

# GEORGIA SALES AND USE TAX EXEMPTIONS

O.C.G.A. § 48-8-3

December 14, 2015

## EXEMPTION

## EXEMPTION DOCUMENTATION

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| (1) Sales to the Federal Government, State of Georgia, or any county or municipality in Georgia or any agency of such governments, when directly paid to the seller by warrant on appropriated funds.  | ST-5  |
| (2) Tangible personal property furnished by the Federal Government or any county or municipality of this state to a contractor for the installation, repair, or extension of any public water, gas, or sewage system. This exemption does not apply to materials used to service a particular property.  | None – Use tax exemption for contractors      |
| (3) Federal retailer's excise tax if itemized to the consumer separately from the selling price or from the Georgia motor fuel tax.  | None - Requires taxes to be separately stated |
| (4) Sales of transportation furnished by a county or municipal public transit system or public transit authorities.  | None  |
| (5) Sales of transportation furnished by an approved and authorized Urban Transit System.  | None  |
| (6) Sales to any Hospital Authority created by Article 4 of Chapter 7 of Title 31.   | ST-5  |
| (6.1) Sales to any Housing Authority created by Article 1 of Chapter 3 of Title 8, the "Housing Authorities Law".  | ST-5  |
| (6.2) Sales to local government authorities created on or after January 1, 1980 for the principal purpose of constructing, owning, or operating a coliseum and related facilities.   | ST-5  |
| (6.3) Sales to any agricultural commission created by the Department of Agriculture pursuant to Chapter 8 of Title 2 of the Georgia Code.  | ST-5  |
| (7) Sales of tangible personal property and services used specifically in the treatment function when the sales are to a nonprofit (i.e., a tax exempt organization under the Internal Revenue Code) nursing home, inpatient hospice, general hospital or mental hospital. Application process is through Form ST-NH1.   | Letter of Authorization                       |
| (7.05)(A) From July 1, 2015 through June 30, 2018, sales of tangible personal property to a nonprofit health center in this state which has been established under the authority of and is receiving funds pursuant to, the United States Public Health Service Act, 42 U. S. C. Section 254b if such health clinic obtains an exemption determination letter from the commissioner. Application process is through Form ST-NHC. | Letter of Authorization                       |
| (7.1) Sales of tangible personal property and services to a nonprofit organization whose primary function is to provide services to the mentally retarded when qualifying as tax exempt by the Internal Revenue Service. Application process is through letter application.  | Letter of Authorization                       |

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| <p>(7.2) Sales to any chapter of the Georgia State Society of the Daughters of the American Revolution that is tax exempt under section 501(c)(3) of the Internal Revenue Code. Application process is through letter application.</p>   | <p>Letter of Authorization</p> |
| <p>(7.3)(A) From July 1, 2015 to June 30, 2018, sales of tangible property and services to a nonprofit volunteer health clinic primarily treating patients with incomes below 200% of the poverty level and which property and services are used exclusively in performing a general treatment function when such clinic is a tax exempt entity under the Internal Revenue Code and obtains an exemption determination letter from the Commissioner. Application is through Form ST-NVHC.</p>      | <p>Letter of Authorization</p> |
| <p>(8) Sales of tangible personal property and services to the University System of Georgia and its educational units.</p>   | <p>ST-5</p>                    |
| <p>(9) Sales of tangible personal property and services used exclusively for educational purposes by private colleges and universities in this state whose academic credits are accepted as equivalents by the University System of Georgia and its educational units. Application process is through letter application.</p>  | <p>Letter of Authorization</p> |
| <p>(10) Sales to be used exclusively for educational purposes by those bona fide private elementary and secondary schools which have been approved by the commissioner as organizations eligible to receive tax deductible contributions. Application process is through letter application.</p>   | <p>Letter of Authorization</p> |
| <p>(11) Sales of tangible personal property and services to any educational or cultural institute that is tax exempt under section 501(c)(3) of the Internal Revenue Code; provides at least 50% of its programs through universities and other institutions of higher learning in Georgia; operates with foreign government funds; and is an instrumentality, agency, department or branch of a foreign government operating in Georgia. Application process is through a letter application.</p> | <p>Letter of Authorization</p> |
| <p>(12) Food and food ingredients and prepared food sold and served to pupils and employees of public schools as part of a school lunch program.</p>   | <p>None</p>                    |
| <p>(13) Sales of prepared food and food and food ingredients consumed by pupils and employees of bona fide private elementary and secondary schools which have been approved by the commissioner as organizations eligible to receive tax deductible contributions when application for exemption is made to the department and proof of the exemption is established.</p>   | <p>None</p>                    |
| <p>(14) Sales of art and other artifacts for display or exhibition to museums that are tax exempt under section 501(c)(3) of the Internal Revenue Code. Application process is through letter application.</p>   | <p>Letter of Authorization</p> |

