

April 17, 2007

H 1582. DEFINITION OF FARMER FOR SALES AND USE TAX. Filed 4/17/07. *TO CLARIFY THE DEFINITION OF FARMER FOR PURPOSES OF APPLYING THE SALES AND USE TAX EXEMPTION TO ITEMS SOLD TO FARMERS AND TO EXPAND THE EXEMPTION TO INCLUDE ITEMS SOLD TO LESSORS OF FARMLAND.*

Enacts new GS 105-164.3(9a) expanding the definition of farmer to include a Christmas tree farmer, tree farmer, nursery operator, greenhouse operator, orchardist, and "any other person coming within the generally accepted definition of the word." Excludes from the definition persons who merely cultivate gardens for personal use. Amends GS 105-164.13(1) and (1a) to exempt from sales and use tax sales of listed items to a lessor of farmland for use by the lessor or the lessor's lessee (formerly only sales of qualifying items to a farmer were excluded from sales and use tax). Exempts sales of listed items for use in growing Christmas trees as well as crops. Effective January 1, 2008, and applicable to sales made on or after that date.

Intro. by Starnes, Hill.

GS 105