

House Resolution 1372

By: Representative Reece of the 11th

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide for tax relief with respect to ad
2 valorem property taxation for educational purposes through the imposition of a 1 percent
3 state sales and use tax; to provide for procedures, conditions, and limitations; to provide for
4 the submission of this amendment for ratification or rejection; and for other purposes.

5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Article VII of the Constitution is amended by adding a new section immediately following
8 Section IIA, to be designated Section IIB, to read as follows:

9 "SECTION IIB.

10 SALES TAX AND TAX RELIEF

11 Paragraph I. *State taxation for education.* In addition to any state or local sales and use
12 tax in effect on January 1, 2005, there is imposed effective on that date and thereafter a 1
13 percent state sales and use tax. The sales and use tax imposed by this Paragraph shall
14 correspond to the state sales and use tax imposed by the revenue laws of this state, as now
15 or hereafter amended, except as otherwise provided in this Paragraph. The tax imposed
16 pursuant to this Paragraph shall not apply to sales of prescription drugs and shall not be
17 subject to any sales and use tax exemption provided by general law unless expressly
18 provided otherwise by the General Assembly. The tax imposed by this Paragraph shall be
19 levied and collected in the same manner as the other state sales and use tax is levied and
20 collected. Such proceeds shall be deposited in the education tax relief account.

21 Paragraph II. *State grants; adjustment amount.* For each taxable year, a homeowner's
22 education tax relief adjustment shall be applied to the return of each taxpayer claiming such
23 state-wide homestead exemption as may be specified by general law. The General
24 Assembly shall appropriate such amount each year for grants to local school districts as
25 homeowner education tax relief grants. The adjustments and grants authorized by this

1 Paragraph shall be made to each local school system on a pro rata basis according to the
2 latest full-time equivalent count of such school system or in such manner as provided by
3 general law and shall be subject to the procedures and conditions as may be specified by
4 general law."

5 **SECTION 2.**

6 The above proposed amendment to the Constitution shall be published and submitted as
7 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
8 above proposed amendment shall have written or printed thereon the following:

9 "() YES Shall the Constitution be amended so as to provide for tax relief with
10 respect to ad valorem property taxation for education through the imposition
11 () NO of a 1 percent state sales and use tax?"

12 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

13 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
14 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
15 become a part of the Constitution of this state.