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| <p>(15)(A) Sales of any religious paper in this state when the paper is owned and operated by religious institutions or denominations and no part of the net profit from the operation of the institution or denomination inures to the benefit of any private person. . <b>NOTE: This exemption was declared unconstitutional on February 6, 2006 – see Bulletin at <a href="http://dor.georgia.gov/documents/sut-2006-02-06-sales-tax-exemption-sales-bibles-korans-testaments">http://dor.georgia.gov/documents/sut-2006-02-06-sales-tax-exemption-sales-bibles-korans-testaments</a>.</b></p> <p>(15)(B) Sales made by a religious institution as part of a fundraiser, when the institution's total fundraising days do not exceed 30 days in any one calendar year. The net profits from the operation of the institution and the proceeds of the sales may not benefit any private person and the sales proceeds can only be used for relief to the aged, church youth activities, religious instruction, or construction or repair of church buildings. <b>NOTE: Purchases made by a religious institution for its own use are subject to Georgia sales and use tax.</b></p> | <p>None. Qualifying entities may make purchases exempt for resale only using Form ST-5.</p> |
| <p>(15.1) Sales of pipe organs or steeple bells to any church that is a tax exempt religious organization under section 501(c)(3) of the Internal Revenue Code.</p>  | <p>None</p>   |
| <p>(16) The sale or use of Holy Bibles, testaments, and similar books commonly recognized as being Holy Scripture regardless of by or to whom sold. <b>NOTE: This exemption was declared unconstitutional on February 6, 2006 – see Bulletin at <a href="http://dor.georgia.gov/documents/sut-2006-02-06-sales-tax-exemption-sales-bibles-korans-testaments">http://dor.georgia.gov/documents/sut-2006-02-06-sales-tax-exemption-sales-bibles-korans-testaments</a>.</b> □</p>   | <p>None</p>   |
| <p>(17) Sales of fuel or consumable supplies used by ships engaged in inter-coastal trade between ports in this state and ports in other states (or US possessions) or in foreign commerce between ports in this state and ports of foreign countries.</p>   | <p>ST-7</p>   |
| <p>(18) Charges for transportation of tangible personal property, <b>except delivery charges made by a seller of tangible personal property associated with a taxable sale of tangible personal property.</b></p>  | <p>None</p>   |
| <p>(19) All tangible personal property purchased outside this state by a nonresident when the property is brought into Georgia upon the nonresident becoming a resident of Georgia. <b>NOTE: This exemption does not apply to tangible personal property used in a business, profession, or trade.</b></p>   | <p>None</p>   |
| <p>(20) Water delivered through water mains, lines, or pipes.</p>  | <p>None</p>   |
| <p>(21) Sales, transfers or exchanges of tangible personal property resulting from a business reorganization when the owners, partners, or stockholders maintain the same proportionate interest or share in the newly formed business.</p>  | <p>None<br/>Terms of Reorganization</p>   |
| <p>(22) Professional, insurance, or personal service transactions which involve sales as inconsequential elements for which no separate charges are made.</p>  | <p>None</p>   |
| <p>(23) Separately stated charges for repair labor.</p>  | <p>Itemized customer invoice</p>  |
| <p>(24) Rental of videotape or film to persons charging admission to view the tape or film.</p>  | <p>None</p>   |
| <p>(25) Through December 31, 2012, the sale of seed, fertilizer, fungicide, and certain other agricultural chemicals to farmers, and feed for livestock, fish, or poultry purchased by persons engaged in animal husbandry. <b>Repealed eff. 1-1-2013.</b></p>   |   |

