

EXHIBIT A

Words and punctuation are shown in red and underlined if added by this amendment and are shown in ~~red and struck through~~ if deleted by this amendment.

3.01.430 Exemptions.

This section sets forth the only exemptions from the City Sales and Use Tax. The exemptions set forth in this section shall not be expanded by implication or similarity. In all cases, the burden of proof shall be on the Taxpayer to establish the applicability of an exemption by the presentation of clear and convincing evidence. The following are exempt from imposition of City Sales and Use Tax, unless stated otherwise:

A. Cigarettes. ~~All cigarettes.~~ Repealed

C. Construction Materials.

1. Railroad tracks. Construction Materials to a common carrier by rail operating in interstate or foreign commerce for use by such common carrier in construction and maintenance of its railroad tracks.
2. Delivered outside City. Construction Materials if delivered to a location outside the City.
3. Tax prepaid on building permit. Construction Materials if the purchaser of such materials presents to the Retailer a building permit where Use Tax has been prepaid.
4. ~~Certain exempt entities. Construction Materials to be used on a project for an exempt entity identified in subsection (D) below, if the purchaser of such materials presents to the Retailer documentation from the City evidencing that tax is not required to be paid. This exemption shall not apply to Construction Materials used by contractors who perform contracts for a Qualified Hospital Organization.~~
5. Storage. The Storage of Construction Materials.

G. Food.

4. ~~Repealed Articles furnished with food. Any article to be furnished by a Retailer to a Consumer or user, together with food, meals or beverages Purchased for human consumption, if: a separate charge is not made for the article to the Consumer or user; such article becomes the property of the Consumer or user, together with the food, meals or beverages Purchased; and a tax is paid on the Retail Sale as required by Section 3.01.420(G);~~
5. ~~Repealed Containers or bags furnished by food Retailers. Any container or bag furnished by a Retailer of food, meals or beverages for human consumption to a Consumer or user for the purpose of packaging or bagging Tangible Personal Property Purchased at retail, if: a separate charge is not made for the container or bag to the Consumer or user; such container or bag becomes the property of the~~

~~Consumer or user, together with the food, meals or beverages Purchased; and a tax is paid on the Retail Sale as required by Section 3.01.420(G);~~

R. Transportation.

1. Aircraft. Aircraft for Use in interstate commerce by an Airline Company;
2. Automotive vehicles registered outside the City. Automotive vehicles as defined in this Tax Code that are registered and required by state law to be registered outside the City;
3. ~~Electric-powered Automotive Vehicles. Electric-powered automotive vehicles, including both the original and all subsequent Purchases of such vehicles, and batteries and controls required for the operation and maintenance of such vehicles.~~