

HB546 INTRODUCED



1 HB546
2 BL3GQ4Q-1
3 By Representatives Holk-Jones, Fidler, Givens, Stringer, Baker
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5 RFD: Ways and Means Education
6 First Read: 08-Apr-25



SYNOPSIS:

Under existing law, certain organizations and vendors are exempt from payment of state, county, and municipal sales and use taxes.

Under existing law, the Alabama Gulf Coast Zoo was exempt from the payment of state, county, and municipal sales and use taxes for capital expenditures; however, this exemption expired on September 30, 2022.

This bill would reinstate the exemption through September 30, 2027.

A BILL
TO BE ENTITLED
AN ACT

Relating to sales and use taxes; to amend Section 40-23-5, Code of Alabama 1975, to reinstate the exemption for the Alabama Gulf Coast Zoo from the payment of state, county, and municipal sales and use taxes for capital expenditures.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§40-23-5

(a) The Diabetes Trust Fund, Inc., and any of its



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branches or agencies, heretofore or hereafter organized and existing in good faith in the State of Alabama for purposes other than for pecuniary gain and not for individual profit, are exempted from paying any state, county, or municipal sales or use taxes.

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

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

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

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

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



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

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

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

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

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

(l) The Eye Foundation, Inc., and any of its branches or agencies, heretofore, or hereafter organized and existing in good faith in the State of Alabama for purposes other than for pecuniary gain and not for individual profit, are exempted from paying any state, county, or municipal sales or use taxes.

(m) Any county public hospital association or any Alabama nonprofit membership corporation if one or more of its members is a county public hospital association, and any of its, or their, branches, agencies, lessees, or successors



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85 organized pursuant to Section 10-3A-1 et seq., and which
86 operates or maintains hospitals for purposes other than for
87 pecuniary gain and not for individual profit, is exempted from
88 paying any state, county, or municipal sales and use tax of
89 any nature whatsoever. Any of the taxes which were or may be
90 assessed or collected subsequent to December 31, 1993, against
91 any Alabama nonprofit membership corporation or any lessee of
92 any county public hospital association organized as herein
93 stated, pursuant to a lease in writing, will be remitted to
94 the entity which paid them; and no action or proceeding
95 against the association or nonprofit corporation may be
96 instituted after the date by the State of Alabama or any
97 county or municipality thereof or any agent or person acting
98 on behalf thereof for the collection or enforcement of any
99 sales or use tax of any nature whatsoever.

100 (n) There is exempted from all state, county, and
101 municipal sales taxes the sale of food pursuant to the food
102 distribution program conducted by Christian Service Mission,
103 Inc., an Alabama not-for-profit corporation, in cooperation
104 with World Share, Inc., to enable needy persons to purchase
105 food at substantially discounted prices and in consideration
106 of the performance of charitable or community work by such
107 persons.

108 (o) Rescue service organizations operating within the
109 State of Alabama which are exempt from federal income taxes
110 under the Internal Revenue Code of 1986, § 501(c)(3) and which
111 are members of the Alabama Rescue Services Association,
112 Incorporated, are exempted from any state, county, and



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113 municipal sales and use taxes.

114 (p) Alabama Goodwill Industries, Inc., Goodwill
115 Industries of Mobile Area, Inc., and Goodwill Industries of
116 Central Alabama, Inc., are exempted from paying any state,
117 county, and municipal sales or use taxes.

118 (q) The gross receipts from the sale of admissions to a
119 sporting event conducted by the Senior Professional Golfers
120 Association are exempted from any state, county, and municipal
121 sales taxes.

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

126 (s) (1) The Birmingham Zoo, Inc., is exempt from paying
127 any state, county, and municipal sales and use taxes
128 associated with any and all capital expenditures but shall
129 continue to collect and remit all other taxes to the
130 appropriate taxing authorities.

131 (2) The exemption provided pursuant to subdivision (1)
132 shall be available until September 30, 2027.

133 (3) The Birmingham Zoo, Inc., shall report annually to
134 the Department of Revenue on the sales for which the exemption
135 is granted. The Department of Revenue shall prescribe the
136 format of such annual report.

137 (t) (1) The Zoo Foundation, Inc., operating as the
138 Alabama Gulf Coast Zoo, or any successor entity, is exempt
139 from paying any state, county, and municipal sales and use
140 taxes associated with any and all capital expenditures;



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provided, however, that any exemption of county sales and use taxes must first be authorized by resolution of the county commission. The Zoo Foundation, Inc., shall continue to collect and remit all other taxes to the appropriate taxing authorities.

(2) The exemption provided pursuant to subdivision (1) shall be available until September 30, ~~2022~~2027.

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

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

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

Section 2. This act shall become effective on September 1, 2025.