

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 58.1-609.1 of the Code of Virginia, relating to sales and use tax*  
3 *exemption; legal tender coins.*

4 [S 934]  
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**  
7 **1. That § 58.1-609.1 of the Code of Virginia is amended and reenacted as follows:**  
8 **§ 58.1-609.1. Governmental and commodities exemptions.**

9 The tax imposed by this chapter or pursuant to the authority granted in §§ 58.1-605 and 58.1-606  
10 shall not apply to the following:

11 1. Fuels which are subject to the tax imposed by Chapter 22 (§ 58.1-2200 et seq.). Persons who are  
12 refunded any such fuel tax shall, however, be subject to the tax imposed by this chapter, unless such  
13 taxes would be specifically exempted pursuant to any provision of this section.

14 2. Motor vehicles, trailers, semitrailers, mobile homes and travel trailers.

15 3. Gas, electricity, or water when delivered to consumers through mains, lines, or pipes.

16 4. Tangible personal property for use or consumption by the Commonwealth, any political  
17 subdivision of the Commonwealth, or the United States. This exclusion shall not apply to sales and  
18 leases to privately owned financial and other privately owned corporations chartered by the United  
19 States. Further, this exemption shall not apply to tangible personal property which is acquired by the  
20 Commonwealth or any of its political subdivisions and then transferred to private businesses for their  
21 use in a facility or real property improvement to be used by a private entity or for nongovernmental  
22 purposes other than tangible personal property acquired by the Herbert H. Bateman Advanced  
23 Shipbuilding and Carrier Integration Center and transferred to a Qualified Shipbuilder as defined in the  
24 third enactment of Chapter 790 of the 1998 Acts of the General Assembly.

25 5. Aircraft subject to tax under Chapter 15 (§ 58.1-1500 et seq.).

26 6. a. Motor fuels and alternative fuels for use in a commercial watercraft, as defined in § 58.1-2201,  
27 upon which a fuel tax is refunded pursuant to § 58.1-2259.

28 b. Fuels transactions upon which a fuel tax is refunded pursuant to subdivision A 22 of § 58.1-2259.

29 7. Sales by a government agency of the official flags of the United States, the Commonwealth of  
30 Virginia, or of any county, city or town.

31 8. Materials furnished by the State Board of Elections pursuant to §§ 24.2-404 through 24.2-407.

32 9. Watercraft as defined in § 58.1-1401.

33 10. Tangible personal property used in and about a marine terminal under the supervision of the  
34 Virginia Port Authority for handling cargo, merchandise, freight and equipment. This exemption shall  
35 apply to agents, lessees, sublessees or users of tangible personal property owned by or leased to the  
36 Virginia Port Authority and to property acquired or used by the Authority or by a nonstock, nonprofit  
37 corporation that operates a marine terminal or terminals on behalf of the Authority.

38 11. Sales by prisoners confined in state correctional facilities of artistic products personally made by  
39 the prisoners as authorized by § 53.1-46.

40 12. Tangible personal property for use or consumption by the Virginia Department for the Blind and  
41 Vision Impaired or any nominee, as defined in § 51.5-60, of such Department.

42 13. [Expired.]

43 14. Tangible personal property sold to residents and patients of the Virginia Veterans Care Center at  
44 a canteen operated by the Department of Veterans Services.

45 15. Tangible personal property for use or consumption by any nonprofit organization whose members  
46 include the Commonwealth and other states and which is organized for the purpose of fostering  
47 interstate cooperation and excellence in government.

48 16. Tangible personal property purchased for use or consumption by any soil and conservation  
49 district which is organized in accordance with the provisions of Article 3 (§ 10.1-506 et seq.) of Chapter  
50 5 of Title 10.1.

51 17. Tangible personal property sold or leased to Alexandria Transit Company, Greater Lynchburg  
52 Transit Company, GRTC Transit System, or Greater Roanoke Transit Company, or to any other transit  
53 company that is owned, operated, or controlled by any county, city, or town, or any combination  
54 thereof, that provides public transportation services, and/or tangible personal property sold or leased to  
55 any county, city, or town, or any combination thereof, that is transferred to any of the companies set  
56 forth in this subdivision owned, operated, or controlled by any county, city, or town, or any combination

57 thereof, that provides public transportation services.

58 18. (Effective until July 1, 2017) Qualified products designated as Energy Star or WaterSense with a  
59 sales price of \$2,500 or less per product purchased for noncommercial home or personal use. The  
60 exemption provided by this subdivision shall apply only to sales occurring during the three-day period  
61 that begins each year on the first Friday in August and ends at 11:59 p.m. on the following Sunday.

62 For the purposes of this exemption, an Energy Star qualified product is any dishwasher, clothes  
63 washer, air conditioner, ceiling fan, light bulb, dehumidifier, programmable thermostat, or refrigerator,  
64 the energy efficiency of which has been designated by the United States Environmental Protection  
65 Agency and the United States Department of Energy as meeting or exceeding each such agency's  
66 requirements under the Energy Star program. For the purposes of this exemption, WaterSense qualified  
67 products are those that have been recognized as being water efficient by the WaterSense program  
68 sponsored by the U.S. Environmental Protection Agency as indicated by a WaterSense label.

69 19. ~~On or after July 1, 2015, but before January 1, 2019~~ *Effective through June 30, 2022*, gold,  
70 silver, or platinum bullion *or legal tender coins* whose sales price exceeds \$1,000. Each piece of gold,  
71 silver, or platinum *or legal tender coin* need not exceed \$1,000, provided that the sales price of one  
72 entire transaction of such pieces exceeds \$1,000. "Gold, silver, or platinum bullion" means gold, silver,  
73 or platinum, and any combination thereof, that has gone through a refining process and is in a state or  
74 condition such that its value depends on its mass and purity and not on its form, numismatic value, or  
75 other value. Gold, silver, or platinum bullion may contain other metals or substances, provided that the  
76 other substances by themselves have minimal value compared with the value of the gold, silver, or  
77 platinum. "*Legal tender coins*" means *coins of any metal content issued by a government as a medium*  
78 *of exchange or payment of debts*. "Gold, silver, or platinum bullion" ~~does~~ and "*legal tender coins*" do  
79 not include jewelry or works of art.

80 20. Tangible personal property sold by a sheriff at a correctional facility pursuant to § 53.1-127.1 and  
81 sales of prepared food within such correctional facility.

82 **2. That the provisions of this act shall become effective on January 1, 2018.**