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| <p>(26) Through December 31, 2012, the sale of machinery used exclusively for irrigation of crops to persons primarily engaged in producing farm crops for sale. <b>Repealed eff. 1-1-2013.</b></p>   |   |
| <p>(27) Through December 31, 2012, the sale of sugar for use as food to honey bee producers. Application process is through letter application. <b>Repealed eff. 1-1-2013.</b></p>  |   |
| <p>(28) Through December 31, 2012, the sale of cattle, hogs, sheep, horses, poultry, or bees when sold for breeding purposes. <b>Repealed eff. 1-1-2013.</b></p>  |   |
| <p>(29) Through December 31, 2012, the sale of certain types of Agricultural Machinery:</p> <p>Machinery and Equipment for use on a farm in production of poultry and eggs for sale;</p> <p>Machinery and Equipment for use in the hatching and breeding of poultry and the breeding of livestock;</p> <p>Machinery and Equipment for use on a farm in the production, processing, and storage of fluid milk for sale;</p> <p>Machinery and Equipment for use on a farm in the production of livestock;</p> <p>Machinery and Equipment for use on a farm to harvest farm crops for use as feed for poultry and livestock;</p> <p>Machinery used directly in tilling soil or in animal husbandry on a new or existing farm;</p> <p>Rubber-tired tractors and attachments for tractors sold to persons engaged primarily in producing farm crops for sale and which are used exclusively in tilling, planting, cultivating, and harvesting;</p> <p>Equipment used to process onions for sale; and</p> <p>Pecan sprayers, pecan shakers, and other equipment used to harvest pecans when sold to persons growing, harvesting, and producing pecans for sale.</p> <p><b>NOTE: "Farm crops" are crops planted and harvested over a 12-month period. This does <u>not</u> include orchards, vineyards, or other types of commodities, which are not planted and harvested over a 12-month period. Harvesting ends with the cutting of the crop and does not extend beyond that point. Repealed eff. 1-1-2013.</b></p> |   |
| <p>(29.1) Through December 31, 2012, off-road equipment and related attachments used exclusively in site preparation, planting, cultivating, or harvesting of timber by persons primarily engaged in growing or harvesting timber. <b>Repealed eff. 1-1-2013.</b></p>   |   |
| <p>(30) Vehicles purchased by service-connected disabled veterans when the U.S. Department of Veterans Affairs supplies a grant to purchase the specially adapted vehicle.</p>  | <p>Documentation of Grant or Purchaser applies for refund</p> |
| <p>(31) Sales of tangible personal property manufactured or assembled in Georgia for export when delivery is taken outside of Georgia.</p>  | <p>Bill of Lading or ST-6</p>                                 |
| <p>(32) Aircraft, watercraft, motor vehicles, and other transportation equipment manufactured or assembled in this State for exclusive use outside Georgia when the purchaser takes possession in Georgia with the sole purpose of removing the property from Georgia.</p>  | <p>ST-5</p>   |

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| <p>(33) Aircraft, watercraft, railroad locomotives and rolling stock, motor vehicles used principally to cross the state line to transport persons or cargo when purchased by common or common and contract carriers holding the same authority granted by the United States government. This exemption also extends to replacement of integral parts of the qualifying craft, equipment, or vehicle.<br/><b>NOTE: Exemption does not apply to fluids or dunnage materials.</b></p>  | <p>ST-5</p>                              |
| <p>(33.1) For the period July 1, 2011 through June 30, 2012, the sale or use of jet fuel to or by a qualifying airline at a qualifying airport shall be exempt from state sales and use tax and the 1% Special Purpose Local Option Sales Tax until the aggregate tax liability of the qualifying airline during such period with respect to jet fuel exceeds \$20 million.</p> <p>Starting July 1, 2012, the sale or use of jet fuel to or by a qualifying airline at a qualifying airport shall be exempt from 1% of the 4% state sales and use tax. A qualifying airline at a qualifying airport shall also be exempt from 1% Special Purpose Local Option Sales Tax.</p>                             | <p>Commercial Airline</p>                |
| <p>(34) Through December 31, 2012, machinery which is necessary and integral to the manufacture of tangible personal property. Qualifying machinery or equipment must be purchased for a new manufacturing facility, as replacement machinery in an existing manufacturing facility, or for the upgrade or expansion of an existing manufacturing facility. New facility – Machinery or equipment to be installed at a new facility requires application for the exemption (Form ST-M1). <b>Repealed eff. 1-1-2013.</b></p>  |  |
| <p>(34.1) Machinery and Equipment used to handle, move, or store tangible personal property in a new or expanded distribution or warehouse facility where the total purchase or expansion is \$5 million or more. To be eligible for this exemption, the distribution or warehouse facility may <u>not</u> have retail sales equal to or greater than 15 percent of the facility's total revenues. Application process is through Form ST-WD1.</p>   | <p>ST-WD2<br/>Exemption Certificate</p>  |
| <p>(34.2) Machinery and equipment used directly to remanufacture aircraft engines or aircraft engine parts or components used in a remanufacturing facility that overhauls aircraft engines or aircraft engine components. Application process is through Form ST-AER1.</p>  | <p>ST-AER2<br/>Exemption Certificate</p> |
| <p>(34.3) Through December 31, 2012, the sale or use of repair or replacement parts, machinery clothing, molds, dies, waxes or tooling for machinery which is necessary and integral to the manufacture of tangible personal property in a presently existing manufacturing plant. <b>Repealed eff. 1-1-2013.</b></p>  |  |
| <p>(34.4) Sales of tangible personal property to, or used in or for the construction of, a new alternative fuel facility primarily dedicated to the production and processing of ethanol, biodiesel, butanol, or their by-products when such fuels are derived from biomass materials such as agricultural products, animal fats, or the wastes of such products or fats. Any entity seeking the exemption must conduct at least a majority of its business with nonaffiliated entities. <b>This exemption is enacted for five-years (July 1, 2007 – June 30, 2012), but will only apply to purchases up to the point an approved facility begins production and processing of alternative fuel.</b></p> | <p>Letter of Authorization</p>           |

