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SENATE BILL 17

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

Carlos R. Cisneros

AN ACT

RELATING TO TAXATION; EXCLUDING CERTAIN ENTITIES FROM A GROSS RECEIPTS TAX EXEMPTION FOR NONPROFIT ORGANIZATIONS.

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

SECTION 1. Section 7-9-29 NMSA 1978 (being Laws 1970, Chapter 12, Section 3, as amended) is amended to read:

"7-9-29. EXEMPTION--GROSS RECEIPTS TAX--CERTAIN ORGANIZATIONS--EXCEPTIONS.--

A. Exempted from the gross receipts tax are the receipts of organizations that demonstrate to the department that they have been granted exemption from the federal income tax by the United States commissioner of internal revenue as organizations described in Section 501(c)(3) of the United States Internal Revenue Code of [~~1954~~] 1986, as that section may be amended or renumbered.

underscored material = new  
~~[bracketed material] = delete~~

underscoring material = new  
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1           B. Exempted from the gross receipts tax are the  
2 receipts from carrying on chamber of commerce, visitor bureau  
3 and convention bureau functions of organizations that  
4 demonstrate to the department that they have been granted  
5 exemption from the federal income tax by the United States  
6 commissioner of internal revenue as organizations described in  
7 Section 501(c)(6) of the United States Internal Revenue Code of  
8 ~~[1954]~~ 1986, as that section may be amended or renumbered.

9           C. This section does not apply to:

10                 (1) receipts derived from an unrelated trade  
11 or business as defined in Section 513 of the United States  
12 Internal Revenue Code of ~~[1954]~~ 1986, as that section may be  
13 amended or renumbered; or

14                 (2) receipts of a prime contractor that are  
15 derived from operating a facility in New Mexico designated as a  
16 national laboratory by an act of congress."

17           SECTION 2. EFFECTIVE DATE.--The effective date of the  
18 provisions of this act is July 1, 2018.