

The Senate Finance Committee offered the following substitute to HB 896:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia
2 Annotated, relating to sales tax for educational purposes, so as to change certain provisions
3 regarding distribution of the sales tax for educational purposes; to provide for related matters;
4 to provide for contingent effectiveness; to provide for automatic repeal under certain
5 conditions; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 2 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated,
9 relating to sales tax for educational purposes, is amended by revising Code Section 48-8-143,
10 relating to distribution of sales tax for educational purposes, as follows:
11 "48-8-143.

12 The net proceeds of the sales tax for educational purposes shall be distributed in the manner
13 provided under Article VIII, Section VI, Paragraph IV(g) of the Constitution unless for
14 independent school systems with less than 3,000 full-time equivalent students, another
15 distribution formula is provided for by the ~~enactment of a local Act~~ agreement of all
16 participating parties. Any such ~~local Act~~ agreement providing for an alternate distribution
17 formula shall not be amended during the time period for which the tax was imposed."

18 **SECTION 2.**

19 (a) This Act shall become effective on January 1, 2013, only if a Constitutional amendment
20 is ratified at the November, 2012, general election providing that the sales and use tax for
21 educational purposes shall only be distributed on the basis of full-time equivalent student
22 counts when proceeds are distributed between a county school district and an independent
23 school district located in such county which has less than 3,000 full-time equivalent students.
24 (b) If such an amendment to the Constitution is not so ratified, then this Act shall not
25 become effective and shall stand repealed by operation of law on January 1, 2013.

26

SECTION 3.

27 All laws and parts of laws in conflict with this Act are repealed.