

House Bill 1266

By: Representative Hill of the 21st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-8-89 of the Official Code of Georgia Annotated, relating to
2 distribution and use of proceeds of the joint county and municipal sales and use tax, so as to
3 provide for additional distribution requirements regarding certain service districts; to provide
4 for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 48-8-89 of the Official Code of Georgia Annotated, relating to distribution and
8 use of proceeds of the joint county and municipal sales and use tax, is amended by revising
9 subsection (a) as follows:

10 "(a) The proceeds of the tax collected by the commissioner in each special district under
11 this article shall be disbursed as soon as practicable after collection as follows:

12 (1) One percent of the amount collected shall be paid into the general fund of the state
13 treasury in order to defray the costs of administration; and

14 (2)(A) Except for the percentage provided in paragraph (1) of this subsection and
15 except as otherwise provided in subparagraph (B) of this paragraph, the remaining
16 proceeds of the tax shall be distributed to the governing authority of each qualified
17 municipality within the special district and to the governing authority of the county
18 whose geographical boundary is conterminous with that of the special district for the
19 purpose of assisting such political subdivisions in funding all or any portion of those
20 services which are to be provided by such governing authorities pursuant to and in
21 accordance with Article IX, Section II, Paragraph III of the Constitution of this state;
22 and

23 (B) Where a county has created a service district encompassing the entire
24 unincorporated area of such county by ordinance or resolution as authorized by Article
25 IX, Section II Paragraph VI(c) of the Constitution of this state, the governing authority
26 of such county may, in its discretion, allocate proceeds of the tax distributed to such

1 county in accordance with the distribution certificate required by subsection (b) of this
2 Code section to assist such county in funding all or any portion of the services provided
3 by or through such county to residents or properties located within such unincorporated
4 service district. Where proceeds of the tax are allocated to an unincorporated service
5 district, the county shall annually reduce the millage rate for ad valorem taxation of
6 tangible property within such unincorporated service district in the same manner
7 described in subsection (a) of Code Section 48-8-91."

8 **SECTION 2.**

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

11 **SECTION 3.**

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