

ORDINANCE NO: 26-836

WHEREAS, pursuant to Section 40-23-4(a)(55) of the Code of Ala. 1975, the Alabama Legislature has exempted from the state's sales tax the gross proceeds of the sale or sales of hearing instruments as defined in Section 34-14-1 of the Code of Ala. 1975, including hearing aids, through September 30, 2029, unless extended by an act of the Legislature; and

WHEREAS, in accordance with Section 40-23-4(a)(55), the exemption does not apply to municipal sales taxes unless approved by resolution or ordinance adopted by the local governing body; and

WHEREAS, the state's use tax exemptions under Section 40-23-62 of the Code of Ala. 1975 incorporate by reference said exemption; and

WHEREAS, the City Council of the City of Huntsville, Alabama, desires to apply the sales and use tax exemptions for hearing instruments to the City of Huntsville's levy of sales and use taxes under, Article III, Division 2 (sales taxes), and Division 3 (use tax) of the Code of Ordinances of the City of Huntsville, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. Sales tax exemption. Subject to Section 3 below, in accordance with Section 40-23-4(a)(55), the gross proceeds of the sale or sales of hearing instruments as defined in Section 34-14-1 of the Code of Ala. 1975, are hereby exempted from the provisions of Chapter 15, Article III, Division 2 (sales taxes) of the Code of Ordinances of the City of Huntsville, Alabama, and from the computation of the amount of the tax levied, assessed, or payable under said Division 2 (sales taxes).

Section 2. Use tax exemption. Subject to Section 3 below, the storage, use, or other consumption in the City of Huntsville, Alabama, of the hearing instruments exempted under Section 1 of this Ordinance are hereby specifically exempted from the tax imposed by Chapter 15, Article III, Division 3 (use tax) of the Code of Ordinances of the City of Huntsville, Alabama.

Section 3. Effective date; duration.

(a) *Effective date.* The foregoing exemptions under Section 1 and Section 2 shall have an effective date of September 1, 2027.

(b) *Duration.* The duration of the foregoing exemptions under Section 1 and Section 2 shall be until September 30, 2029.

Section 4. Required notice. The City Clerk of the City of Huntsville, Alabama, is hereby authorized and directed to provide a certified copy of this Ordinance to the Alabama Department of Revenue by July 1, 2027, in accordance with Section 40-23-4.01(a)(3) of the Code of Ala. 1975.

Section 5. The sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance are severable so that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid by a valid judgment of a court of competent jurisdiction, such judgment shall not affect the validity of any other section, subsection, paragraph, sentence, clause or phrase of this Ordinance; for the City Council of the City of Huntsville, Alabama, hereby declares that it is its intent that it would have enacted this Ordinance without such invalid or unconstitutional provisions.

Section 6. This Ordinance shall become effective upon its adoption and publication; provided, however, the sales and use tax exemptions provided by this Ordinance shall become effective no earlier than September 1, 2027.

ADOPTED this the 24th day of September 2026.

/s/ Jennie Robinson
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 24th day of September 2026.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama