7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

## SENATE BILL 10

## 49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

## INTRODUCED BY

Bernadette M. Sanchez

5

1

2

3

6 7

11

12

.180342.1

AN ACT

RELATING TO TAXATION; NARROWING THE DEDUCTION FOR FOOD PURCHASES TO STAPLE FOODS.

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

Section 7-9-92 NMSA 1978 (being Laws 2004, Section 1. Chapter 116, Section 5) is amended to read:

"7-9-92. DEDUCTION--GROSS RECEIPTS--SALE OF STAPLE FOOD AT RETAIL FOOD STORE. --

- Receipts from the sale of staple food at a retail food store that are not exempt from gross receipts taxation and are not deductible pursuant to another provision of the Gross Receipts and Compensating Tax Act may be deducted from gross receipts. The deduction provided by this section shall be separately stated by the taxpayer.
  - For the purposes of this section:

_	et
new	delet
II	II
material	material]
underscored	[ <del>bracketed 1</del>

24

25

Z
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

1

(1) " <u>staple</u> food" means [ <del>any</del> ] <u>a</u> food or food
product, including meat, poultry, fish, bread, cereal,
vegetables, fruits or dairy products, for home consumption that
meets the definition of $staple$ food in 7 USCA [ $2012(g)(1)$ ]
2012(r)(1) for purposes of the federal [food stamp]
supplemental nutrition assistance program: and

(2) "retail food store" means an establishment that sells food for home preparation and consumption and that meets the definition of retail food store in 7 USCA 2012(k)(1) for purposes of the federal [food stamp] supplemental nutrition assistance program, whether or not the establishment participates in the [food stamp] supplemental nutrition assistance program."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2010.

- 2 -