

House Bill 1502

By: Representatives Snow of the 1st, Barnard of the 121st, Post 1, Noel of the 44th, Chambers of the 53rd, Dooley of the 33rd, Post 3, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to
2 exemptions from sales and use taxes, so as to provide that the exemption for the sale of gas
3 used directly in the production of electricity applies only if the electricity is sold for use
4 within the state; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from
8 sales and use taxes, is amended by striking paragraph (70) and inserting in lieu thereof the
9 following:

10 "(70)(A) For the purposes of this paragraph, the term 'local sales and use tax' shall
11 mean any sales tax, use tax, or local sales and use tax which is levied and imposed in
12 an area consisting of less than the entire state, however authorized, including, but not
13 limited to, such taxes authorized by or pursuant to constitutional amendment; by or
14 pursuant to Section 25 of an Act approved March 10, 1965 (Ga. L. 1965, p. 2243), as
15 amended, the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965'; by or
16 pursuant to Article 2 of this chapter; by or pursuant to Article 2A of this chapter; by or
17 pursuant to Part 1 of Article 3 of this chapter; or by or pursuant to Part 2 of Article 3
18 of this chapter.

19 (B) The sale of natural or artificial gas used directly in the production of electricity
20 which is subsequently sold for use within the state.

21 (C) The exemption provided for in subparagraph (B) of this paragraph shall not apply
22 to any local sales and use tax levied or imposed at any time.

23 (D) The commissioner shall adopt rules and regulations to carry out the provisions of
24 this paragraph;".

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.