

House Bill 1186 (AS PASSED HOUSE AND SENATE)

By: Representatives Roberts of the 154<sup>th</sup>, Burns of the 157<sup>th</sup>, Dollar of the 45<sup>th</sup>, and O'Neal of the 146<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad  
2 valorem taxation of property, so as to provide for an ad valorem tax exemption for certain  
3 public-private transportation projects; to provide that certain public-private transportation  
4 projects shall not constitute special franchises; to provide for an effective date; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem  
9 taxation of property, is amended in Code Section 48-5-41, relating to property exempt from  
10 ad valorem taxation, by adding a new subparagraph in paragraph (1) of subsection (a) as  
11 follows:

12 "(E) Property which qualifies as a public-private transportation project pursuant to  
13 Code Section 32-2-80 which property is owned or leased by the state, a state agency,  
14 or another governmental entity and which is developed, operated, or held by a private  
15 partner shall be considered to be public property within the meaning of this paragraph."

16 **SECTION 2.**

17 Said chapter is further amended by adding a new Code section to read as follows:

18 "48-5-421.1.

19 Any property which is exempt from ad valorem taxation pursuant to subparagraph (a)(1)(E)  
20 of Code Section 48-5-41 shall not constitute a special franchise for purposes of this article  
21 and shall not be subject to the provisions of this article."

22 **SECTION 3.**

23 This Act shall become effective on January 1, 2011.

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**SECTION 4.**

25 All laws and parts of laws in conflict with this Act are repealed.