

Senate Bill 40

By: Senators Jackson of the 2nd, Henson of the 41st, Tate of the 38th, Harbison of the 15th,  
Sims of the 12th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state  
2 administration and enforcement of taxation, so as to provide that the Department of Revenue  
3 shall submit to the General Assembly, once every four years, a report on the effect of tax  
4 exemptions on the amount of revenue collected by state and local governments; to provide  
5 for related matters; to provide for an effective date; to repeal conflicting laws; and for other  
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state  
10 administration and enforcement of taxation, is amended by adding a new article to read as  
11 follows:

12 "ARTICLE 4

13 48-2-100.

14 (a) As used in this Code section, the term 'tax exemption' means an exemption, exclusion,  
15 or deduction from the base of a tax, a credit against a tax, a deferral of a tax, or a  
16 preferential tax rate.

17 (b) Beginning on January 1, 2014, and in January of every fourth year thereafter, the  
18 department shall submit to the General Assembly, prior to the start of the regular session,  
19 a report showing the amount of reduction in revenue for the state and local governments  
20 for the preceding four-year period due to tax exemptions. The report shall include an  
21 estimate of revenue lost from the tax exemption, the purpose of the tax exemption, the  
22 persons, organizations, or parts of the population which benefit from the tax exemption,  
23 and whether or not the tax exemption conflicts with other state policies or programs.

24 (c) All tax exemptions currently allowed by the department shall be included and analyzed  
25 in the report provided for in subsection (b) of this Code section.

26 (d) The department shall prepare the report provided for in subsection (b) of this Code  
27 section with the assistance of any other state agencies or departments that may be required.  
28 All state agencies or departments shall fully cooperate with the department in preparing the  
29 report.

30 (e) The department shall publish the report provided for in subsection (b) of this Code  
31 section on its website and present the report to the Ways and Means Committee of the  
32 House of Representatives and the Senate Finance Committee in a joint public hearing held  
33 for that purpose.

34 (f) Beginning on January 1, 2014, and every four years thereafter, the Governor is  
35 requested to review the report from the department provided for in subsection (b) of this  
36 Code section and submit any recommendations to the General Assembly with respect to  
37 repeal or modification of any tax exemptions."

38 **SECTION 2.**

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

41 **SECTION 3.**

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