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SENATE BILL 18

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2008

INTRODUCED BY

Timothy Z. Jennings

AN ACT

RELATING TO THE GROSS RECEIPTS TAX; PROVIDING FOR A DEDUCTION FROM GROSS RECEIPTS FOR RECEIPTS FROM SALES OF CERTAIN TANGIBLE PERSONAL PROPERTY DURING A DESIGNATED TEN-DAY PERIOD PRIOR TO THE 2008 HOLIDAY SEASON; DECLARING AN EMERGENCY.

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

Section 1. TEMPORARY PROVISION--DEDUCTION--GROSS RECEIPTS TAX--SALES OF CERTAIN TANGIBLE PERSONAL PROPERTY FOR A DESIGNATED PERIOD PRIOR TO THE 2008 HOLIDAY SEASON.--Receipts from the sale at retail of the following types of tangible personal property may be deducted if the sale of the property occurs during the period beginning at 12:01 a.m. on November 28, 2008 and ending at midnight on December 7, 2008:

A. an article of clothing or footwear designed to be worn on or about the human body if the sales price of the

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1 article is less than one hundred twenty-five dollars (\$125)
2 except:

3 (1) any special clothing or footwear that is
4 primarily designed for athletic activity or protective use and
5 that is not normally worn except when used for the athletic
6 activity or protective use for which it is designed; and

7 (2) accessories, including jewelry, handbags,
8 luggage, umbrellas, wallets, watches and similar items worn or
9 carried on or about the human body, without regard to whether
10 worn on the body in a manner characteristic of clothing;

11 B. a desktop, laptop or notebook computer if the
12 sales price of the computer does not exceed one thousand
13 dollars (\$1,000) and any associated monitor, speaker or set of
14 speakers, printer, keyboard, microphone or mouse if the sales
15 price of the device does not exceed five hundred dollars
16 (\$500);

17 C. school supplies that are items normally used by
18 students in a standard classroom for educational purposes if
19 the sales price of the article is less than twenty-five dollars
20 (\$25.00), including notebooks, paper, writing instruments,
21 crayons, art supplies, rulers, book bags, backpacks, maps and
22 globes, but not including watches, radios, compact disc
23 players, headphones, sporting equipment, portable or desktop
24 telephones, copiers, office equipment, furniture or fixtures;

25 D. handheld calculators normally used by students

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underscoring material = new
[bracketed material] = delete

1 in a standard classroom for educational purposes if the sales
2 price of the calculator is less than one hundred fifty dollars
3 (\$150); and

4 E. the following appliances or products that have
5 been designated as ENERGY-STAR qualified by the United States
6 environmental protection agency and the United States
7 department of energy purchased for nonbusiness use:
8 refrigerators and freezers if the sales price of the
9 refrigerator or freezer does not exceed two thousand dollars
10 (\$2,000); clothes washers if the sales price of the clothes
11 washer does not exceed one thousand dollars (\$1,000); and
12 dehumidifiers, dishwashers, room air conditioners, room air
13 cleaners, ceiling fans, programmable thermostats, compact
14 fluorescent lamps, battery charging systems, water coolers and
15 decorative string lights if the sales price of the item does
16 not exceed five hundred dollars (\$500).

17 Section 2. EMERGENCY.--It is necessary for the public
18 peace, health and safety that this act take effect immediately.