

**BIBB COUNTY**  
Posted 4/10/2020

Statutory Effective Date: May 1, 2020  
Received by the Department: February 25, 2020

Bibb County has increased their sales and use taxes as shown below:

	<b><u>OLD</u></b> <b><u>RATES</u></b>	<b><u>NEW</u></b> <b><u>RATES</u></b>
<b>Sales Taxes:</b>		
General Rate .....	4.000	4.000
Admissions to places of amusement and entertainment .....	3.000	4.000
Retail Selling Price of food for human consumption sold through vending machines .....	2.000	3.000
Net difference paid for machines, machinery, and equipment used in planting, cultivating and harvesting farm products .....	1.000	1.250
Machines and parts and attachments for machines used in manufacturing tangible personal property .....	1.250	1.500
Net difference paid for all automotive vehicles, truck trailers, semi-trailers and house trailers .....	1.250	1.500
Withdrawal fee for automotive vehicle dealers only .....	0.00	3.15
	<b><u>OLD</u></b> <b><u>RATES</u></b>	<b><u>NEW</u></b> <b><u>RATES</u></b>
<b>Use Taxes:</b>		
General Rate .....	2.000	3.000
Net difference paid for machines, machinery, and equipment used in planting, cultivating and harvesting farm products .....	1.000	1.500
Machines and parts and attachments for machines used in manufacturing tangible personal property .....	1.000	1.500
Net difference paid for all automotive vehicles, truck trailers, semi-trailers and house trailers .....	1.000	1.500

Your Bibb County sales and use taxes may be remitted online through the 'Local Tax' account in the Alabama Department of Revenue's online filing system, My Alabama Taxes (MAT), the 'ONE SPOT' to file: <https://myalabamataxes.alabama.gov>. If you have any questions about your Bibb County taxes, please contact:

Avenu/RDS  
P. O. Box 830725  
Birmingham, AL 35283-0725  
1-800-556-7274

If you have any questions regarding this notice, please contact this office:

ALABAMA DEPARTMENT OF REVENUE  
Sales & Use Tax Division  
P.O. Box 327710  
Montgomery, Alabama 36132-7710  
(334) 242-1490

PURSUANT TO THE PROVISIONS OF ACT # 2019-332, THIS RESOLUTION AND ORDER LEVIES A PRIVILEGE, LICENSE OR EXCISE TAX AGAINST PERSONS, FIRMS OR CORPORATIONS STORING, USING, OTHERWISE CONSUMING TANGIBLE PERSONAL PROPERTY OR CONDUCTING PLACES OF AMUSEMENT IN BIBB COUNTY, ALABAMA; PROVIDES FOR THE COLLECTION OF THE SAID TAXES; AND PROVIDES PENALTIES FOR THE VIOLATION OF THIS RESOLUTION AND ORDER.

Pursuant to the provisions of Act #2019-332, be it resolved and ordered by the Bibb County Commission in the State of Alabama, as follows:

Section 1. Levy of Privilege or License Tax. There is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm, or corporation (including the State of Alabama, the University of Alabama, Auburn University and all other institutions of higher learning in the state, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged or continuing within Bibb County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft and commercial fishing vessels of over five (5) tons load displacement as registered with the U. S. Coast Guard and licensed by the State of Alabama Department of Conservation and Natural Resources), an amount equal to one percent (1%) of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer on the gross sales of the business.

(b) Upon every person, firm or corporation engaged, or continuing within Bibb County, in the business of conducting, or operating, places of amusement or

entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests, conducted by or under the auspices of any educational institution within Bibb County, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, or county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Bibb County, an amount equal to one percent (1%) of the gross receipts of any such business. Provided, however, notwithstanding any language to the contrary in the prior portion of this subsection, the tax provisions so specified shall not apply to any athletic event conducted by a public or private primary or secondary school. The tax amount which would have been collected pursuant to this subsection shall continue to be collected by said public or private primary or secondary school but shall be retained by the school which collected it and shall be used by said school for school purposes.

(c) Upon every person, firm or corporation engaged or continuing within Bibb County in the business of selling at retail machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, an amount equal to one-fourth of one percent ( $1/4$  of 1%) of the gross proceeds of the sale of such machines; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within Bibb County in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer, house trailer or mobile home set-up materials and supplies including but not limited to steps, blocks, anchoring, cable pipes and any other materials pertaining thereto, an amount equal to one-fourth of one percent ( $1/4$  of 1%) of the gross proceeds of sale of said automotive vehicle, truck trailer, semi-trailer, house trailer or mobile home set-up materials and supplies. Provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, a fee of \$3.15 per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be, of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(e) Upon every person, firm or corporation engaged or continuing within Bibb County in the business of selling at retail any machine, machinery or equipment which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, an amount equal to one-fourth of one percent (1/4 of 1%) of the gross proceeds of the sale thereof. Provided, however, the one-fourth of one percent (1/4 of 1%) rate herein prescribed with respect to parts, attachments, and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

(f) Upon every person, firm or corporation engaged or continuing within Bibb County in the business of selling through coin-operated dispensing machines, food and food products for human consumption, not including beverages other than coffee, milk, milk products and substitutes therefore, there is hereby levied a tax equal to one percent (1%) of the cost of such food, food products and beverages sold through such machines, which cost for the purpose of this subsection shall be the gross proceeds of sales of such business.

Section 2. Provisions of State Sales Tax Statutes Applicable to this Resolution and Order and Taxes Levied Herein. The taxes levied in Section 1 of this resolution and order shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, discounts, penalties, fines, punishments, and deductions that are applicable to the taxes levied by the State sales tax statutes, except where inapplicable or where herein otherwise provided, including all provisions of the State sales tax statutes for enforcement and collection of taxes.

