

Senate Bill 556

By: Senators Price of the 56th, Cagle of the 49th, Mullis of the 53rd, Hamrick of the 30th and Smith of the 52nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated,
2 relating to property tax exemptions and deferrals, so as to exempt from ad valorem taxation
3 biotechnology property, facilities, and equipment; to provide for a referendum, applicability,
4 and effective dates; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to
8 property tax exemptions and deferrals, is amended by adding a new Code section
9 immediately following Code Section 48-5-41.1, to be designated Code Section 48-5-41.2,
10 to read as follows:

11 "48-5-41.2.

12 (a) As used in this Code section, the term:

13 (1) 'Equipment' means machinery, equipment, tools, materials, supplies, or fuel to be
14 installed, consumed, or utilized for research, product development, or manufacturing for
15 biotechnology in this state.

16 (2) 'Biotechnology' means:

17 (A) The application of technologies, such as recombinant DNA techniques,
18 biochemistry, molecular and cellular biology, genetics and genetic engineering,
19 biological cell fusion techniques, and new bioprocesses, using living organisms or
20 parts of organisms to produce or modify products to improve plants or animals, to
21 develop microorganisms for specific uses, to identify targets for small molecule
22 pharmaceutical development, to transform biological systems into useful processes and
23 products, or for fighting and curing disease; or

24 (B) A business which is classified under the North American Industry Classification
25 System code 3254, 3391, 54171, or 6215.

1 (b) Biotechnology property, facilities, and equipment shall be exempt from all ad valorem
2 property taxes in this state."

3 **SECTION 2.**

4 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the Secretary of
5 State shall call and conduct a special election for the approval or disapproval of this Act on
6 the date of the November, 2004, general election. The Secretary of State shall cause the date
7 and purpose of the special election to be published in the official organ of each county in the
8 state once a week for two weeks immediately preceding the date of the referendum. The
9 ballot shall have written thereon the following:

10 "() YES Shall the Act be approved which grants an exemption from ad valorem

11 () NO taxation for biotechnology property, facilities, and equipment?"

12 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
13 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
14 cast on such question are for approval of the Act, then Section 1 of this Act shall become
15 effective on January 1, 2005, and shall apply to all tax years beginning on or after that date;
16 otherwise Section 1 of this Act shall be void and this Act shall stand repealed in its entirety
17 on January 1, 2005.

18 **SECTION 3.**

19 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon
20 its approval by the Governor or upon its becoming law without such approval.

21 **SECTION 4.**

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