

1 HB332
2 196588-1
3 By Representative Ball
4 RFD: Ways and Means Education
5 First Read: 03-APR-19

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8 SYNOPSIS: Under existing law, sales and use taxes may
9 be imposed upon certain persons and organizations
10 by the state, as well as counties and
11 municipalities within the state. Certain entities
12 are exempted by law from state, county, and local
13 sales and use taxes.

14 This bill would provide an exemption from
15 state, county, and municipal sales and use taxes
16 for the Redstone Thrift Shop at the Redstone
17 Arsenal in Madison County.

18
19 A BILL
20 TO BE ENTITLED
21 AN ACT

22
23 Relating to sales and use tax; to amend Section
24 40-23-5, Code of Alabama 1975, as amended by Act 2018-568,
25 2018 Regular Session, to provide an exemption from state,
26 county, and municipal sales and use taxes for the Redstone
27 Thrift Shop at the Redstone Arsenal in Madison County.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 40-23-5, Code of Alabama 1975, as
3 amended by Act 2018-568, 2018 Regular Session, is amended to
4 read as follows:

5 "§40-23-5.

6 "(a) The Diabetes Trust Fund, Inc., and any of its
7 branches or agencies, heretofore or hereafter organized and
8 existing in good faith in the State of Alabama for purposes
9 other than for pecuniary gain and not for individual profit,
10 are hereby exempted from paying any state, county, or
11 municipal sales or use taxes.

12 "(b) The Chilton County Rescue Squad is hereby
13 exempted from paying any sales or use taxes.

14 "(c) The state headquarters only of the American
15 Legion, the American Veterans of World War II, Korea, and
16 Vietnam, also known as AMVETS, the Disabled American Veterans,
17 the Veterans of Foreign Wars, also known as VFW, Alabama
18 Goodwill Industries, and the Alabama Sight Conservation
19 Association are hereby exempted from paying any state, county,
20 or municipal sales or use taxes.

21 "(d) The Grand Chapter of all Orders of the Eastern
22 Star and the South Alabama State Fair Association Southeastern
23 Livestock Exposition of the State of Alabama and any of its
24 agencies, heretofore or hereafter organized and existing in
25 good faith in the State of Alabama for purposes other than for
26 pecuniary gain and not for individual profit, are hereby

1 exempted from paying any state, county, or municipal sales and
2 use taxes.

3 "(e) The Alabama Goodwill Industries, Inc., of
4 Birmingham is hereby exempted from paying any state,
5 municipal, or county sales and use taxes.

6 "(f) The Alabama Federation of Women's Clubs is
7 hereby exempted from paying any state, county, or municipal
8 sales or use taxes.

9 "(g) The National Conference of State Legislatures
10 and the Council of State Governments are hereby exempted from
11 paying any state, county, or municipal sales or use taxes.

12 "(h) All blind vendors associated with the Business
13 Enterprise Program of the Department of Rehabilitation
14 Services are hereby exempted from paying any state, county, or
15 municipal sales or use taxes.

16 "(i) All vendors who are blind as defined by Section
17 1-1-3, and who are certified by the Department of
18 Rehabilitation Services, are hereby exempted from paying any
19 state, county, or municipal sales or use taxes.

20 "(j) The Elks Club, B.P.O.E., No. 1887, a
21 corporation, is hereby exempted from paying any state, county,
22 or municipal sales or use taxes. Provided, however, that the
23 exemption provided by this subsection shall not extend to any
24 bar or dining room operation conducted by the Elks Club.

25 "(k) The King's Ranch, Inc., is hereby exempted from
26 paying any state, county, or municipal sales or use taxes.

1 "(l) The Eye Foundation, Inc., and any of its
2 branches or agencies, heretofore, or hereafter organized and
3 existing in good faith in the State of Alabama for purposes
4 other than for pecuniary gain and not for individual profit,
5 are hereby exempted from paying any state, county, or
6 municipal sales or use taxes.