Section 3. Levy of Use Tax. (a) An excise tax is hereby imposed on the storage, use or other consumption in Bibb County of tangible personal property (not

including materials and supplies bought for use in fulfilling a contract for the painting, repairing, or reconditioning of vessels, barges, ships and other watercraft and commercial fishing vessels of over five (5) tons load displacement as registered with the U. S. Coast Guard and licensed by the State of Alabama Department of Conservation and Natural Resources) purchased at retail on or after the effective date of this resolution and order for storage, use or other consumption in Bibb County, except as provided in subsections (b), (c), and (d), at the rate of one percent (1%) of the sales price of such property.

(b) An excise tax is hereby imposed on the storage, use or other consumption in Bibb County of any machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property purchased at retail on or after the effective date of this resolution and order at the rate of one half percent (1/2%) of the sales price of any such machine; provided that the term "machine," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefore, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) An excise tax is hereby imposed on the storage, use or other consumption in Bibb County on any automotive vehicle or truck trailer, semi-trailer, house trailer or mobile home set-up materials and supplies including but not limited to steps, blocks, anchoring, cable pipes and any other materials pertaining thereto purchased at retail on or after the effective date of this resolution and order for storage, use or other consumption in Bibb County at the rate of one half percent (1/2%) of the sales price of such automotive vehicle, truck trailer, semi-trailer, house trailer or mobile home set-up materials and supplies. Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) An excise tax is hereby levied and imposed on the storage, use or other consumption in Bibb County of any machine, machinery or equipment which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, which is purchased at retail after the effective date of this resolution and order, for the storage, use or other consumption in Bibb County at the rate of one half percent (1/2%) of the sales price of such property; regardless of whether the retailer is or is not engaged in the business in this County. Provided, however, the one half percent (1/2%) rate herein prescribed with respect to parts, attachments, and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities. Where any used machine, machinery or equipment which is

used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

Section 4. Provisions of State Use Tax Statutes Applicable to this Resolution and Order and Taxes Herein Levied. The taxes levied by Section 3 of this resolution and order shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, discounts, penalties, fines, punishments, and deductions that are applicable to the taxes levied by the State use tax statutes except where inapplicable or where herein otherwise provided including all provisions of the State use tax statutes for enforcement and collection of taxes.

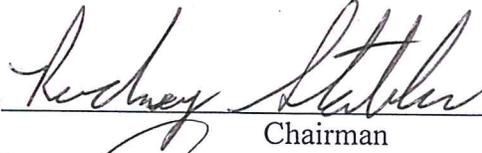
Section 5. Disposition of Revenue. The proceeds from all taxes collected pursuant to this resolution and order remaining after the payment of the costs of collection shall be allocated and disbursed as follows: (a) eighty percent (80%) shall be distributed to the Bibb County Board of Education and used for public school purposes, including but not limited to the payment of the principal of and interest on any warrants issued by the said Board for the purpose of providing capital school improvements in the County and/or of refunding the Limited Obligation School Refunding Warrants, Series 2015, of the County, and (b) twenty percent (20%) shall be retained by the County and used only for items related to road and bridge construction and maintenance and for public safety purposes.

Section 6. Severability. Each and every provision of this resolution and order is hereby declared to be an independent provision and the holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof, and it is hereby declared that the other provisions of this resolution and ordinance would have been enacted regardless of any provision which might have been held invalid.

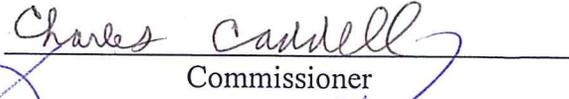
Section 7. Effective Date. This resolution and order shall become effective on the latter to occur of the following: (a) the first day of November, 2019, or (b) the first day of the calendar month immediately following the calendar month in which provision is made in full for the payment of the principal of and interest on the Limited Obligation School Refunding Warrants, Series 2015, of the County. Further, simultaneously with the effective date of the levy of the taxes herein authorized, the Commission hereby revokes and repeals resolution 07-06 (adopted on March 27, 2007), as amended by resolution 2011-10 (adopted on June 14, 2011), both pertaining to a sales tax levied in the County pursuant to Section 40-12-4 of the Code of Alabama 1975, as amended.

ADOPTED this 12<sup>th</sup> day of August, 2019.

Bibb County Commission

  
Chairman

  
Commissioner

  
Commissioner

  
Commissioner

  
Commissioner

RESOLUTION NO. 2020-7

THIS RESOLUTION ESTABLISHES THE EFFECTIVE DATE OF TAX RATES AUTHORIZED PURSUANT TO ACT # 2019-332 AND ADOPTED IN RESOLUTION 2019-9.

Whereas Act # 2019-332 authorized the levy of certain taxes which was ratified by the Bibb County Commission in Resolution 2019-9. Said resolution is hereby modified to clearly state the effective date that the rates levied in 2019-9 are to go into effect. The commission recognizes that the conditions required for said levy to become effective as established by Resolution 2019-9 paragraph 7(b) have been met. Therefore, the sales and use tax levied therein shall go into effect on May 1, 2020.

All other portions of Resolution 2019-9 remain unchanged. /

ADOPTED this 24<sup>th</sup> day of February, 2020

Bibb County Commission

*Rodney Stabler*  
Chairman

*Charles Cobbell*  
Commissioner

*James Kelly*  
Commissioner

*[Signature]*  
Commissioner

*[Signature]*  
Commissioner

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FEB 20 2020

Local Tax Section  
Alabama Dept. of Revenue