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| <p>(35) Through December 31, 2012, industrial Materials &amp; Packaging:</p> <ol style="list-style-type: none"> <li>1. Materials used for further processing, manufacture, or conversion into components of a finished product.</li> <li>2. Materials coated upon or impregnated into a product being manufactured for sale.</li> <li>3. Materials, containers, labels, sacks, or bags used for packaging tangible personal property for shipment or sale as long as the packaging material is not returned to the seller or shipper for reuse.</li> </ol> <p><b>NOTE: Industrial materials do not include any materials used to heat, light, power, or refrigerate. Repealed 1-1-2013.</b></p> |  |
| <p>(36) Machinery and equipment used in a facility for the primary purpose of reducing or eliminating air and water pollution. Application process is through Form ST-M7.</p>   | <p>ST-M8<br/>Exemption Certificate</p>   |
| <p>(36.1) Machinery and equipment used for water conservation and incorporated into a qualified water conservation facility. Application process is through Form ST-M7.</p>   | <p>ST-M8<br/>Exemption Certificate</p>   |
| <p>(37) Through December 31, 2012, machinery and equipment used in combating air and water pollution and any industrial material or byproduct thereof which becomes a wasteful product contributing to pollution and which is used in a burning or recycling process which would otherwise contribute to pollution. Application process is through Form ST-M7.</p>  | <p>ST-M8<br/>Exemption Certificate</p>   |
| <p>(38) Sales of tangible personal property and fees and charges for services by the Rock Eagle 4-H Center. Application process is through letter application.</p>  | <p>Letter of Authorization</p>   |
| <p>(39) Sales by a public or private school with grades Kindergarten through 12 of tangible personal property, concessions, and tickets for admission to school functions when the net proceeds benefit the school or its students.</p>   | <p>Qualifying entities may make purchases exempt for resale only using Form ST-5.</p>                          |
| <p>(39.1) Cargo containers and related chassis used for storage or shipping by persons engaged in international shipment of tangible personal property.</p>   | <p>ST-5</p>  |
| <p>(40) Sales of major components or repair parts installed in military aircraft, vehicles, or missiles.</p>  | <p>None</p>  |
| <p>(41) Sales of tangible personal property and services to a nonprofit child-caring institute, child-placing agency, or maternity home. Also, certain sales from specific fundraising activities (30 day limitation per calendar year). Application process is through Form ST-CH1.</p>  | <p>Letter of Authorization. Qualifying entities may make purchases exempt for resale only using Form ST-5.</p> |
| <p>(42) Leases of tangible personal property when the lessor and lessee are under 100 percent common ownership. The lessor must have paid applicable sales tax on the leased property at the time of purchase.</p>  | <p>Evidence of 100% common ownership</p>   |
| <p>(43) Revenues from coin-operated amusement machines for which individual permits are required as provided for under Chapter 17 of Title 50.</p>  | <p>None</p>  |

