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HOUSE BILL 312

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Edward C. Sandoval

AN ACT

**RELATING TO TAXATION; AMENDING THE DEFINITION OF GOVERNMENTAL
GROSS RECEIPTS TO INCLUDE RECEIPTS FROM SALES BY
POST-SECONDARY EDUCATIONAL INSTITUTION BOOKSTORES; PROVIDING
AN EXCLUSION FOR CERTAIN SALES OF TEXTBOOKS; AMENDING A
SECTION OF THE NMSA 1978.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. Section 7-9-3.2 NMSA 1978 (being Laws 1991,
Chapter 8, Section 1, as amended) is amended to read:**

**"7-9-3.2. ADDITIONAL DEFINITION.--As used in the Gross
Receipts and Compensating Tax Act, "governmental gross
receipts" means all receipts of the state [of New Mexico] or
any agency, institution, instrumentality or political
subdivision thereof from:**

A. the sale of tangible personal property [other

underscored material = new
[bracketed material] = delete

1 ~~than water~~] from facilities open to the general public, and
2 bookstores owned or operated by post-secondary educational
3 institutions, other than:

4 (1) water; or

5 (2) textbooks and other materials sold by a
6 bookstore owned or operated by a post-secondary educational
7 institution that are required for courses at the institution
8 when the sale is to a student enrolled at the institution who
9 displays a valid student identification card;

10 B. the performance of or admissions to
11 recreational, athletic or entertainment services or events in
12 facilities open to the general public;

13 C. refuse collection, refuse disposal or both;

14 D. sewage services; and

15 E. the sale of water by a utility owned or
16 operated by a county, municipality or other political
17 subdivision of the state.

18 "Governmental gross receipts" includes receipts from the
19 sale of tangible personal property handled on consignment when
20 sold from facilities open to the general public but excludes
21 cash discounts taken and allowed, governmental gross receipts
22 tax payable on transactions reportable for the period and any
23 type of time-price differential. "

24 Section 2. EFFECTIVE DATE. -- The effective date of the
25 provisions of this act is July 1, 2002.

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