

House Bill 1182 (AS PASSED HOUSE AND SENATE)

By: Representatives Burkhalter of the 50th, Richardson of the 19th, Keen of the 179th, Fleming of the 117th, Smith of the 129th, 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 tax, so as to provide for an exemption for a limited period of
3 time with respect to certain eligible hall of fame attractions; to provide for procedures,
4 conditions, and limitations; to provide for powers, duties, and authority of the state revenue
5 commissioner; to provide an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from
10 sales and use tax, is amended by adding a new paragraph immediately following paragraph
11 (80), to be designated paragraph (80.1), to read as follows:

12 "(80.1)(A) Notwithstanding any provision of Code Section 48-8-63 to the contrary,
13 from the effective date of this paragraph until December 31, 2008, sales of tangible
14 personal property to, or used in the new construction of, an eligible hall of fame.

15 (B) As used in this paragraph, the term 'eligible hall of fame' means any tourist
16 attraction facility owned and operated by an organization which is exempt from
17 taxation under Section 501(c)(3) of the Internal Revenue Code and constructed on or
18 after the effective date of this paragraph dedicated to the sport of stock car auto racing
19 which costs exceed \$80 million, is greater than 85,000 square feet of space, and has
20 associated facilities, including, but not limited to, parking decks and landscaping owned
21 by the same owner as the eligible hall of fame.

22 (C) Any person making a sale of tangible personal property for the purpose specified
23 in this paragraph shall collect the tax imposed on this sale unless the purchaser
24 furnishes such person with an exemption determination letter issued by the
25 commissioner certifying that the purchaser is entitled to purchase the tangible personal
26 property without paying the tax.

1 (D) The commissioner is authorized to promulgate rules and regulations deemed
2 necessary in order to administer and effectuate this paragraph."

3 **SECTION 2.**

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

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.