

Senate Bill 116

By: Senators Buckner of the 44th, Jones of the 10th, Hooks of the 14th, Brown of the 26th, Adelman of the 42nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 4 of Chapter 12 of Title 45 of the Official Code of Georgia
2 Annotated, the "Budget Act," so as to provide that when the Governor exercises certain
3 powers to reserve or withhold appropriated funds, the Office of Planning and Budget shall
4 prepare a report with respect to revenue which could be generated by repealing certain tax
5 exemptions and tax credits; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

9 Article 4 of Chapter 12 of Title 45 of the Official Code of Georgia Annotated, the "Budget
10 Act," is amended by revising Code Section 45-12-86, relating to the Governor's power to
11 reserve or withhold appropriated funds, as follows:

12 "45-12-86.

13 (a) The Governor, during the first six months of a fiscal year period in which the current
14 revenue estimate on which appropriations are based is expected to exceed actual revenues,
15 is authorized to require state agencies to reserve such appropriations as specified by the
16 Governor for budget reductions to be recommended to the General Assembly at its next
17 regular session.

18 (b) The Governor, during any fiscal year by which the current revenue estimate ~~or on~~
19 which appropriations are based is expected to exceed actual revenues, is authorized to
20 withhold a percentage of agency allotment requests as necessary to maintain spending
21 within actual revenues.

22 (c) During any fiscal year in which the Governor exercises his or her authority under this
23 Code section or any other law to require the reservation or withholding or both of funds
24 which in the aggregate constitute more than 1 percent of the budget of any budget unit, it
25 shall be the duty of the Office of Planning and Budget to:

26 (1) Compile a listing of each state sales tax exemption and each state income tax credit
27 provided for by law;

28 (2) Provide for each such exemption and credit the estimated amount of annual state
29 revenue which would be generated by a repeal of the exemption or credit; and
30 (3) Make a report to the Governor, the Lieutenant Governor, the President Pro Tempore
31 of the Senate, and the Speaker of the House of Representatives, not later than the opening
32 day of the next legislative session, of the information compiled under paragraphs (1) and
33 (2) of this subsection."

34 **SECTION 2.**

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