

House Bill 125 (AS PASSED HOUSE AND SENATE)

By: Representatives Stephens of the 164th, Powell of the 171st, Williams of the 168th, Gordon of the 163rd, and Kelley of the 16th

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 create an
3 exemption from payment of sales tax in excess of \$35,000.00 for certain tangible personal
4 property sold or used to maintain, refit, or repair a boat during a single event; to provide for
5 automatic repeal; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated,
9 relating to general provisions regarding state sales and use taxes, is amended by adding a new
10 Code section to read as follows:

11 "48-8-3.4.

12 (a) As used in this Code section, the term:

13 (1) 'Boat' means a vehicle used or capable of being used as a means of transportation on
14 the water.

15 (2) 'Event' means an uninterrupted period of time beginning when a boat arrives at a
16 maintenance, refit, or repair facility in this state and ending when such boat departs such
17 facility.

18 (b) Notwithstanding any other provision of this article, the maximum amount of sales and
19 use tax imposed and collected to maintain, refit, or repair a boat in this state during a single
20 event shall not exceed \$35,000.00.

21 (c) The commissioner shall promulgate any rules and regulations necessary to implement
22 and administer this Code section, including, but not limited to, calling for an annual report
23 to be issued to the department and the chairpersons of the House Committee on Ways and
24 Means and the Senate Finance Committee that contains the following:

25 (1) The number of full-time and part-time positions created by the seller during the
26 preceding tax year;

