

House Bill 320

By: Representative Stephens of the 164th

A BILL TO BE ENTITLED
AN ACT

1 To create the "Development Authority Jobs Assistance Act of 2011"; to amend Code Section
2 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use
3 tax, so as to provide for exemptions for certain sales or leases in connection with
4 development authority projects; to provide for applicability regarding contractors and
5 vendors; to provide for conditions and limitations; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Development Authority Jobs Assistance
10 Act of 2011."

11 **SECTION 2.**

12 Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from
13 sales and use tax, is amended by replacing "; or" with a semicolon at the end of paragraph
14 (90), by replacing the period with "; or" at the end of paragraph (91), and by adding a new
15 paragraph to read as follows:

16 "(92)(A) Sales of tangible personal property for a project to be owned by a
17 development authority when in connection with such project the development authority
18 issues bonds, revenue bonds, notes, or other obligations, or when the development
19 authority pays for such property with other funds of the authority. Such property may
20 be leased or sold by a development authority to any private person or entity and such
21 lease or sale shall be exempt from sales and use tax. Notwithstanding Code Section
22 48-8-63 or other law, this exemption shall apply to a development authority, to any
23 contractor incorporating such personal property into real property for any such project,
24 and to any vendor supplying any such tangible personal property. The exemption shall
25 extend, without limitation, to machinery and equipment, to building materials

26 incorporated into a building to be sold to a development authority, and to all other types
27 of tangible personal property, provided that the development authority obtains a
28 certificate of exemption under this paragraph for such project. The commissioner shall
29 promulgate such rules and regulations necessary to administer the issuance of
30 certificates of exemption.

31 (B) As used in this paragraph, the term 'development authority' means any authority
32 or public corporation created by a local constitutional amendment or by any general,
33 local, or special Act of the General Assembly which is authorized by law to issue
34 bonds, revenue bonds, notes, or other obligations and which has purposes relating to
35 promoting the development of any one or more of the following: trade, commerce,
36 industry, agriculture, tourism, or employment opportunities."

37 **SECTION 3.**

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