

House Bill 261

By: Representative Martin of the 49<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 9 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated,  
2 relating to franchise taxes, so as to change certain definitions regarding such taxes; to provide  
3 an effective date; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

6 Article 9 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to  
7 franchise taxes, is amended in Code Section 48-5-420, relating to the definition of special  
8 franchise, by revising paragraph (1) as follows:

9 "(1) Every right and privilege exercised within this state and granted to any person by the  
10 state or its authority, by any county or county officer, or by any municipality or municipal  
11 officer for the:

12 (A) Exercise of the power of eminent domain;

13 (B) Use of any public highway or street; or

14 (C) Use of land above or below any highway or street;"

15 style="text-align:center">**SECTION 2.**

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

18 style="text-align:center">**SECTION 3.**

19 All laws and parts of laws in conflict with this Act are repealed.