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| (44) Sales of motor vehicles to nonresident purchasers when vehicles are immediately removed from Georgia and registered in another state.   | ST-8   |
| (45) The sale or use of paper stock when used to print catalogs for distribution outside Georgia.  | None   |
| (46) Sales of tangible personal property or taxable services to Blood Banks having nonprofit status pursuant to section 501(c)(3) of the Internal Revenue Code. Application process is through letter application.   | Letter of Authorization  |
| (47) Sales or use of drugs that are lawfully dispensable only by prescription for the treatment of natural persons; Insulin regardless of whether the insulin is dispensable only by prescription; prescription eyeglasses and contact lenses; drugs dispensable by prescription for the treatment of natural persons without charge to physicians, hospitals, etc. by pharmaceutical manufacturers or distributors; drugs and durable medical equipment dispensed or distributed without charge solely for the purposes of a clinical trial approved by the FDA or an institutional review board.<br><b>Note: This exemption does not include over-the-counter drugs, drugs sold for animal use, or nonprescription eyeglasses.</b> | Documentation of the prescription must be maintained.                          |
| (48) Sales of crab bait to licensed commercial fishermen.  | Product Documentation  |
| (49) Through December 31, 2012, liquefied gases and other fuels used in poultry or pullet houses or structures. <b>Repealed eff. 1-1-2013.</b>   |  |
| (49.1) From July 1, 2008 to June 30, 2010, State sales and use tax exemption for liquefied petroleum gas or other fuel used in a structure where swine are raised.<br><b>NOTE: This exemption does <u>not</u> apply to Local sales and use tax. Exemption expired on June 30, 2010.</b>  |  |
| (50) Sales of insulin syringes and blood glucose level measuring strips dispensed without a prescription.  | Product Documentation  |
| (51) Sales of oxygen when prescribed by a licensed physician.  | Documentation of the prescription must be maintained.                          |
| (52) Sale or use of hearing aids.  | Product Documentation  |
| (53) Transactions where food stamps or WIC coupons are used as the method of payment.  | Dealer must keep documentation.  |
| (54) Sale to or use by a patient of any prescribed durable medical equipment or prescribed prosthetic device.  | Documentation of the prescription must be maintained.                          |
| (55) Sale of Georgia lottery tickets.  | None   |
| (56) Sales by any qualified nonprofit parent teacher organization. <b>NOTE: Purchases made for use by a qualified nonprofit parent teacher organization are subject to sales and use tax.</b>  | Qualifying entities may make purchases exempt for resale only using Form ST-5. |

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| <p>(57) Sales of food and food ingredients sold for off-premises consumption by an individual consumer are exempt from the 4% state sales tax. These sales are subject to all local sales taxes.<br/> <b>NOTE: “Food and Food Ingredients” means substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. For purposes of this exemption only, “Food and Food Ingredients” does NOT include (and thus the following are subject to both state and local taxes):</b></p> <ul style="list-style-type: none"> <li>• Prepared Food;</li> <li>• Alcoholic beverages (i.e., beverages suitable for human consumption and contain 0.5% or more of alcohol by volume);</li> <li>• Dietary supplements;</li> <li>• Tobacco; and</li> </ul> <p><b>Items ingested or chewed primarily for medical or hygiene purposes. Examples: cough drops, throat lozenges, breath strips, and over the counter medications.</b></p> | <p>Dealer must maintain documentation of sales of eligible food and beverages.</p> <p>Documentation can include Z-Tapes or similar proof that sales were eligible for the exemption.</p> |
| <p>(57.1) From July 1, 2014, until June 30, 2016, sales of food and food ingredients to a qualified food bank. “Qualified food bank” means any food bank which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and which is operated primarily for the purpose of providing hunger relief to low income persons residing in this state. Application process is by letter application.</p>   | <p>Letter of Authorization</p>   |
| <p>(57.2) From July 1, 2015 through June 30, 2020, the use of food and food ingredients that is donated to a qualified nonprofit agency and that is used for hunger relief purposes. “Qualified nonprofit agency” means any entity that is tax exempt under section 501(c)(3) of the Internal Revenue Code and that provides hunger relief. <b>For purposes of this exemption the term “food and food ingredients” as defined in O.C.G.A. 48-8-2 does not include drugs or over-the-counter drugs.</b></p>   | <p>Transaction Documentation</p>   |
| <p>(57.3) From July 1, 2015 through June 30, 2020, a use tax exemption for food and food ingredients that is donated following a natural disaster and used for disaster relief purposes. <b>For purposes of this exemption the term “food and food ingredients” as defined in O.C.G.A. 48-8-2 does not include drugs or over-the-counter drugs.</b></p>  | <p>Transaction Documentation</p>   |
| <p>(58) Reserved.</p>  |  |
| <p>(59) Sales of food and food ingredients to and by any Girl or Boy Scout Council in connection with fundraising activities. <b>NOTE: Purchases made for use by a Girl Scout or Boy Scout Council are subject to sales and use tax.</b></p>   | <p>Qualifying entities may make purchases exempt for resale only using Form ST-5.</p>  |
| <p>(60) Sales of machinery and equipment used to improve air quality in a clean room of Class 100,000 or less when incorporated into a telecommunications manufacturing facility.</p>  | <p>ST-5M</p>   |
| <p>(61) Advertising inserts that are used in newspapers for resale.</p>  | <p>ST-5</p>  |



