

House Bill 247

By: Representatives LaRiccia of the 169th, Kelley of the 16th, Carter of the 175th, Reeves of the 34th, Corbett of the 174th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia
2 Annotated, relating to general provisions regarding state sales and use tax, so as to exempt
3 machinery used to mix or transport concrete from such tax; to repeal conflicting laws; and
4 for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Part 1 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated,
8 relating to general provisions regarding state sales and use tax, is amended by revising
9 subsection (e) of Code Section 48-8-3.2, relating to a sales tax exemption for certain
10 machinery and equipment used in manufacturing, as follows:

11 "(e) Examples that qualify as necessary and integral to the manufacture of tangible
12 personal property include, but are not limited to:

13 (1) Machinery or equipment used to convey or transport industrial materials, work in
14 process, consumable supplies, or packaging materials at or among manufacturing plants
15 or to convey and transport finished goods to a distribution or storage point at the
16 manufacturing plant. Specific examples may include, but are not limited to, forklifts,
17 conveyors, cranes, hoists, and pallet jacks;

18 (2) Machinery or equipment used to gather, arrange, sort, mix, measure, blend, heat,
19 cool, clean, or otherwise treat, prepare, or store industrial materials for further
20 manufacturing;

21 (3) Machinery or equipment used to control, regulate, heat, cool, or produce energy for
22 other machinery or equipment that is necessary and integral to the manufacture of
23 tangible personal property. Specific examples may include, but are not limited to,
24 boilers, chillers, condensers, water towers, dehumidifiers, humidifiers, heat exchangers,
25 generators, transformers, motor control centers, solar panels, air dryers, and air
26 compressors;

- 27 (4) Testing and quality control machinery or equipment located at a manufacturing plant
 28 used to test the quality of industrial materials, work in process, or finished goods;
- 29 (5) Starters, switches, circuit breakers, transformers, wiring, piping, and other electrical
 30 components, including associated cable trays, conduit, and insulation, located between
 31 a motor control center and exempt machinery or equipment or between separate units of
 32 exempt machinery or equipment;
- 33 (6) Machinery or equipment used to maintain, clean, or repair exempt machinery or
 34 equipment;
- 35 (7) Machinery or equipment used to provide safety for the employees working at a
 36 manufacturing plant, including, but not limited to, safety machinery and equipment
 37 required by federal or state law, gloves, ear plugs, face masks, protective eyewear, hard
 38 hats or helmets, or breathing apparatuses;
- 39 (8) Machinery or equipment used to condition air or water to produce conditions
 40 necessary for the manufacture of tangible personal property, including pollution control
 41 machinery or equipment and water treatment systems;
- 42 (9) Pollution control, sanitizing, sterilizing, or recycling machinery or equipment;
- 43 (10) Industrial materials bought for further processing in the manufacture of tangible
 44 personal property for sale or further processing or any part of the industrial material or
 45 by-product thereof which becomes a wasteful product contributing to pollution problems
 46 and which is used up in a recycling or burning process;
- 47 (11) Machinery or equipment used in quarrying and mining activities, including blasting,
 48 extraction, and crushing; ~~and~~
- 49 (12) Machinery or equipment, stationary or in transit, used to mix, agitate, and transport
 50 freshly mixed concrete in a plastic and unhardened state, including but not limited to
 51 mixer trucks and components, engines and components, interior and exterior operational
 52 controls and components, hydraulics and components, all structural components, and all
 53 safety components, provided that sales and use taxes on motor fuel used as energy in a
 54 concrete mixer truck shall not be exempt or refundable; and
 55 ~~(12)~~(13) Energy used at a manufacturing plant."

56 **SECTION 2.**

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