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HOUSE BILL 255

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY
Judy Vanderstar Russell

AN ACT

RELATING TO TAXATION; DEFINING "PLACE OF BUSINESS" FOR SALES
TO MUNICIPALITIES.

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

Section 1. Section 7-1-14 NMSA 1978 (being Laws 1969,
Chapter 145, Section 1, as amended) is amended to read:

"7-1-14. SECRETARY MAY DETERMINE WHERE CERTAIN GROSS
RECEIPTS ARE TO BE REPORTED--PLACE OF BUSINESS FOR
CONSTRUCTION PROJECTS, [~~AND~~] CERTAIN REAL PROPERTY SALES AND
SALES TO MUNICIPALITIES.--

A. By regulation, the secretary may require any
person maintaining one or more places of business to report
the person's taxable gross receipts and deductions for each
municipality or county or area within an Indian reservation
or pueblo grant in which the person maintains a place of
business.

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B. For persons engaged in the construction business, the place where the construction project is performed is a "place of business", and all receipts from that project are to be reported from that place of business.

C. The secretary may, by regulation, also require any person maintaining a business outside the boundaries of a municipality on land owned by that municipality to report the person's taxable gross receipts for that municipality.

D. For a person engaged in the business of selling real estate, the location of the real property sold is the "place of business", and all receipts from that sale are to be reported from that place of business.

E. For a person selling services to a municipality, the municipality is the "place of business", and all receipts from such sales are to be reported from that place of business."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2000