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| (62) Sod grass sold in the original state of production by the sod producer, employee of the sod producer, or a family member of the sod producer. <b>Note: This exemption does not apply to sales from a nursery or other places where plants are sold.</b>  | Product Documentation  |
| (63) Funeral merchandise when paid with funds from the Georgia Crime Victims Emergency Fund.  | Payment Documentation  |
| (64) Through December 31, 2012, Sales of electricity or fuels used exclusively for the operation of an irrigation system on a farm for crop irrigation. <b>Repealed eff. 1-1-2013.</b>  |  |
| (65) Sales of dyed diesel fuel used exclusively for operation of vessels or boats by licensed commercial fisherman. Application is through letter application accompanied by a copy of a DNR Commercial Fisherman's License.  | Letter of Authorization  |
| (66) Sales of gold, silver, or platinum bullion.  | Product Documentation  |
| (67) Sales of coins or currency.  | Product Documentation  |
| (68) Sales of certain computer equipment to a high-technology company when the total qualifying purchases by the high-technology company in a calendar year exceed \$15 million. A High Technology Company must be classified under North American Industry Classification System code 334413, 334611, 51121, 51331, 51333, 51334, 51421, 52232, 54133, 54171, 54172, 513321, 513322, 514191, 541511, 541512, 511513, or 511519. Application process is through Form ST-CE1.  | ST-CE2<br>Exemption Certificate  |
| (69) Sales of machinery, equipment, and material used in the construction or operation of a clean room of Class 100 or less when the clean room is used directly in the manufacture of tangible personal property.  | ST-5M  |
| (70) Sales of natural or artificial gas used directly in the manufacture of electricity that is subsequently sold. Note: this exemption shall not apply to any local sales and use tax. Application process is by letter application.   | Letter of Authorization  |
| (70.1) From July 1, 2008 to December 31, 2010, a partial exemption for certain sales of natural or artificial gas, fuel oil, propane, petroleum coke and coal used directly or indirectly in the manufacture or processing of tangible personal property primarily for resale, and a portion of the fuel cost recovery component of retail electric rates used in manufacturing tangible personal property for resale, subject to conditions and limitations.<br>NOTE: This exemption shall not apply to any local sales and use tax. | ST-5M Exemption<br>Certificate   |
| (71) Sales to or by an organization whose primary purpose is to raise funds for books, materials, and programs for public libraries if such organizations qualify as tax exempt under section 501(c)(3) of the Internal Revenue code. Application process is by letter of application.  | Qualifying entities may make purchases exempt for resale only using Form ST-5. |
| (72) The sale to or use by a patient of all mobility enhancing equipment prescribed by a physician.   | Documentation of the prescription must be maintained.                          |
| (73) Reserved.  |  |

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| <p>(74) Sales of digital broadcast equipment to commercial radio or television stations, networks and cable distributors. <b>Exemption expired on November 1, 2004 for television stations, cable networks and cable distributors and November 1, 2008 for radio broadcasters.</b></p>   |  |
| <p>(75) Sales Tax Holiday – From 12:01 AM on August 1, 2014 until Midnight on August 2, 2014 and from 12:01 AM on July 31, 2015 until Midnight on August 1, 2015:</p> <ul style="list-style-type: none"> <li>• Articles of clothing with a sales price of \$100 or less per item;</li> <li>• School supplies, school art supplies, school computer supplies, and school instructional materials purchased for noncommercial use with a sales price of \$20.00 or less per item; and</li> </ul> <p>Computers, computer components, and prewritten computer software purchased for noncommercial home or personal use with a sales price of \$1,000.00 or less per item;</p>   | None                                   |
| <p>(76) From July 1, 2015 until January 1, 2017, the tax does not apply to the sale or use of tangible personal property used for or in the renovation or expansion of an aquarium located in this state that charges for admission and is owned or operated by an organization that is tax exempt under section 501(c)(3) of the Internal Revenue Code. A qualifying aquarium must pay the tax on all purchases and obtain the benefit of the exemption by applying to the Department for a refund of the tax paid. Refunds of state tax are limited to the period of July 1, 2015 until January 1, 2017 or until the state tax refunded pursuant to this paragraph exceeds \$750,000, whichever occurs first. Refunds will not include interest. <b>Only the aquarium may apply for a refund of tax paid. The exemption does not extend to tangible personal property that remains in the possession of a contractor after the completion of construction.</b></p> | Refund Only.<br>ST-12 Claim for Refund |
| <p>(77) Through December 31, 2012, liquefied petroleum gases and other fuels used in structures where plants, floral products, seedlings, and nursery stock are grown for sale. NOTE: Must be separately metered or otherwise documented. <b>Repealed 1-1-2013.</b> □</p>  |  |
| <p>(78) From May 5, 2004 until September 1, 2011, sales of materials used to construct a new symphony hall costing in excess of \$200 million that is owned or operated by a 501(c)(3) tax exempt organization. Application process is by letter application. <b>Exemption expired on September 1, 2011.</b></p>   |  |
| <p>(79) Through December 31, 2012, ice used to chill poultry or vegetables during processing or shipment. <b>Repealed eff. 1-1-2013.</b></p>   |  |
| <p>(80) Materials used to construct an eligible corporate attraction that is dedicated to the history and products of a corporation which costs at least \$50 million and has 60,000 square feet of space, including parking and landscaping. Application process is by letter application. <b>Exemption expired on December 31, 2007.</b></p>   |  |
| <p>(81) The purchase of food and food ingredients provided at no charge aboard a qualified airline.</p>  | ST-5                                   |

