) & G.S. 105-164.13(43)
<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to non-prewritten (custom) computer software provide updates or upgrades delivered via load and leave and support services to the software 		X	NA – G.S. 105-164.3(5c) & G.S. 105-164.13(43)
Indicate your state's tax treatment for optional computer software maintenance contracts with respect to prewritten computer software sold for one non-itemized price that include updates and upgrades and/or support services. Use percentages in the taxable and exempt columns to denote tax treatment in your state. For example: if all taxable put 100% in the taxable column; if all nontaxable/exempt put 100% in the exempt column; if 50% taxable and 50% nontaxable/exempt put 50% in the taxable column and 50% in the exempt column.	Taxable Percentage	Exempt Percentage	Statute/Rule Cite/Comment
<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to prewritten computer software that provide updates or upgrades and support services to the software 	100%		NA – G.S. 105-164.3(29a) G.S. 105-164.3(37) Some exemptions under G.S. 105-164.13(43a) & (43b)
<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to prewritten computer software that provide updates and upgrades delivered electronically and support services to the software 	100%		NA – G.S. 105-164.3(29a) G.S. 105-164.3(37) Some exemptions under G.S. 105-164.13(43a) & (43b) and

STATE NAME: North Carolina

**Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions**

Effective Date: 8/1/2011

<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to prewritten computer software that provide updates and upgrades delivered via load and leave and support services to the software 	100%		support services if separately stated NA – G.S. 105-164.3(29a) G.S. 105-164.3(37) Some exemptions under G.S. 105-164.13(43a) & (43b) and support services if separately stated
<ul style="list-style-type: none"> Optional computer software maintenance contracts with respect to prewritten computer software that only provide support services to the software 		100%	NC does not impose a tax on services of this nature.
Digital products(excludes telecommunications services, ancillary services and computer software)	Yes	No	Statute/Rule Cite/Comment
A state imposing tax on products “transferred electronically” is not required to adopt definitions for specified digital products. (“Specified digital products” includes the defined terms: digital audio visual works; digital audio works; and digital books.) Does your state impose tax on products transferred electronically other than digital audio visual works, digital audio works, or digital books?	X		G.S. 105-164.4(a)(6b)
	Taxable	Exempt	Statute/Rule Cite/Comment
<ul style="list-style-type: none"> Digital audio visual works sold to an end user with rights for permanent use 	X		G.S. 105-164.3(1g) & G.S. 105-164.4(a)(6b)
<ul style="list-style-type: none"> Digital audio works sold to an end user with rights for permanent use 	X		G.S. 105-164.3(1e) & G.S. 105-164.4(a)(6b)
<ul style="list-style-type: none"> Digital books sold to an end user with rights for permanent use 	X		G.S. 105-164.4(a)(6b)
For transactions other than those included above, a state must specifically impose and separately enumerate a broader imposition of the tax. Does your state impose tax on:	Yes	No	Statute/Rule Cite/Comment
<ul style="list-style-type: none"> Digital audio visual works sold to users other than the end user. 		X	G.S. 105-164.3(1g) & G.S. 105-164.4(a)(6b) Some exemptions under G.S. 105-164.13(43b)
<ul style="list-style-type: none"> Digital audio visual works sold with rights of use less than permanent use. 	X		G.S. 105-164.3(1g) & G.S. 105-164.4(a)(6b) Some exemptions under G.S. 105-164.13(43b)
<ul style="list-style-type: none"> Digital audio visual works sold with rights of use conditioned on continued payment. 	X		G.S. 105-164.3(1g) & G.S. 105-164.4(a)(6b) Some exemptions under G.S. 105-164.13(43b)
<ul style="list-style-type: none"> Digital audio works sold to users other than the end user. 		X	G.S. 105-164.3(1e) & G.S. 105-164.4(a)(6b) Some exemptions under

