

House Bill 586 (AS PASSED HOUSE AND SENATE)

By: Representatives Watson of the 172nd, Corbett of the 174th, Houston of the 170th, Blackmon of the 146th, Rich of the 97th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and
2 taxation, so as to extend the automatic repeal of a sales tax exemption for sales of tickets,
3 fees, or charges for admission to certain fine arts performances or exhibitions; to revise the
4 period for applications for the tax credit for qualified donations of real property; to provide
5 for an aggregate cap; to provide for related matters; to provide for an effective date; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation is
10 amended by revising paragraph (100) of Code Section 48-8-3, relating to exemptions from
11 sales and use taxes, is amended by revising paragraph (100) as follows:

12 "(100)(A) Sales of tickets, fees, or charges for admission to a fine arts performance or
13 exhibition conducted within a facility in this state that is owned or operated by an
14 organization which is exempt from taxation under Section 501(c)(3) of the Internal
15 Revenue Code, or a museum of cultural significance, if such organization's or museum's
16 mission is to advance the arts in this state and to provide arts, educational, and

17 culturally significant programming and exhibits for the benefit and enrichment of the
18 citizens of this state.

19 (B) As used in this paragraph, the term 'fine arts' means music performed by a
20 symphony orchestra, poetry, photography, ballet, dance, opera, theater, dramatic arts,
21 painting, sculpture, ceramics, drawing, watercolor, graphics, printmaking, and
22 architecture.

23 (C) This paragraph shall stand repealed and reserved on December 31, ~~2022~~ 2027;

24 **SECTION 2.**

25 Said title is further amended by revising paragraph (3) of subsection (d) of Code Section
26 48-7-29.12, relating to tax credits for qualified donation of real property, as follows:

27 "(3)(A) Beginning on January 1, 2016, and ending on December 31, 2021, the
28 aggregate amount of tax credits allowed under this Code section shall not exceed \$30
29 million per calendar year. For the period beginning on June 1, 2022, and ending on
30 December 31, 2026, the aggregate amount of tax credits allowed under this Code
31 section shall not exceed \$4 million per calendar year. The Department of Natural
32 Resources shall accept no new applications for the tax credits allowed under this Code
33 section after December 31, ~~2021~~ 2026.

34 (B) Prior to any renewal of the exemption for donations of real property beyond the
35 date authorized by subparagraph (A) of this paragraph, the Department of Natural
36 Resources shall provide a report to the Governor, the President of the Senate, the
37 Speaker of the House of Representatives, and the chairpersons of the House Committee
38 on Ways and Means and the Senate Finance Committee on the activity of the program
39 occurring during the preceding years. The report shall include, but not be limited to:

40 (i) The number of applications and the total number of acres donated;

- 41 (ii) The value of the qualified donations accepted into the program and which two
42 of the five conservation purposes contained in paragraph (2) of subsection (a) of this
43 Code section were the basis for the qualification of the property;
44 (iii) The aggregate amount of income tax credits granted pursuant to this Code
45 section; and
46 (iv) A listing of the direct and indirect benefits to the state due to the donation of land
47 for conservation purposes."

48 **SECTION 3.**

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

51 **SECTION 4.**

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