

The Senate Committee on Finance offered the following substitute to SB 474:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia  
2 Annotated, relating to property tax exemptions, so as to provide for a state-wide exemption  
3 from all ad valorem taxes for aircraft used exclusively for the aerial application of fertilizers,  
4 pesticides, herbicides, fungicides, seeds, or other agricultural products; to provide for a  
5 referendum; to provide for effective dates, applicability, and automatic repeal; to provide for  
6 compliance with constitutional requirements; to repeal conflicting laws; and for other  
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated,  
11 relating to property tax exemptions, is amended in Code Section 48-5-41, relating to property  
12 exempt from ad valorem taxation, by revising paragraph (10) of subsection (a) as follows:  
13 "(10) Aircraft used exclusively for the aerial application of fertilizers, pesticides,  
14 herbicides, fungicides, seeds, or any other agricultural product that would normally be  
15 used in an agricultural operation and can be applied by aerial application ~~Reserved;~~

16

**SECTION 2.**

17 The Secretary of State shall call and conduct an election as provided in this section for the  
 18 purpose of submitting this Act to the electors of the entire state for approval or rejection. The  
 19 Secretary of State shall conduct such election on the Tuesday next following the first  
 20 Monday in November, 2022, and shall issue the call and conduct that election as provided  
 21 by general law. The Secretary of State shall cause the date and purpose of the election to be  
 22 published once a week for two weeks immediately preceding the date thereof in the official  
 23 organ of each county in the state. The ballot shall have written or printed thereon the words:

24 " YES Shall the Act be approved which grants a state-wide exemption from ad  
 25  NO valorem taxes for aircraft used exclusively for the aerial application of  
 26 fertilizers, pesticides, herbicides, fungicides, seeds, or other agricultural  
 27 products?"

28 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 29 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 30 such question are for approval of the Act, Section 1 of this Act shall become of full force and  
 31 effect on January 1, 2023, and shall be applicable to all tax years beginning on or after such  
 32 date. If the Act is not so approved or if the election is not conducted as provided in this  
 33 section, Section 1 of this Act shall not become effective, and this Act shall be automatically  
 34 repealed on the first day of January immediately following that election date. It shall be the  
 35 duty of each county election superintendent to certify the result thereof to the Secretary of  
 36 State.

37

**SECTION 3.**

38 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon  
 39 its approval by the Governor or upon its becoming law without such approval.

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**SECTION 4.**

41 In accordance with the requirements of Article VII, Section II, Paragraph II(a)(1) of the  
42 Constitution of the State of Georgia, Section 1 of this Act shall not become law unless it  
43 receives the requisite two-thirds' majority vote in both the Senate and the House of  
44 Representatives.

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**SECTION 5.**

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