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| <p>(82) Sales Tax Holiday – From 12:01 AM on October 3, 2014 until Midnight on October 5, 2014 and from 12:01 AM on October 2, 2015 until Midnight on October 4, 2015, the purchase of certain noncommercial home or personal use Energy Star Qualified Products and Water Sense Products with a sales price of \$1,500.00 or less per product:</p> <ul style="list-style-type: none"> <li>• Energy Star Qualified Products means any dishwasher, clothes washer, air conditioner, ceiling fan, fluorescent light bulb, dehumidifier, programmable thermostat, refrigerator, door, or window that meets the energy efficient guidelines set by the United States Environmental Protection Agency and the United States Department of Energy and is authorized to carry the Energy Star label.</li> <li>• Water Sense Product means a product authorized to bear the United States Environmental Protection Agency WaterSense label.</li> </ul> | <p>None</p>                                |
| <p>(83) The sale or use of biomass material, including pellets or other fuels derived from compressed, chipped, or shredded biomass material, utilized in the production of energy, including without limitation the production of electricity, steam, or the production of electricity and steam, which is subsequently sold. <b>Fossil fuels are specifically excluded from this exemption.</b></p>  | <p>Letter of Authorization</p>             |
| <p>(84) Sales of tangible personal property used in direct connection with the construction or improvement of the National Infantry Museum and Heritage Park facility in Georgia. Application process is by letter application. <b>Exemption expired on June 30, 2008.</b></p>   |  |
| <p>(85) Sales of tangible personal property and services sold to a “qualified job training organization”. To qualify, the organization must be located in Georgia, exempt from income tax under Internal Revenue Code section 501(c)(3), specialize in the retail sale of donated goods, provide training and employment to disabled individuals, and use the majority of its revenue for job training, placement programs, and other community services. Application process is by letter application. <b>NOTE: This exemption does <u>not</u> apply to Local sales and use tax. Repealed eff. July 1, 2010.</b></p>  |  |
| <p>(86) The sale or use of engines, parts, equipment, and other tangible personal property used in the maintenance or repair of aircraft when such engines, parts, equipment, and other tangible personal property are installed on such aircraft that is being repaired or maintained in this state, so long as such aircraft is not registered in this state.</p>  | <p>Aircraft Registration Documentation</p> |

