

House Bill 957 (AS PASSED HOUSE AND SENATE)

By: Representative Stephens of the 164th

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 provide for an exemption from state sales
3 and use tax only for a limited period of time regarding the sale or use of tangible personal
4 property to certain nonprofit health centers; to provide for an exemption for a limited period
5 of time regarding sales to certain nonprofit volunteer health clinics; to extend the sunset or
6 termination date of the exemption for certain qualified nonprofit job training organizations;
7 to provide an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from
11 state sales and use tax, is amended by adding a new paragraph (7.05) as follows:

12 "(7.05)(A) For the period commencing on July 1, 2008, and ending on June 30, 2010,
13 sales of tangible personal property to a nonprofit health center in this state which has
14 been established under the authority of and is receiving funds pursuant to, the United
15 States Public Health Service Act, 42 U. S. C. Section 254b if such health clinic obtains
16 an exemption determination letter from the commissioner.

17 (B)(i) For the purposes of this paragraph, the term 'local sales and use tax' shall mean
18 any sales tax, use tax, or local sales and use tax which is levied and imposed in an
19 area consisting of less than the entire state, however authorized, including, but not
20 limited to, such taxes authorized by or pursuant to constitutional amendment; by or
21 pursuant to Section 25 of an Act approved March 10, 1965 (Ga. L. 1965, p. 2243), as
22 amended, the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965'; by or
23 pursuant to Article 2, 2A, 3, or 4 of this chapter.

24 (ii) The exemption provided for in subparagraph (A) of this paragraph shall not apply
25 to any local sales and use tax levied or imposed at any time."

1 **SECTION 2.**

2 Said Code section is further amended by adding a new paragraph to read as follows:

3 "(7.3) For the period commencing July 1, 2008, and ending June 30, 2010, sales of
4 tangible personal property and services to a nonprofit volunteer health clinic which
5 primarily treats indigent persons with incomes below 200 percent of the federal poverty
6 level and which property and services are used exclusively by such volunteer health
7 clinic in performing a general treatment function in this state when such volunteer
8 health clinic is a tax exempt organization under the Internal Revenue Code and obtains
9 an exemption determination letter from the commissioner;"

10 **SECTION 3.**

11 Said Code section is further amended in paragraph (85) by revising subparagraph (E) as
12 follows:

13 "(E) This paragraph shall stand repealed in its entirety on July 1, ~~2008~~ 2010; or".

14 **SECTION 4.**

15 This Act shall become effective on July 1, 2008.

16 **SECTION 5.**

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