STATE NAME: North Carolina

**Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions**

Effective Date: 8/1/2011

			G.S. 105-164.13(43b)
• Digital audio works sold with rights of use less than permanent.	X		G.S. 105-164.3(1e) & G.S. 105-164.4(a)(6b) Some exemptions under G.S. 105-164.13(43b)
• Digital audio works sold with rights of use conditioned on continued payments.	X		G.S. 105-164.3(1e) & G.S. 105-164.4(a)(6b) Some exemptions under G.S. 105-164.13(43b)
• Digital books sold to users other than the end user.		X	G.S. 105-164.4(a)(6b) Some exemptions under G.S. 105-164.13(43b)
• Digital books sold with rights of use less than permanent.	X		G.S. 105-164.4(a)(6b) Some exemptions under G.S. 105-164.13(43b)
• Digital books sold with rights of use conditioned on continued payments.	X		G.S. 105-164.4(a)(6b) Some exemptions under G.S. 105-164.13(43b)
Does your state treat subscriptions to products “transferred electronically” differently than a non-subscription purchase of such product?		X	G.S. 105-164.4(a)(6b) Some exemptions under G.S. 105-164.13(43b)
Section 332H provides that states may have product based exemptions for specific items within specified digital products. (“Specified digital products” includes the defined terms: digital audio visual works; digital audio works; and digital books.) List product based exemptions for specific items included in specified digital products. <u>Example: digital textbooks</u>	Statute/Rule Cite/Comment		
• NA			
•			
•			
Food and food products	Taxable	Exempt	Statute/Rule Cite/Comment
• Food and food ingredients excluding alcoholic beverages and tobacco	X		G.S. 105-164.3(10) & G.S. 105-164.13B; Subject to 2% rate.
o Candy	X		G.S. 105-164.3(2) & G.S. 105-164.13B
o Dietary Supplements	X		G.S. 105-164.3(7) &

STATE NAME: North Carolina

**Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions**

Effective Date: 8/1/2011

			G.S. 105-164.13B
○ Soft Drinks	X		G.S. 105-164.3(40) & G.S. 105-164.13B G.S. 105-164.13(50) Subject to tax on 50% of gross receipts
○ Bottled water	X		G.S. 105-164.3(10)& G.S. 105-164.13B; Subject to 2% rate. Included in definition of food.
➤ Food sold through vending machines	X		G.S. 105-164.3(11) & G.S. 105-164.13B G.S. 105-164.13(50) Subject to 2% rate of 50% of gross receipts (excluding candy or prepared food)
➤ Prepared Food	X		G.S. 105-164.3(28) & G.S. 105-164.13B Some exemptions G.S. 105-164.13(26),(26a),(27),(27a) & G.S. 105-164.13B
Prepared food options - The following food items heated, mixed or combined by the seller are included in the definition of prepared food unless a state elects to exclude them from the definition of prepared food. Such food items excluded from prepared food are taxed the same as food and food ingredients. (Indicate how the options for the following food items that otherwise meet the definition of prepared food are treated in your state.)	Included in Prepared Food	Excluded from Prepared Food	Statute/Rule Cite/Comment
➤ Food sold without eating utensils provided by the seller whose primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries)	X		G.S. 105-164.3(28)
➤ Food sold without eating utensils provided by the seller in an unheated state by weight or volume as a single item	X		G.S. 105-164.3(28)
➤ Bakery items sold without eating utensils provided by the seller, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, Danish, cakes, tortes, pies, tarts, muffins, bars, cookies, tortillas	X		G.S. 105-164.3(28) Some exemptions under G.S. 105164.13B(a)(4) – artisan bakery
Health-care products	Taxable	Exempt	Statute/Rule Cite/Comment
Drugs (indicate how the options are treated in your state)			
Drugs for human use			
• Drugs for human use without a prescription	X		G.S. 105-164.3(8a) &

