

House Bill 225

By: Representatives Powell of the 171st, Kelley of the 16th, England of the 116th, Harrell of the 106th, Powell of the 32nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
2 relating to motor vehicle license fees and classes, so as to repeal inoperable provisions
3 related to licensing of ride share networks; to amend Article 1 of Chapter 8 of Title 48 of the
4 Official Code of Georgia Annotated, relating to state sales and use tax, so as to repeal an
5 inoperable sales tax exemption related to ride share networks; to impose collection and
6 remittance of a tax upon ride share network services; to provide for an effective date and
7 applicability; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Article 7 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
11 motor vehicle license fees and classes, is amended by repealing and reserving subsection (b)
12 of Code Section 40-2-168, relating to registration and licensing of taxicabs and limousines.

13 **SECTION 2.**

14 Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state
15 sales and use tax, is amended by repealing and reserving paragraph (25) of Code Section
16 48-8-3, relating to exemptions from sales and use taxes.

17 **SECTION 3.**

18 Said article is further amended by revising subsection (f) of Code Section 48-8-30, relating
19 to imposition of tax, rates, and collection, as follows:

20 **"(f)(1)(A)** Every person purchasing or receiving any service within this state, the
21 purchase of which is a retail sale, shall be liable for tax on the purchase at the rate of
22 4 percent of the sales price made for the purchase. The tax shall be paid by the person
23 purchasing or receiving the service to the person furnishing the service. The person
24 furnishing the service, as a dealer under this article, shall remit the tax to the

25 commissioner as provided in this article; and, when received by the commissioner, the
26 tax shall be a credit against the tax imposed on the person furnishing the service. Every
27 person furnishing a service, the purchase of which is a retail sale, shall be a dealer and
28 shall be liable for a tax on the sale at the rate of 4 percent of the sales price made for
29 furnishing the service, or the amount of taxes collected by ~~him~~ such person furnishing
30 a service from the person to ~~whom~~ which the service is furnished, whichever is greater.
31 (B) A ride share network service as defined by Code Section 40-1-190 which furnishes
32 a service facilitating the retail sale of transportation shall be a dealer and shall be liable
33 for a tax on such retail sale at the rate of 4 percent of the sales price or the amount of
34 taxes collected by the ride share network service from the person to which the
35 transportation is furnished, whichever is greater.
36 (2) No sale of services shall be taxable to the person furnishing the service which is not
37 taxable to the purchaser of the service."

38 **SECTION 4.**

39 This Act shall become effective upon its approval by the Governor or upon its becoming law
40 without such approval and shall apply to all sales made on or after July 1, 2017.

41 **SECTION 5.**

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