

Senate Bill 177

By: Senators Ginn of the 47th, Jeffares of the 17th, Bethel of the 54th and Jackson of the 24th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the  
2 Department of Economic Development, so as to change the membership of the Georgia  
3 Tourism Foundation; to provide for related matters; to repeal conflicting laws; and for other  
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Department  
8 of Economic Development, is amended by revising subsection (e) of Code Section 50-7-17,  
9 relating to tourism marketing program and tourism foundation, as follows:

10 "(e) **Georgia Tourism Foundation.**

11 (1) **Establishment.** There is hereby established the Georgia Tourism Foundation,  
12 existing as a public corporation and instrumentality of the state, exclusively limited to the  
13 following charitable and public purposes and powers:

14 (A) To solicit and accept contributions of money and in-kind contributions of services  
15 and property for the State-wide Tourism Marketing Program;

16 (B) To make and disburse contributions to the department for such purposes;

17 (C) To seek recognition of tax exempt status by the United States Internal Revenue  
18 Service and to seek confirmation concerning the deductibility of contributions;

19 (D) To formulate recommendations for the State-wide Tourism Marketing Program;

20 (E) Subject to approval of the Governor, to create subsidiaries with like character and  
21 powers but with limited missions keyed to particular component programs and activities  
22 of the department's State-wide Tourism Marketing Program; and

23 (F) To provide for additional officers and governance through bylaws which are  
24 consistent with the goals of lessening the government burden in promoting tourism,  
25 establishing and maintaining tax exempt status, and soliciting deductible contributions.

26 (2) **Members.** The governance of the Georgia Tourism Foundation shall be in members,  
27 consisting of:

28 (A) The commissioner of economic development, who will be chairperson;

29 (B) Four additional members appointed by the Governor; and The commissioner of  
30 natural resources;

31 (C) The chairpersons of the Senate Economic Development Committee and the House  
32 Committee on Economic Development and Tourism ~~Each of the executive directors of~~  
33 ~~the Jekyll Island State Park Authority, Stone Mountain Memorial Association, Lake~~  
34 ~~Lanier Islands Authority, Agricultural Exposition Authority, North Georgia Mountains~~  
35 ~~Authority, and Southwest Georgia Railroad Excursion Authority;~~

36 (D) ~~One representative each from the Aviation, Music, Sports, and Golf Halls of Fame;~~  
37 ~~and~~

38 (E) ~~Additional private members appointed by the Governor under foundation bylaws.~~  
39 ~~The chairpersons of the Senate Economic Development Committee and the House~~  
40 ~~Economic Development and Tourism Committee shall serve as ex officio nonvoting~~  
41 ~~members of the foundation.~~

42 (3) **Administration.** The Georgia Tourism Foundation ~~will~~ shall be attached to the  
43 department for administrative purposes. The Attorney General ~~will~~ shall be the attorney  
44 for the foundation. The department may solicit and accept contributions from the  
45 foundation and authorize agencies to do so. The department may cooperate and contract  
46 with the foundation for their mutual benefit and authorize agencies to do so. Upon any  
47 dissolution of the foundation, its assets will devolve in trust to the department or its  
48 successor for use only for marketing to promote tourism for Georgia.

49 (4) **Public purpose.** The creation of the Georgia Tourism Foundation and the carrying  
50 out of its corporate purposes are in all respects for the benefit of the people of this state  
51 and constitute a public and charitable purpose. Further, the foundation will be  
52 performing an essential governmental function in the exercise of the powers conferred  
53 upon it by this Code section. Accordingly, the foundation shall not be subject to taxation  
54 or assessment in any manner, including without limitation taxation or assessment upon  
55 any transaction, income, money, or other property or activity. The exemptions granted  
56 in this Code section ~~may~~ shall not be extended to any private person or entity."

57 **SECTION 2.**

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