

Senate Bill 412

By: Senator Orrock of the 36th

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To authorize the governing authority of the City of Hapeville to levy an excise tax pursuant  
2 to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures,  
3 conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for  
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Pursuant to the authority of subsection (b) of Code Section 48-13-51 of the O.C.G.A., the  
8 governing authority of the City of Hapeville is authorized to levy an excise tax at a rate not  
9 to exceed 8 percent of the charge for the furnishing for value to the public of any room or  
10 rooms, lodgings, or accommodations furnished by any person or legal entity licensed by, or  
11 required to pay business or occupation taxes to, the municipality for operating a hotel, motel,  
12 inn, lodge, tourist camp, tourist cabin, campground, or any other place in which rooms,  
13 lodgings, or accommodations are regularly or periodically furnished for value.

14 **SECTION 2.**

15 The enactment of this Act is subsequent to the adoption of a resolution by the governing  
16 authority of the City of Hapeville on January 23, 2018, which specifies the subsequent tax  
17 rate, identifies the projects or tourism product development purposes, and specifies the  
18 allocation of proceeds.

19 **SECTION 3.**

20 In accordance with the terms of such resolution adopted by the governing authority of the  
21 City of Hapeville:

22 (1) In each fiscal year during which a tax is collected pursuant to paragraph (2) of  
23 subsection (b) of Code Section 48-13-51 of the O.C.G.A., an amount equal to not less  
24 than 50 percent of the total amount of taxes collected that exceed the amount of taxes that  
25 would be collected at the rate of 5 percent shall be expended for promoting tourism,

26 conventions, trade shows by the destination marketing organization designated by the  
27 City of Hapeville, and for certain theatrical facilities; and  
28 (2) The remaining amount of taxes collected that exceed the amount of taxes that would  
29 be collected at the rate of 5 percent which are not otherwise expended under  
30 paragraph (1) of this section shall be expended for tourism product development.

31 **SECTION 4.**

32 This Act supersedes any prior ordinances adopted by the governing authority of the City of  
33 Hapeville pursuant to paragraph (3) of subsection (a) of Code Section 48-13-51 of the  
34 O.C.G.A.

35 **SECTION 5.**

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