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| <p>(87) From July 1, 2016 until June 30, 2018, the tax does not apply to the sale or use of tangible personal property used for or in the renovation or expansion of a zoological institution located in this state that charges for admission, exhibits and cares for a collection consisting primarily of animals other than fish, and has received accreditation from the Association of Zoos and Aquariums, and is owned or operated by an organization that is tax exempt under section 501(c)(3) of the Internal Revenue Code. A qualifying zoological institution must pay the tax on all purchases and obtain the benefit of the exemption by applying to the Department for a refund of the tax paid. Refunds of state tax are limited to the period of July 1, 2016 until June 30, 2018 or until the state tax refunded exceeds \$350,000, whichever occurs first. Refunds will not include interest. <b>Only the zoological institution may apply for a refund of tax paid. The exemption does not extend to tangible personal property that remains in the possession of a contractor after the completion of construction.</b></p> | <p align="center">Refund Only<br/>Form ST-12 Claim for<br/>Refund</p> |
| <p>(88) From July 1, 2009 until July 30, 2015, sales of tangible personal property to, or used in the construction of, a civil rights museum that is owned or operated by an organization that is tax exempt under section 501(c)(3) of the Internal Revenue Code, and has more than 40,000 square feet of space and includes facilities such as special event space and retail space.</p>  | <p align="center">Letter of Authorization</p>                         |
| <p>(89) From July 1, 2009 until June 30, 2011, the sale or use of an airplane flight simulation training device approved by the FAA under Appendices A and B, 14 C.F.R Part 60. <b>Exemption expired on June 30, 2011.</b></p>  |   |
| <p>(90) Through December 31, 2012, the sale of electricity to a manufacturer located in this state used directly in the manufacture of a product if the direct cost of such electricity exceeds 50 percent of the cost of all materials, including electricity, used directly in the product. Application process is through Form ST-E1. <b>Repealed eff. 1-1-13.</b></p>   |   |
| <p>(91) The sale of prewritten software which has been delivered to the purchaser electronically or by means of load and leave.</p>   | <p align="center">Product Documentation</p>                           |
| <p>(92) From July 1, 2012 through December 31, 2013, sales to an organization defined by the Internal Revenue Service as an instrumentality of the states relating to the holding of an annual meeting in Georgia.</p>  | <p align="center">ST-5</p>  |
| <p>(93) From January 1, 2012 until June 30, 2016, and the entire time of construction, sales of tangible personal property used for and in the construction of a competitive project of regional significance ("CPRS"). CPRS means the location or expansion of some or all of a business enterprise's operations in this state where the commissioner of economic development determines the project would have a significant regional impact. *A CPRS is not subject to the phase-in period contained in O.C.G.A. § 48-8-3.2(c).</p>  | <p align="center">Letter of Authorization</p>                         |
| <p>(94) The sale, use, consumption, or storage of materials, containers, labels, sacks, or bags used for packaging tangible personal property for shipment or sale. The items must be used solely for packaging and shall not be purchased for reuse. This exemption does not include materials purchased at a retail establishment for consumer use.</p>   | <p align="center">ST-5</p>  |

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| <p>(95) The sale or purchase of any motor vehicle titled in this state on or after March 1, 2013, pursuant to Code Section 48-5C-1. Except as otherwise provided in this paragraph, this exemption shall not apply to rentals of motor vehicles for periods of 31 or fewer consecutive days. Lease payments for a motor vehicle that is leased for more than 31 consecutive days for which a state and local title ad valorem tax is paid shall be exempt from sales and use taxes as provided for in this paragraph. No sales and use taxes shall be imposed upon state and local title ad valorem tax fees imposed pursuant to Chapter 5C of Title 48 as a part of the purchase price of a motor vehicle or any portion of a lease or rental payment that is attributable to payment of state and local title ad valorem tax fees under Chapter 5C of Title 48.</p>           | <p>None</p>  |
| <p>(96) The sale or use of construction material used for or in the construction of buildings at a private college. "Private college" means a college in this state which is operated by an organization which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and has an enrollment of between 1,000 and 3,000 students. Exemption benefit is obtained by refund only. State sales tax will be refunded from July 1, 2015 until June 30, 2016 or until the amount refunded exceeds \$350,000, whichever occurs first. Local sales tax will be refunded from July 1, 2015 until June 30, 2016. Refunds will not include interest. <b>Only the college may apply for a refund of tax paid. The exemption does not extend to tangible personal property that remains in the possession of a contractor after the completion of construction.</b></p> | <p>By refund only. Form ST-12 Claim for Refund</p> |

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| Starting January 1, 2013, the sale, use, or storage of machinery or equipment, industrial materials, and packaging supplies used in manufacturing, which is necessary and integral to the manufacture of tangible personal property and the sale, use, storage, or consumption of industrial materials or packaging supplies shall be exempt from all sales and use taxation. This exemption includes components and repair or replacement parts. Effective July 1, 2014 this exemption includes consumable supplies. | ST-5M                   |
| Starting January 1, 2013, the sale, use, storage, or consumption of energy which is necessary and integral to the manufacture of tangible personal property at a manufacturing plant in this state. This energy exemption will be phased in over a four-year period (2013 through 2016).  | ST-5M                   |
| Starting April 19, 2012, sales of energy to a Competitive Project of Regional Significance that is necessary and integral to manufacturing. This exemption is not subject to any phase in period.   | Letter Of Authorization |

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| <p>Starting January 1, 2013, sales to and use by a qualified agriculture producer of agricultural production inputs, energy used in agriculture, and agricultural machinery and equipment shall be exempt from sales and use taxation.</p> <ul style="list-style-type: none"><li>• A taxpayer that meets the statutory criteria for designation as a “qualified agricultural producer” may apply to the Commissioner of Agriculture to request an agricultural sales and use tax exemption certificate that contains an exemption number.</li></ul> | <p>Georgia Agricultural Tax Exemption (GATE) Certificate Issued by the Commissioner of Agriculture</p> |
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