House Bill 347

By: Representatives England of the 108ᵗʰ, Roberts of the 154ᵗʰ, May of the 111ᵗʰ, Knight of the 126ᵗʰ, Shaw of the 176ᵗʰ, 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   **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 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 equipment that
22   are paid by the lessor but charged to the lessee. Such amount shall not be deemed to
23   be part of the total gross lease or rental proceeds upon which sales and use tax would
24   be due and payable."

25   **SECTION 2.**

26   All laws and parts of laws in conflict with this Act are repealed.