7 "(m) Any county public hospital association or any
8 Alabama nonprofit membership corporation if one or more of its
9 members is a county public hospital association, and any of
10 its, or their, branches, agencies, lessees, or successors
11 organized pursuant to Section 10-3A-1 et seq., and which
12 operates or maintains hospitals for purposes other than for
13 pecuniary gain and not for individual profit, is hereby
14 exempted from paying any state, county, or municipal sales and
15 use tax of any nature whatsoever. Any of the taxes which were
16 or may be assessed or collected subsequent to December 31,
17 1993, against any Alabama nonprofit membership corporation or
18 any lessee of any county public hospital association organized
19 as herein stated, pursuant to a lease in writing, will be
20 remitted to the entity which paid them; and no action or
21 proceeding against the association or nonprofit corporation
22 may be instituted after the date by the State of Alabama or
23 any county or municipality thereof or any agent or person
24 acting on behalf thereof for the collection or enforcement of
25 any sales or use tax of any nature whatsoever.

26 "(n) There is hereby exempted from all state,
27 county, and municipal sales taxes the sale of food pursuant to

1 the food distribution program conducted by Christian Service
2 Mission, Inc., an Alabama not-for-profit corporation, in
3 cooperation with World Share, Inc., to enable needy persons to
4 purchase food at substantially discounted prices and in
5 consideration of the performance of charitable or community
6 work by such persons.

7 "(o) Rescue service organizations operating within
8 the State of Alabama which are exempt from federal income
9 taxes under the Internal Revenue Code of 1986, §501(c)(3) and
10 which are members of the Alabama Rescue Services Association,
11 Incorporated, are hereby exempted from any state, county, and
12 municipal sales and use taxes.

13 "(p) Alabama Goodwill Industries, Inc., Goodwill
14 Industries of Mobile Area, Inc., and Goodwill Industries of
15 Central Alabama, Inc., are exempted from paying any state,
16 county, and municipal sales or use taxes.

17 "(q) The gross receipts from the sale of admissions
18 to a sporting event conducted by the Senior Professional
19 Golfers Association are exempted from any state, county, and
20 municipal sales taxes.

21 "(r) Volunteer, non-profit rescue units operating
22 within the state which do not meet the criteria in subsection
23 (o) but are licensed by the State Board of Health are exempt
24 from any state, county, and municipal sales and use taxes.

25 "(s) (1) The Birmingham Zoo, Inc., is exempt from
26 paying any state, county, and municipal sales and use taxes
27 associated with any and all capital expenditures but shall

1 continue to collect and remit all other taxes to the
2 appropriate taxing authorities.

3 "(2) The exemption provided pursuant to subdivision
4 (1) shall be available until September 30, 2022.

5 "(3) The Birmingham Zoo, Inc., shall report annually
6 to the Department of Revenue on the sales for which the
7 exemption is granted. The Department of Revenue shall
8 prescribe the format of such annual report.

9 "(t) (1) The Zoo Foundation, Inc., operating as the
10 Alabama Gulf Coast Zoo, or any successor entity, is exempt
11 from paying any state, county, and municipal sales and use
12 taxes associated with any and all capital expenditures;
13 provided, however, that any exemption of county sales and use
14 taxes must first be authorized by resolution of the county
15 commission. The Zoo Foundation, Inc., shall continue to
16 collect and remit all other taxes to the appropriate taxing
17 authorities.

18 "(2) The exemption provided pursuant to subdivision
19 (1) shall be available until September 30, 2022.

20 "(3) The Zoo Foundation, Inc., shall report annually
21 to the Department of Revenue on the sales for which the
22 exemption is granted. The Department of Revenue shall
23 prescribe the format of the annual report.

24 "(u) The Josh Willingham Foundation is exempted from
25 paying any state, county, and municipal sales and use taxes.

1 "(v) The Redstone Thrift Shop, located at the
2 Redstone Arsenal in Madison County, is exempted from paying
3 any state, county, or municipal sales or use taxes."

4 Section 2. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.