

House Bill 364 (AS PASSED HOUSE AND SENATE)

By: Representatives Strickland of the 111<sup>th</sup>, Rutledge of the 109<sup>th</sup>, Welch of the 110<sup>th</sup>, Knight of the 130<sup>th</sup>, and Yates of the 73<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To authorize the governing authority of the City of McDonough to levy an excise tax  
2 pursuant 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 McDonough is authorized to levy an excise tax at a rate  
9 not to exceed 8 percent of the charge for the furnishing for value to the public of any room  
10 or rooms, lodgings, or accommodations furnished by any person or legal entity licensed by,  
11 or required to pay business or occupation taxes to, the municipality for operating a hotel,  
12 motel, inn, lodge, tourist camp, tourist cabin, campground, or any other place in which  
13 rooms, 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 Resolution No. 13-01-22 of the  
16 governing authority of the City of McDonough on January 22, 2013, which specifies the  
17 subsequent tax rate, identifies the projects or tourism product development purposes, and  
18 specifies the allocation of proceeds.

19 **SECTION 3.**

20 In accordance with the terms of such resolution adopted by the mayor and council of the City  
21 of McDonough:

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

25 that would be collected at the rate of 5 percent shall be expended for promoting tourism,  
26 conventions, and trade shows by the destination marketing organization designated by the  
27 City of McDonough; provided, however, that the City of McDonough may exercise its  
28 option under paragraph (2) of subsection (e) of Code Section 48-13-51 of the O.C.G.A.  
29 to contract with an entity qualified under such provision; and

30 (2) The remaining amount of taxes collected that exceed the amount of taxes that would  
31 be collected at the rate of 5 percent which are not otherwise expended under  
32 paragraph (1) of this section shall be expended for tourism product development.

33 **SECTION 4.**

34 All laws and parts of laws in conflict with this Act are repealed.