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3 HOUSE WAYS AND MEANS EDUCATION COMMITTEE SUBSTITUTE FOR HB465
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8 SYNOPSIS: Under existing law, certain entities are
9 exempt from payment of state, county, and municipal
10 sales and use taxes.

11 This bill would exempt the Alabama State
12 Missionary Baptist Convention, Incorporated, and
13 each local Baptist association which is a member in
14 good standing of the convention, from the payment
15 of state, county, and municipal sales and use
16 taxes.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT
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22 Relating to sales and use taxes; to amend Section
23 40-23-5, Code of Alabama 1975, to exempt the Alabama State
24 Missionary Baptist Convention, Incorporated, and each local
25 Baptist association which is a member in good standing of the
26 convention, from payment of state, county, and municipal sales
27 and use taxes.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 40-23-5, Code of Alabama 1975 is
3 amended to read as follows:

4 "§40-23-5.

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

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

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

20 "(d) The Grand Chapter of all Orders of the Eastern
21 Star and the South Alabama State Fair Association Southeastern
22 Livestock Exposition of the State of Alabama and any of its
23 agencies, heretofore or hereafter organized and existing in
24 good faith in the State of Alabama for purposes other than for
25 pecuniary gain and not for individual profit, are exempted
26 from paying any state, county, or municipal sales and use
27 taxes.

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

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

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

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

14 "(i) All vendors who are blind as defined by Section
15 1-1-3, and who are certified by the Department of
16 Rehabilitation Services, are exempted from paying any state,
17 county, or municipal sales or use taxes.

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

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

25 "(l) The Eye Foundation, Inc., and any of its
26 branches or agencies, heretofore, or hereafter organized and
27 existing in good faith in the State of Alabama for purposes

1 other than for pecuniary gain and not for individual profit,
2 are exempted from paying any state, county, or municipal sales
3 or use taxes.

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

23 "(n) There is exempted from all state, county, and
24 municipal sales taxes the sale of food pursuant to the food
25 distribution program conducted by Christian Service Mission,
26 Inc., an Alabama not-for-profit corporation, in cooperation
27 with World Share, Inc., to enable needy persons to purchase

1 food at substantially discounted prices and in consideration
2 of the performance of charitable or community work by such
3 persons.

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

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

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

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

22 "(s) (1) The Birmingham Zoo, Inc., is exempt from
23 paying any state, county, and municipal sales and use taxes
24 associated with any and all capital expenditures but shall
25 continue to collect and remit all other taxes to the
26 appropriate taxing authorities.

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

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

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

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

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

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

24 "(v) The Alabama Wildlife Center is exempt from
25 paying any state, county, and municipal sales and use taxes
26 until September 30, 2024.

1 "(w) (1) The Alabama State Missionary Baptist
2 Convention, Incorporated, and each local Baptist association
3 which is a member in good standing of the convention, is
4 exempted from paying any state, county, and municipal sales
5 and use taxes.

6 "(2) The Alabama State Missionary Baptist
7 Convention, Incorporated, shall submit a list of each local
8 Baptist association that is in good standing with the
9 convention to the Department of Revenue as provided by rule of
10 the department."

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