House Bill 1528 (AS PASSED HOUSE AND SENATE)

By: Representatives Royal of the 140th, Buck of the 112th, Skipper of the 116th, Parrish of the 102nd, Borders of the 142nd, and others

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use taxes, so as to provide for an exemption with respect to sales of certain tangible personal property to, or used in the construction of, certain corporate attractions; to provide for procedures, conditions, and limitations; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use taxes, is amended by striking "or" at the end of paragraph (76), by striking the period at the end of paragraph (77) and inserting in its place "; or", and by adding a new paragraph immediately following paragraph (77) to be designated paragraph (78) to read as follows:

"(78)(A) Notwithstanding any provision of Code Section 48-8-63 to the contrary, from the effective date of this paragraph until December 31, 2007, sales of tangible personal property to, or used in or for the new construction of an eligible corporate attraction.

(B) As used in this paragraph, the term: 'corporate attraction' means any tourist attraction facility constructed on or after the effective date of this paragraph dedicated to the history and products of a corporation which costs exceeds $50 million, is greater than 60,000 square feet of space, and has associated facilities, including but not limited to parking decks and landscaping owned by the same owner as the eligible corporate attraction.

(C) Any person making a sale of tangible personal property for the purpose specified in this paragraph shall collect the tax imposed on this sale unless the purchaser furnishes such person with an exemption determination letter issued by the commissioner certifying that the purchaser is entitled to purchase the tangible personal property without paying the tax."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.