

1 SENATE BILL 662

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 William H. Payne

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10 AN ACT

11 RELATING TO TAXATION; EXEMPTING FROM GROSS RECEIPTS TAX THE
12 SALE OF FINE ART SOLD TO AN OUT-OF-STATE BIDDER AT AN AUCTION
13 CONDUCTED IN CERTAIN MUNICIPALITIES.

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

16 SECTION 1. A new section of the Gross Receipts and
17 Compensating Tax Act is enacted to read:

18 "[NEW MATERIAL] EXEMPTION--GROSS RECEIPTS TAX--SALE OF
19 FINE ART AT AN AUCTION.--

20 A. Exempted from the gross receipts tax are
21 receipts from the sale of fine art sold at an auction by an
22 auction house to a bidder that is not a resident of this state
23 and does not have a principal place of business in this state;
24 provided that the auction is conducted within a municipality.

25 B. As used in this section:

.200429.3

underscored material = new
[bracketed material] = delete

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

1 (1) "auction" means a sale, conducted by means
2 of oral or written bids, to the highest bidder;

3 (2) "auction house" means any person,
4 partnership, corporation, association or group engaged for
5 profit primarily in the business of conducting auctions at
6 which it acts as agent for any seller of works of fine art;

7 (3) "fine art" means any original work of
8 visual or graphic art of any media, including any painting,
9 print, drawing, sculpture, craft, object, photograph, hologram
10 or any combination of such media of recognized quality; and

11 (4) "municipality" means a municipality with a
12 population of at least sixty-seven thousand five hundred but
13 less than sixty-eight thousand, according to the most recent
14 federal decennial census, that is located within a class A
15 county with a population of at least one hundred forty-four
16 thousand but less than one hundred forty-five thousand,
17 according to the most recent federal decennial census."

18 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
19 provisions of this act is July 1, 2015.

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