

Senate Bill 52

By: Senators Fort of the 39th, Henson of the 41st, Jones II of the 22nd, Tate of the 38th, Seay of the 34th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to
2 disclosure of public records, so as to clarify that certain tax credits and exemptions are
3 subject to disclosure; 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 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to disclosure of
8 public records, is amended by revising paragraphs (43) and (46) of subsection (a) as follows:

9 "(43) Records containing tax matters or tax information that is confidential under state
10 or federal law; provided, however, that records relating to tax credits or tax exemptions
11 granted to individuals or businesses under state law shall be subject to disclosure;"

12 "(46) Documents maintained by the Department of Economic Development pertaining
13 to an economic development project until the economic development project is secured
14 by binding commitment, provided that any such documents shall be disclosed upon
15 proper request after a binding commitment has been secured or the project has been
16 terminated. Documents subject to disclosure under this paragraph shall include all
17 documents relating to tax credits or tax exemptions granted to individuals or businesses
18 under state law. No later than five business days after the Department of Economic
19 Development secures a binding commitment and the department has committed the use
20 of state funds from the OneGeorgia Authority or funds from Regional Economic Business
21 Assistance for the project pursuant to Code Section 50-8-8, or other provisions of law,
22 the Department of Economic Development shall give notice that a binding commitment
23 has been reached by posting on its website notice of the project in conjunction with a
24 copy of the Department of Economic Development's records documenting the bidding
25 commitment made in connection with the project and the negotiation relating thereto and
26 by publishing notice of the project and participating parties in the legal organ of each
27 county in which the economic development project is to be located. As used in this

28 paragraph, the term 'economic development project' means a plan or proposal to locate
29 a business, or to expand a business, that would involve an expenditure of more than \$25
30 million by the business or the hiring of more than 50 employees by the business;"

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SECTION 2.

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