

House Bill 487 (AS PASSED HOUSE AND SENATE)

By: Representatives Roberts of the 154th, McCall of the 30th, Floyd of the 147th, Royal of the 171st, Ray of the 136th, 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 state sales and use tax, so as to clarify the sales and use tax exemption for
3 a qualified child-caring institution, child-placing agency, or maternity home; to change the
4 exemption regarding electricity sales for irrigation of certain crops; to provide an effective
5 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 (41) of said Code section and
10 inserting in its place a new paragraph (41) to read as follows:

11 "(41)(A) Sales of tangible personal property and services to ~~or by~~ a child-caring
12 institution as defined in paragraph (1) of Code Section 49-5-3, as amended; a
13 child-placing agency as defined in paragraph (2) of Code Section 49-5-3, as amended;
14 or a maternity home as defined in paragraph (14) of Code Section 49-5-3, as amended,
15 when such institution, agency, or home is engaged primarily in providing child services
16 and is a nonprofit, tax-exempt organization under Section 501(c)(3) of the Internal
17 Revenue Code and obtains an exemption determination letter from the commissioner;
18 and

19 (B) Sales by an institution, agency, or home as described in subparagraph (A) of this
20 paragraph when:

21 (i) The sale results from a specific charitable fund-raising activity;

22 (ii) The number of days upon which the fund-raising activity occurs does not exceed
23 30 in any calendar year;

24 (iii) No part of the gross sales or net profits from the sales inures to the benefit of any
25 private person; and

