

House Bill 165 (AS PASSED HOUSE AND SENATE)

By: Representatives Franklin of the 160th, Frye of the 122nd, Williams of the 168th,
Werkheiser of the 157th, Cameron of the 1st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and
2 taxation, so as to revise and expand a sales tax exemption for manufactured homes; to
3 provide for related matters; to provide an effective date; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
8 amended by revising paragraph (102) of Code Section 48-8-3, relating to exemptions from
9 sales and use tax, as follows:

10 "(102)(A) Fifty percent of the sales price of a manufactured home if such manufactured
11 home is installed pursuant to Code Section 8-2-160 and will be converted to real
12 property pursuant to Code Section 8-2-183.1 within 30 days of the retail sale.

13 (B) As used in this paragraph, the term 'manufactured home' means a structure built on
14 a permanent chassis that:

- 15 (i) Is designed to be used as a dwelling;
16 (ii) Is transportable in one or more sections;

17 (iii) Contains plumbing, heating, air-conditioning, and electrical systems; and

18 (iv) Is designed to have an angled roof and contain an area of at least 650 square feet.

19 (C) Within 30 days of a the sale of a manufactured home that is exempted as provided
 20 for in from taxation pursuant to subparagraph (A) of this paragraph, the seller shall
 21 complete the requirements of Code Section 8-2-183.1 and properly file a copy of the
 22 Certificate of Permanent Location with the clerk of superior court, or the commissioner
 23 shall recover from the seller 1.5 times the amount of ~~tax~~ taxes exempted ~~by~~ pursuant
 24 to this paragraph.

25 (D) ~~A~~ No manufactured home ~~that is of which the sale was~~ exempted as provided in
 26 from taxation pursuant to subparagraph (A) of this paragraph shall ~~not~~ be eligible for
 27 a Certificate of Removal from Permanent Location as provided for in Part 4 of Article 2
 28 of Chapter 2 of Title 8; or any other manner of a return to tangible personal property
 29 unless the amount of of taxes exempted pursuant to subparagraph (A) of this paragraph
 30 is paid to the commissioner:

31 ~~(E) The exemption provided for in subparagraph (A) of this paragraph shall not apply~~
 32 ~~to any sales and use tax levied or imposed in an area consisting of less than the entire~~
 33 ~~state, however authorized, including, but not limited to, such taxes authorized by or~~
 34 ~~pursuant to:~~

35 ~~(i) Constitutional amendment;~~

36 ~~(ii) Section 25 of an Act approved March 10, 1965 (Ga. L. 1965, p. 2243), as~~
 37 ~~amended, the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965'; or~~

38 ~~(iii) Article 2, 2A, 3, 4, 5, or 5A of this chapter;"~~

39 **SECTION 2.**

40 This Act shall become effective on July 1, 2026.

41

SECTION 3.

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