STATE NAME: North Carolina

Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions

Effective Date: 8/1/2011

			G.S. 105-164.13(13)
• Drugs for human use with a prescription		X	G.S. 105-164.3(8a) & G.S. 105-164.13(13)
• Insulin for human use without a prescription		X	G.S. 105-164.13(13)
• Insulin for human use with a prescription		X	G.S. 105-164.13(13)
• Medical oxygen for human use without a prescription	X		G.S. 105-164.3(8a) & G.S. 105-164.4
• Medical oxygen for human use with a prescription		X	G.S. 105-164.3(8a) & G.S. 105-164.13(13)
• Over-the-counter drugs for human use without a prescription	X		G.S. 105-164.3(25a) & G.S. 105-164.4
• Over-the-counter drugs for human use with a prescription		X	G.S. 105-164.3(25a) & G.S. 105-164.13(13)
• Grooming and hygiene products for human use	X		G.S. 105-164.3(46) & G.S. 105-164.4
• Drugs for human use to hospitals	X		G.S. 105-164.3(8a) & G.S. 105-164.4
• Drugs for human use to other medical facilities	X		G.S. 105-164.3(8a) & G.S. 105-164.4
• Prescription drugs for human use to hospitals		X	G.S. 105-164.3(8a) & G.S. 105-164.13(13)
• Prescription drugs for human use to other medical facilities		X	G.S. 105-164.3(8a) & G.S. 105-164.13(13)
• Free samples of drugs for human use	X		G.S. 105-164.3(8a) & G.S. 105-164.4
• Free samples of prescription drugs for human use		X	G.S. 105-164.3(8a) & G.S. 105-164.13(13)
Drugs for animal use			
• Drugs for animal use without a prescription	X		G.S. 105-164.3(8a) & G.S. 105-164.4
• Drugs for animal use with a prescription		X	G.S. 105-164.3(8a) & G.S. 105-164.13(13)
• Insulin for animal use without a prescription		X	G.S. 105-164.13(13)
• Insulin for animal use with a prescription		X	G.S. 105-164.13(13)
• Medical oxygen for animal use without a prescription	X		G.S. 105-164.3(8a) & G.S. 105-164.4
• Medical oxygen for animal use with a prescription		X	G.S. 105-164.3(8a) & G.S. 105-164.13(13)
• Over-the-counter drugs for animal use without a prescription	X		G.S. 105-164.3(25a) &

STATE NAME: North Carolina

Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions

Effective Date: 8/1/2011

			G.S. 105-164.4
• Over-the-counter drugs for animal use with a prescription		X	G.S. 105-164.3(25a) & G.S. 105-164.13(13)
• Grooming and hygiene products for animal use	X		G.S. 105-164.3(46) & G.S. 105-164.4
• Drugs for animal use to veterinary hospitals and other animal medical facilities	X		G.S. 105-164.3(8a) & G.S. 105-164.4
• Prescription drugs for animal use to hospitals and other animal medical facilities		X	G.S. 105-164.3(8a) & G.S. 105-164.13(13)
• Free samples of drugs for animal use	X		G.S. 105-164.3(8a) & G.S. 105-164.4
• Free samples of prescription drugs for animal use		X	G.S. 105-164.3(8a) & G.S. 105-164.13(13)
Durable medical equipment (indicate how the options are treated in your state)	Taxable	Exempt	Statute/Rule Cite/Comment
• Durable medical equipment, <u>not for home use</u> , without a prescription	X		G.S. 105-164.3(8b) & G.S. 105-164.4
• Durable medical equipment, <u>not for home use</u> , with a prescription		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Durable medical equipment, <u>not for home use</u> , with a prescription paid for by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Durable medical equipment, <u>not for home use</u> , with a prescription reimbursed by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Durable medical equipment, <u>not for home use</u> , with a prescription paid for by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Durable medical equipment, <u>not for home use</u> , with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Durable medical equipment for home use without a prescription	X		G.S. 105-164.3(8b) & G.S. 105-164.4
• Durable medical equipment for home use with a prescription		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Durable medical equipment for home use with a prescription paid for by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Durable medical equipment for home use with a prescription reimbursed by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Durable medical equipment for home use with a prescription paid for by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Durable medical equipment for home use with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Oxygen delivery equipment, <u>not for home use</u> , without a prescription	X		G.S. 105-164.3(8b) &

