

Senate Bill 436

By: Senators Howard of the 35th, Jones II of the 22nd, Merritt of the 9th, Kemp of the 38th, Rhett of the 33rd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to counties, municipal corporations, and other governmental
3 entities, so as to prohibit local governments and political subdivisions from entering into
4 nondisclosure agreements regarding electricity usage or water usage of any entity; to amend
5 Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from
6 sales and use tax, so as to suspend the issuance of new certificates of exemption for certain
7 high-technology data center equipment during a certain period; to provide for an exception;
8 to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general
12 provisions applicable to counties, municipal corporations, and other governmental entities,
13 is amended by adding a new Code section to read as follows:

14 "36-80-32.

15 No county, municipal corporation, or other political subdivision of this state shall enter into
16 any nondisclosure agreement or other similar contract which prohibits such county,
17 municipal corporation, or other political subdivision from disclosing information related

18 to the electricity usage or water usage, either consumptive or nonconsumptive, of any
19 entity."

20 **SECTION 2.**

21 Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from
22 sales and use tax, is amended by adding a new subparagraph to paragraph (68.1) to read as
23 follows:

24 "(A.1) For the period commencing on July 1, 2026, and ending on June 30, 2027, the
25 commissioner shall suspend the issuance of any new certificates of exemption pursuant
26 to this paragraph, except for any high-technology data center customer that is subject
27 to an ongoing contract that was entered into prior to July 1, 2026, with a
28 high-technology data center that has applied for a certificate of exemption pursuant to
29 this paragraph prior to July 1, 2026."

30 **SECTION 3.**

31 All laws and parts of laws in conflict with this Act are repealed.