

House Bill 1504

By: Representatives Borders of the 142<sup>nd</sup>, Parham of the 94<sup>th</sup>, Royal of the 140<sup>th</sup>, Lane of the 101<sup>st</sup>, and Buck of the 112<sup>th</sup>

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 state sales and use tax, so as to renew an exemption with respect to the sale  
3 of certain school supplies, clothing, footwear, computers, and computer related accessories  
4 for a limited period of time; to expand such exemption to certain college or dormitory items;  
5 to provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from  
9 state sales and use tax, is amended by striking paragraph (75) and inserting in its place a new  
10 paragraph (75), to read as follows:

11 "(75)(A) The sale of any covered item. The exemption provided by this paragraph  
12 shall apply only to sales occurring during a period commencing at 12:01 A.M. on ~~July~~  
13 ~~31, 2003~~ July 29, 2004, and concluding at 12:00 Midnight on ~~August 3, 2003~~  
14 August 1, 2004.

15 (B) As used in this paragraph, the term 'covered item' shall mean:

- 16 (i) Articles of clothing and footwear with a sales price of \$100.00 or less per article  
17 of clothing or pair of footwear, excluding accessories such as jewelry, handbags,  
18 umbrellas, eyewear, watches, and watchbands;
- 19 (ii) A single purchase, with a sales price \$1,500.00 or less, of personal computers and  
20 personal computer related accessories purchased for noncommercial home or personal  
21 use, including personal computer base units and keyboards, personal digital assistants,  
22 handheld computers, monitors, other peripheral devices, modems for Internet and  
23 network access, and nonrecreational software, whether or not they are to be utilized  
24 in association with the personal computer base unit. Computer and computer related  
25 accessories shall not include furniture and any systems, devices, software, or  
26 peripherals designed or intended primarily for recreational use; ~~and~~

1 (iii) Noncommercial purchases of general school supplies to be utilized in the  
 2 classroom or in classroom related activities, such as homework, up to a sales price of  
 3 \$20.00 per item including pens, pencils, notebooks, paper, book bags, calculators,  
 4 dictionaries, thesauruses, and children's books and books listed on approved school  
 5 reading lists for pre-kindergarten through twelfth grade; and

6 (iv) Noncommercial purchases of general articles and supplies to be utilized for  
 7 college and dormitory living, with a sales price of \$250.00 or less per item, including  
 8 compact refrigerators; microwave ovens; hot plates; toasters and toaster ovens; coffee  
 9 makers; television combination sets of 25 inches or less; flashlights; bookcases; fans;  
 10 alarm clocks; clock radios; lamps; vacuum cleaners; storage containers and bins;  
 11 shelving; telephones; irons and ironing boards; humidifiers; space heaters; toolboxes;  
 12 packaged tool sets; hand tools with a sales price of less than \$25.00; cordless power  
 13 tools; rugs or carpet of a size of 8 feet by 10 feet or smaller; paint; window blinds;  
 14 fire extinguishers; and smoke alarms.

15 (C) The exemption provided by this paragraph shall not apply to rentals, sales in a  
 16 theme park, entertainment complex, public lodging establishment, restaurant, or airport  
 17 or to purchases for trade, business, or resale.

18 (D) The commissioner shall promulgate any rules and regulations necessary to  
 19 implement and administer this paragraph including but not be limited to a list of those  
 20 articles and items qualifying for the exemption pursuant to this paragraph;"

## 21 SECTION 2.

22 This Act shall become effective upon its approval by the Governor or upon its becoming law  
 23 without such approval.

## 24 SECTION 3.

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