STATE NAME: North Carolina

**Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions**

Effective Date: 8/1/2011

			G.S. 105-164.4
• Oxygen delivery equipment, <u>not for home use</u> , with a prescription		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Oxygen delivery equipment, <u>not for home use</u> , with a prescription paid for by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Oxygen delivery equipment, <u>not for home use</u> , with a prescription reimbursed by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Oxygen delivery equipment, <u>not for home use</u> , with a prescription paid for by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Oxygen delivery equipment, <u>not for home use</u> , with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Oxygen delivery equipment for home use without a prescription	X		G.S. 105-164.3(8b) & G.S. 105-164.4
• Oxygen delivery equipment for home use with a prescription		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Oxygen delivery equipment for home use with a prescription paid for by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Oxygen delivery equipment for home use with a prescription reimbursed by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Oxygen delivery equipment for home use with a prescription paid for by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Oxygen delivery equipment for home use with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Kidney dialysis equipment, <u>not for home use</u> , without a prescription	X		G.S. 105-164.3(8b) & G.S. 105-164.4
• Kidney dialysis equipment, <u>not for home use</u> , with a prescription		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Kidney dialysis equipment, <u>not for home use</u> , with a prescription paid for by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Kidney dialysis equipment, <u>not for home use</u> , with a prescription reimbursed by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Kidney dialysis equipment, <u>not for home use</u> , with a prescription paid for by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Kidney dialysis equipment, <u>not for home use</u> , with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Kidney dialysis equipment for home use without a prescription	X		G.S. 105-164.3(8b) & G.S. 105-164.4
• Kidney dialysis equipment for home use with a prescription		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)

STATE NAME: North Carolina

Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions

Effective Date: 8/1/2011

• Kidney dialysis equipment for home use with a prescription paid for by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Kidney dialysis equipment for home use with a prescription reimbursed by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Kidney dialysis equipment for home use with a prescription paid for by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Kidney dialysis equipment for home use with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Enteral feeding systems, <u>not for home use</u> , without a prescription	X		G.S. 105-164.4(8b) & G.S. 1050164.4
• Enteral feeding systems, <u>not for home use</u> , with a prescription		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Enteral feeding systems, <u>not for home use</u> , with a prescription paid for by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Enteral feeding systems, <u>not for home use</u> , with a prescription reimbursed by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Enteral feeding systems, <u>not for home use</u> , with a prescription paid for by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Enteral feeding systems, <u>not for home use</u> , with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Enteral feeding systems for home use without a prescription	X		G.S. 105-164.4(8b) & G.S. 1050164.4
• Enteral feeding systems for home use with a prescription		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Enteral feeding systems for home use with a prescription paid for by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Enteral feeding systems for home use with a prescription reimbursed by Medicare		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Enteral feeding systems for home use with a prescription paid for by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Enteral feeding systems for home use with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(8b) & G.S. 105-164.13(12)
• Repair and replacement parts for durable medical equipment which are for single patient use	X		G.S. 105-164.3(8b) & G.S. 105-164.4
Mobility enhancing equipment (indicate how the options are treated in your state)	Taxable	Exempt	Statue/Rule Cite/Comment
• Mobility enhancing equipment without a prescription	X		G.S. 105-164.3(21a) & G.S. 105-164.4
• Mobility enhancing equipment with a prescription		X	G.S. 105-164.3(21a) &

STATE NAME: North Carolina

**Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions**

Effective Date: 8/1/2011

			G.S. 105-164.13(12)
• Mobility enhancing equipment with a prescription paid for by Medicare		X	G.S. 105-164.3(21a) & G.S. 105-164.13(12)
• Mobility enhancing equipment with a prescription reimbursed by Medicare		X	G.S. 105-164.3(21a) & G.S. 105-164.13(12)
• Mobility enhancing equipment with a prescription paid for by Medicaid		X	G.S. 105-164.3(21a) & G.S. 105-164.13(12)
• Mobility enhancing equipment with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(21a) & G.S. 105-164.13(12)
Prosthetic devices (indicate how the options are treated in your state)	Taxable	Exempt	Statute/Rule Cite/Comment
• Prosthetic devices without a prescription		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Prosthetic devices with a prescription		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Prosthetic devices with a prescription paid for by Medicare		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Prosthetic devices with a prescription reimbursed by Medicare		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Prosthetic devices with a prescription paid for by Medicaid		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Prosthetic devices with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Corrective eyeglasses without a prescription		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Corrective eyeglasses with a prescription		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Corrective eyeglasses with a prescription paid for by Medicare		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Corrective eyeglasses with a prescription reimbursed by Medicare		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Corrective eyeglasses with a prescription paid for by Medicaid		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Corrective eyeglasses with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Contact lenses without a prescription		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Contact lenses with a prescription		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Contact lenses with a prescription paid for by Medicare		X	G.S. 105-164.3(30b) &

