

Senate Bill 3

By: Senator Ladd of the 41st

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965,"
2 approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, so as to provide for a future
3 extension of the 1 percent sales and use tax rate for the authority, conditioned upon certain
4 contract amendments or approval in a referendum; to provide for procedures; to provide an
5 effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965," approved
9 March 10, 1965 (Ga. L. 1965, p. 2243), as amended, is amended by striking paragraph (1)
10 of subsection (b) of Section 25 and inserting in its place a new paragraph (1) to read as
11 follows:

12 "(b)(1)(A) Rate of Tax. The tax when levied shall be at the rate of one (1%) 1 percent
13 until and including June 30, 2047 2032, and shall thereafter be reduced to one-half
14 (1/2%) of one 1 percent except that the tax shall be at the rate of 1 percent until and
15 including June 30, 2047, and shall thereafter be reduced to one-half of 1 percent if:

16 (i) All the local governments which have entered into a rapid transit contract with the
17 authority and which have imposed the tax under this section have amended that
18 contract, prior to the date this paragraph becomes effective in 2001, to require their
19 levy of the tax at the rate of 1 percent until and including June 30, 2047, with the rate
20 thereafter being reduced to one-half of 1 percent; or

21 (ii) That extension at the rate of 1 percent until and including June 30, 2047, with the
22 rate thereafter being reduced to one-half of 1 percent, is approved in a referendum as
23 provided in subparagraph (B) of this paragraph. Said tax shall be added to the State
24 Sales and Use Tax state sales and use tax imposed by Article 1 of Chapter 8 of Title
25 48 of the O.C.G.A., and the State Revenue Commissioner state revenue commissioner
26 is hereby authorized and directed to establish a bracket system by appropriate rules

1 and regulations to collect the tax ~~herein~~ imposed under this section in the areas
2 affected.

3 (B) Rate extension; Referendum. The extension of the 1 percent rate until and including
4 June 30, 2047, as authorized under division (ii) of subparagraph (A) of this paragraph,
5 shall be conditioned upon approval by a majority of the qualified electors of each of
6 those local governments referred to and defined in subsection (e) of Section 2 of this
7 Act which have entered into a rapid transit contract with the authority and which have
8 imposed the tax under this section. Whenever the governing authorities of such local
9 governments wish to submit to such electors the question of whether the 1 percent sales
10 and use tax rate shall be so extended, all such governing authorities shall notify their
11 respective election superintendents by forwarding to the superintendents a copy of a
12 resolution of the governing authority calling for a referendum election. Upon receipt
13 of the resolution, it shall be the duty of each election superintendent to issue the call for
14 an election for the purpose of submitting the question of the extension of the 1 percent
15 sales and use tax rate to the voters of the local government for approval or rejection.
16 The election superintendents shall issue the call and shall conduct the election on a date
17 and in the manner authorized under Code Section 21-2-540. All such elections shall
18 only be conducted on the same date and in conjunction with one another. The election
19 superintendents shall cause the date and purpose of the election to be published once
20 a week for two weeks immediately preceding the date of the election in the official
21 organ of each such local government. The ballot shall have written or printed thereon
22 the following question:

23 '() YES Shall the 1 percent rate of the MARTA sales and use tax be
24 () NO extended until and including June 30, 2047?'

25 All persons desiring to vote in favor of extending the 1 percent sales and use tax rate
26 shall vote 'Yes,' and those persons opposed to extending the rate shall vote 'No.' If
27 more than one-half of the votes cast by the qualified electors of each local government
28 which has imposed the tax under this section are in favor of extending the rate, then the
29 rate shall be extended in accordance with division (ii) of subparagraph (A) of this
30 paragraph; otherwise, the 1 percent sales and use tax rate shall not be extended pursuant
31 to this subparagraph (B), and the question of the extension of the rate may not again be
32 submitted to the voters until after 24 months immediately following the month in which
33 the election was held. It shall be the duty of the election superintendents to hold and
34 conduct such elections under the same rules and regulations as govern special elections.
35 It shall be each superintendent's further duty to canvass the returns, declare the result
36 of the election, and certify the result to the Secretary of State and to the state revenue
37 commissioner. The expense of an election shall be borne by the local government

1 holding the election."

2 **SECTION 2.**

3 This Act shall become effective upon its approval by the Governor or upon its becoming law
4 without such approval.

5 **SECTION 3.**

6 All laws and parts of laws in conflict with this Act are repealed.