

House Bill 281 (AS PASSED HOUSE AND SENATE)

By: Representatives Smith of the 129<sup>th</sup>, Loudermilk of the 14<sup>th</sup>, Graves of the 12<sup>th</sup>, Floyd of the 147<sup>th</sup>, and Mosley of the 178<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 32 of Title 50 of the Official Code of Georgia Annotated, relating to the  
2 Georgia Regional Transportation Authority, so as to provide for a sales and use tax  
3 exemption with respect to property purchased by or used by the authority; to provide that no  
4 provision of Chapter 7 of Title 46 shall apply to any bus, other motor vehicle, or rapid rail  
5 system of the authority which provides transit services; to provide an effective date; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 32 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia  
10 Regional Transportation Authority, is amended by striking Code Section 50-32-37, relating  
11 to tax exemptions applicable to such authority, and inserting in its place a new Code Section  
12 50-32-37 to read as follows:

13 "50-32-37.

14 It is found, determined, and declared that the creation of this authority and the carrying out  
15 of its corporate purposes is in all respects for the benefit of the people of the state and that  
16 the authority is an institution of purely public charity and will be performing an essential  
17 governmental function in the exercise of the power conferred upon it by this chapter. For  
18 such reasons the state covenants with the owners from time to time of the bonds, notes, and  
19 other obligations issued under this chapter that the authority shall not be required to pay  
20 any taxes or assessments imposed by the state or any of its counties, municipal  
21 corporations, political subdivisions, or taxing districts upon any property acquired by the  
22 authority or under its jurisdiction, control, possession, or supervision or leased by it to  
23 others, or upon its activities in the operation or maintenance of any such property or on any  
24 income derived by the authority in the form of fees, recording fees, rentals, charges,  
25 purchase price, installments, or otherwise, and that the bonds, notes, and other obligations  
26 of the authority, their transfer, and the income therefrom shall at all times be exempt from

1 taxation within the state. The tax exemption provided in this chapter shall ~~not~~ include ~~any~~  
2 an exemption from sales and use tax on property purchased by the authority or for use by  
3 the authority."

4 **SECTION 2.**

5 Said chapter is further amended by adding a new Code section immediately following Code  
6 Section 50-32-70, to be designated Code Section 50-32-71, to read as follows:

7 "50-32-71.

8 No provision of Chapter 7 of Title 46 shall apply to any bus, other motor vehicle, or rapid  
9 rail system of the authority which provides transit services."

10 **SECTION 3.**

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

13 **SECTION 4.**

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