STATE NAME: North Carolina

**Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions**

Effective Date: 8/1/2011

			G.S. 105-164.13(12)
• Contact lenses with a prescription reimbursed by Medicare		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Contact lenses with a prescription paid for by Medicaid		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Contact lenses with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Hearing aids without a prescription		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Hearing aids with a prescription		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Hearing aids with a prescription paid for by Medicare		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Hearing aids with a prescription reimbursed by Medicare		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Hearing aids with a prescription paid for by Medicaid		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Hearing aids with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Dental prosthesis without a prescription		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Dental prosthesis with a prescription		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Dental prosthesis with a prescription paid for by Medicare		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Dental prosthesis with a prescription reimbursed by Medicare		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Dental prosthesis with a prescription paid for by Medicaid		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
• Dental prosthesis with a prescription reimbursed by Medicaid		X	G.S. 105-164.3(30b) & G.S. 105-164.13(12)
Telecommunications & related products	Taxable	Exempt	Statute/Rule Cite/Comment
• Ancillary Services	X		G.S. 105-164.3(1a) & G.S. 105-164.4C(a)
➤ Conference bridging service	X		G.S. 105-164.3(1a) & G.S. 105-164.4C(a)
➤ Detailed telecommunications billing service	X		G.S. 105-164.3(1a) & G.S. 105-164.4C(a)
➤ Directory assistance	X		G.S. 105-164.3(1a) &

STATE NAME: North Carolina

**Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions**

Effective Date: 8/1/2011

			G.S. 105-164.4C(a)
➤ Vertical service	X		G.S. 105-164.3(1a) & G.S. 105-164.4C(a)
➤ Voice mail service	X		G.S. 105-164.3(1a) & G.S. 105-164.4C(a)
Telecommunications (Indicate how the options are treated in your state)	Taxable	Exempt	Statute/Rule Cite/Comment
• Intrastate Telecommunications Service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Interstate Telecommunications Service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• International Telecommunications Service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• International 800 service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• International 900 service	X		G.S. 105-164.3(48), G.S. 105-164.3(21) & G.S. 105-164.4C(a)
• International fixed wireless service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• International mobile wireless service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• International prepaid calling service	X		G.S. 105-164.3(27) & G.S. 105-164.4(a)(4d)
• International prepaid wireless calling service	X		G.S. 105-164.3(27) & G.S. 105-164.4(a)(4d)
• International private communications service	X		G.S. 105-164.4C(h)(7) & G.S. 105-164.4C(a)
• International value-added non-voice data service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• International residential telecommunications service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Interstate 800 service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Interstate 900 service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Interstate fixed wireless service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Interstate mobile wireless service	X		G.S. 105-164.3(48) &

STATE NAME: North Carolina

**Streamlined Sales Tax Governing Board
Section 328 Taxability Matrix
Library of Definitions**

Effective Date: 8/1/2011

			G.S. 105-164.4C(a)
• Interstate prepaid calling service	X		G.S. 105-164.3(27) & G.S. 105-164.4(a)(4d)
• Interstate prepaid wireless calling service	X		G.S. 105-164.3(27) & G.S. 105-164.4(a)(4d)
• Interstate private communications service	X		G.S. 105-164.4C(h)(7) & G.S. 105-164.4C(a)
• Interstate value-added non-voice data service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Interstate residential telecommunications service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Intrastate 800 service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Intrastate 900 service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Intrastate fixed wireless service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Intrastate mobile wireless service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Intrastate prepaid calling service	X		G.S. 105-164.3(27) & G.S. 105-164.4(a)(4d)
• Intrastate prepaid wireless calling service	X		G.S. 105-164.3(27) & G.S. 105-164.4(a)(4d)
• Intrastate private communications service	X		G.S. 105-164.4C(h)(7) & G.S. 105-164.4C(a)
• Intrastate value-added non-voice data service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Intrastate residential telecommunications service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a)
• Paging service	X		G.S. 105-164.3(48) & G.S. 105-164.4C(a) Sales & Use Tax Technical Bulletin 21-1 J.1.A.(7)
• Coin-operated telephone service		X	G.S. 105-164.13(54)
• Pay telephone service		X	G.S. 105-164.13(54) Sales and Use Tax Technical Bulletin TB 21- 1J.1b.(4)
• Local Service as defined by _____ (state)			N/A
•			