

House Bill 347 (COMMITTEE SUBSTITUTE)

By: Representatives England of the 108<sup>th</sup>, Roberts of the 154<sup>th</sup>, May of the 111<sup>th</sup>, Knight of the 126<sup>th</sup>, Shaw of the 176<sup>th</sup>, and others

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27 All laws and parts of laws in conflict with this Act are repealed.