

# House Amendment 1098

## Amendment Text

PAG LIN

1 1 Amend [House File 248](#) as follows:  
1 2 #1. Page 1, by inserting before line 1 the  
1 3 following:  
1 4 "Section 1. Section [422.43](#), Code 1999, is amended  
1 5 by adding the following new subsection:  
1 6 NEW SUBSECTION. 14. There is imposed a tax of  
1 7 five percent upon the gross receipts from the sales or  
1 8 rental of tangible personal property to a hospital or  
1 9 from services performed, rendered, or furnished to a  
1 10 hospital or hospice where the sales or services are on  
1 11 behalf of a clinic or off-site pharmacy. A tax at a  
1 12 like rate is imposed on the gross receipts from the  
1 13 sales or rental of tangible personal property by a  
1 14 hospital or hospice to a clinic or off-site pharmacy  
1 15 or from services performed, rendered, or furnished by  
1 16 a hospital to a clinic or off-site pharmacy.  
1 17 For purposes of this subsection:  
1 18 a. "Hospice" means a facility which operates a  
1 19 hospice program as defined in 42 C.F.R., ch. IV, }  
1 20 418.3.  
1 21 b. "Hospital" means a hospital licensed pursuant  
1 22 to chapter 135B.  
1 23 c. "Offsite pharmacy" means a pharmacy not located  
1 24 within a hospital or in close proximity to a hospital.  
1 25 Sec. 2. Section [422.45](#), subsections 3 and 54, Code  
1 26 1999, are amended to read as follows:  
1 27 3. The gross receipts from sales of educational,  
1 28 religious, or charitable activities, where the entire  
1 29 proceeds from the sales are expended for educational,  
1 30 religious, or charitable purposes, except the gross  
1 31 receipts from games of skill, games of chance, raffles  
1 32 and bingo games as defined in chapter 99B. This  
1 33 exemption is disallowed on the amount of the gross  
1 34 receipts only to the extent the gross receipts are not  
1 35 expended for educational, religious, or charitable  
1 36 purposes. This exemption is disallowed for the gross  
1 37 receipts from transactions taxed under section 422.43,  
1 38 subsection 14.  
1 39 54. The gross receipts from the sale or rental of  
1 40 tangible personal property or from services performed,  
1 41 rendered, or furnished to a nonprofit hospital  
1 42 licensed pursuant to chapter 135B to be used in the  
1 43 operation of the hospital. This exemption is  
1 44 disallowed for the gross receipts from transactions  
1 45 taxed under section 422.43, subsection 14."  
1 46 #2. Title page, line 1, by inserting after the  
1 47 word "hospices" the following: "and relating to sales  
1 48 and services made to or by hospitals or hospices on  
1 49 behalf of or to clinics and off-site pharmacies under  
1 50 the sales and use taxes".  
2 1 #3. By renumbering as necessary.  
2 2  
2 3  
2 4  
2 5 RICHARDSON of Warren

2 6 [HF 248.504](#) 78

2 7 mg/jw