

The Senate Natural Resources and the Environment Committee offered the following substitute to HB 214:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia
2 Annotated, relating to the Jekyll Island—State Park Authority, so as to provide for a renewal
3 of the property lease to the authority; to extend the existence of the authority consistent with
4 such lease renewal; to provide for advisory members of the authority; to clarify that the
5 authority is exempt from certain taxation; to provide for legislative intent; to provide for
6 related matters; to provide an effective date; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

9
10 The Georgia General Assembly finds that Jekyll Island is home to some of the state's most
11 treasured natural and cultural resources and it is the expressed intent of this body to ensure
12 the preservation of these resources for the enjoyment of all Georgians now and for future
13 generations to come. For this reason, the state shall continue its commitment that not less
14 than 65 percent of the land area of Jekyll Island which lies above water at mean high tide
15 shall remain undeveloped. Jekyll Island proudly displays one of Georgia's largest stretches
16 of barrier island property. It is the expressed intent of this body that the beach areas of Jekyll
17 Island will remain free and open for the use of the people of the state. Commercial
18 improvement is intended to better existing and future development of the remaining 35
19 percent of Jekyll Island while retaining public access to the beaches for the pleasure of all
20 of Georgia's citizens. The General Assembly further finds that the deteriorating conditions
21 of public and commercial facilities is of great interest to the legislature and to the public and
22 that by significantly extending the existing lease authority for the island's property, the state
23 will thereby help to secure and encourage future investments and provide a basis for
24 long-term revitalization of the island. Jekyll Island is recognized by this body as "Georgia's
25 Jewel," and its remarkable beauties are hereby preserved so that they may continue to shine
26 for all citizens of Georgia.

1 upon its northerly shore by Brunswick River, bounded on its westerly shore by Brunswick
 2 River, Jekyll Creek, Jekyll River, and Jekyll Sound; and bounded on its southerly shore by
 3 Jekyll Sound, together with the adjacent and adjoining marshes and marsh islands; which
 4 properties may also be described as all of the lands acquired by the State of Georgia in a
 5 certain condemnation proceeding, *State of Georgia vs. Jekyll Island Club, Inc., et al.*, filed
 6 June 6, 1947, in Glynn County Superior Court; which properties may also be described in
 7 all conveyances, conveying any and all parts of Jekyll Island and the adjacent and adjoining
 8 marshes and marsh islands to the State of Georgia, recorded upon the official deed books
 9 of Glynn County as of February 13, 1950, all and each one of said conveyances being, by
 10 reference, expressly incorporated into this Code section and made in their entirety; a part
 11 hereof."

12 SECTION 5.

13 Said part is further amended by revising Code Section 12-3-274, relating to the exemption
 14 from taxation of authority property, activities, income, and bonds, as follows:

15 "12-3-274.

16 It is found, determined, and declared that the creation of the authority and the carrying out
 17 of its corporate purpose are in all respects for the benefit of the people of this state and
 18 constitute a public purpose and that the authority will be performing an essential
 19 governmental function in the exercise of the power conferred upon it by this part. This state
 20 covenants with the holders of the bonds that the authority shall be required to pay no taxes
 21 or assessments upon any of the property acquired or leased by it, or under its jurisdiction,
 22 control, possession, or supervision, or upon its activities in the operation or maintenance
 23 of the buildings erected or acquired by it, or upon any fees, rentals, or other charges
 24 received by the authority for the use of such buildings, or upon other income received by
 25 the authority and that the authority shall be exempt from all sales and use taxes. Further,
 26 this state covenants that the bonds of the authority, their transfer, and the income therefrom
 27 shall at all times be exempt from all taxation within the state."

28 SECTION 6.

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

31 SECTION 7.

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