

The House Committee on Ways and Means offers the following substitute to HB 347:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-8-2 of the Official Code of Georgia Annotated, relating to
2 definitions regarding sales and use taxes, so as to change the definition of sales price for
3 purposes of such tax; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

6 Code Section 48-8-2 of the Official Code of Georgia Annotated, relating to definitions
7 regarding sales and use taxes, is amended by revising paragraph (9) as follows:

8 "(9)(A) 'Sales price' means the total amount valued in money, whether paid in money
9 or otherwise, for which tangible personal property or services are sold, including, but
10 not limited to, any services that are a part of the sale and any amount for which credit
11 is given to the purchaser by the seller without any deduction from the total amount for
12 the cost of the property sold, the cost of materials used, labor or service costs, losses,
13 or any other expenses of any kind.

14 (B) 'Sales price' ~~does~~ shall not include:

15 (i) Cash discounts allowed and taken on sales;

16 (ii) The amount charged for labor or services rendered in installing, applying,
17 remodeling, or repairing property sold; ~~or~~

18 (iii) Finance charges, carrying charges, service charges, or interest from credit
19 extended on sales of tangible personal property under conditional sale contracts or
20 other conditional contracts providing for deferred payments of the purchase price; ~~or~~

21 (iv) An amount for the reimbursement of ad valorem taxes on leased or rented
22 equipment of which ad valorem taxes are paid by the lessor of such equipment, but
23 an equivalent amount is charged to the lessee of such equipment. Such equivalent
24 amount shall not be deemed to be part of the total gross lease or rental proceeds upon
25 which sales and use tax would be due and payable."

26

SECTION 2.

27 All laws and parts of laws in conflict with this Act are repealed.