



GEORGIA TOURISM DEVELOPMENT ACT PROGRAM

Thank you for your interest in the Georgia Tourism Development Program, which is administered by the Georgia Department of Community Affairs in conjunction with the Georgia Department of Revenue. This document, a pre-application, contains several questions regarding your proposed project. Your answers to these questions will help us determine whether your project appears to be eligible for local and state sales tax rebates under Title 48 Chapter 8 Article 6, otherwise known as the Georgia Tourism Development Act. Upon review of your project pre-application, DCA will issue a preliminary assessment letter, notifying you as to whether or not the project appears eligible, and whether or not it is therefore advisable to proceed with the formal application for approval. While submission of a pre-application for the Georgia Tourism Development Program is not technically required prior to submission of a formal application, we strongly recommend the use of the pre-application due to the cost and effort required for the formal application process, which is outlined below.

Name of Applicant/Developer

Address:

City:

State:

Zip Code:

Contact Person:

Telephone:

Fax:

Name of Project:

Project Address:

City:

State:

Zip Code:

County of Project:

Affected Local Government(s):

Pursuing Georgia Tourism Development Act Tax Credits – What You Need to Know

1. Eligible projects will generally involve either the development of a new tourism attraction or the expansion of an existing tourism attraction in excess of \$1 million. Renovation and maintenance costs are not eligible for consideration. For more specific information regarding eligibility, please see sections 110-31-.02(9) and 110-31-.02(18) and (19) of the Georgia Tourism Development Program regulations.

ITEMS 2 THROUGH 7 ARE NOT REQUIRED FOR SUBMISSION OF THIS PRE APPLICATION, BUT WILL BE REQUIRED SHOULD THE PRE APPLICANT DECIDE TO SUBMIT A FORMAL APPLICATION.

2. Prior to submitting a formal application to DCA for approval, the Act and regulations require that the applicant first submit an application for the project to the appropriate governing authority of the city or county in which the project is located. When submitting the application to the local governing authority, the developer can use this pre application or whatever format the local governing authority requires.

3. The local governing authority must conduct a public hearing to receive comments and input on the project.

4. Upon conducting the public hearing and obtaining public comments, the local governing authority decides whether or not to approve the project. Approval shall be by an executed resolution.

5. Submission of a formal application to DCA will require:

- a. An application fee of either 0.5% of the proposed cumulative annual sales tax rebate amount or \$10,000, whichever is less;
- b. A business plan for the tourism attraction;
- c. A marketing plan for the tourism attraction, illustrating, among other things, how the attraction will target out-of-state visitors;
- d. A willingness to work with, and pay the expense of, an Independent Consultant to be engaged by DCA. The Independent Consultant will issue a report analyzing the economic impact, fiscal impact, and anticipated revenues and attendance of the project. DCA will consider the Independent Consultant report as well as the entire application in its review of the project.
- e. Detailed business financial information (statements, tax returns), estimated economic impacts of the project, and key management and ownership information, including resumes and authorization to investigate the credit of major project owners/investors.
- f. Additional information and attachments as outlined in the formal application package and program regulations.

6. After conducting a thorough review of all application materials as well the Independent Consultant's report, DCA staff will issue a Preliminary Recommendation for consideration of the Commissioners of the Department of Community Affairs and the Department of Economic Development. The Preliminary Recommendation will include staff assessments regarding project feasibility, economic and employment impact, revenues, out-of-state visitation and other factors, as well as a recommendation to approve or deny the application.

7. Both Commissioners must approve the application in order to obtain final approval for Tourism Development Act tax credits. The decision reached by the Commissioners shall be final, and no appeal shall be granted.

For complete information on all elements required during the formal application, please read the Georgia Tourism Development Program regulations as well as the formal application. Both documents are available at the DCA website at <https://www.dca.ga.gov/community-economic-development/incentive-programs/georgia-tourism-development-act>. You can also contact Cherie Bennett at cherie.bennett@dca.ga.gov.

Please be advised that your completion of this pre application, and submission of a preliminary assessment letter from DCA, does not constitute approval of a formal application for your project. The purpose of the pre application process is for the applicant and DCA to determine whether or not the project has the potential to be eligible for local and sales tax rebates under the Georgia Tourism Development Act, prior to undergoing the cost and effort of a formal application process.

Each formal application for the Georgia Tourism Development Act must stand on its own merit and obtain sufficient points under the formal review process to be approved for tax rebates. Because the project cannot receive tax rebates until a formal application is reviewed by DCA, recommended for approval, and approved by the Commissioners of both the Department of Community Affairs and Department of Economic Development, followed by a signed Agreement between DCA and the applicant, any group that secures financing and moves ahead with any portion of the project should do so under the full realization that tax rebates under the Georgia Tourism Development Act are not guaranteed until formally approved in writing by both Commissioners, then executed through an Agreement with DCA.

I have read and understand the requirements for completing a full application.

YES NO

Basic Questions Regarding Your Tourism Project

1. ***Project Description***

The proposed project involves (check one):

Construction of a new tourism development

Expansion of an existing tourism development

In the space below, describe your project. Provide sufficient detail for a clear understanding of the entire project. Describe the principal parties in your project, including the principal developer, project manager, and the party responsible for owning, maintaining and operating the project facilities.

2. Sources and Uses (S & U)

Indicate the total cost of the proposed project, broken down into major cost elements (land acquisition, building/facility construction, engineering and soft costs, furniture and fixtures, etc.). The S & U statement must indicate the identity (name of person or institution) and amount of all sources of proposed funding (developer, owner equity, lender financing, investors, etc.). Please ensure that total funding sources are equal to total project costs. Within the S & U table or directly below it, please indicate, for each proposed funding source, the status of the funding (i.e. not yet committed, application/request in process, committed verbally, committed in writing, conditionally approved, etc.). Please include only approved costs as defined in sections 110-31-.02(7) and (9) of the Georgia Tourism Development Act Regulations.

After selecting a use of funds below, applicants must enter the amount of funds for each use, the source(s) of funds for each use and the status of said funds. If there is more than one source associated with each use of funds, please list all sources and the amount associated with each source in the box marked "Source of Funds."

Uses of Funds

Land	Building Construction
Furniture/Fixtures	Leasehold Improvements
Working Capital	Soft Costs (Engineering, Legal, etc.)
Public Infrastructure	
Other	

Amount for Land:	Source of Funds for Land (Amount)	Status of Funds for Land
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Amount for Building Construction:	Source of Funds for Building Construction (Amount)	Status of Funds for Building Construction
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Amount for Furniture/Fixtures:	Source of Funds for Furniture/Fixtures (Amount)	Status of Funds for Furniture/ Fixtures
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Amount for Leasehold Improvements:	Source of Funds for Leasehold Improvements (Amount)	Status of Funds for Leasehold Improvements
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Amount for Working Capital:	Source of Funds for Working Capital (Amount)	Status of Funds for Working Capital
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Amount for Soft Costs:	Source of Funds for Soft Costs (Amount)	Status of Funds for Soft Costs
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Amount for Public Infrastructure:	Source of Funds for Public Infrastructure (Amount)	Status of Funds for Public Infrastructure
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Amount for Other Costs:	Source of Funds for Other Costs (Amount)	Status of Funds for Other Costs
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3. Local Government Authority

Check any/all boxes that apply below:

Applicant has not yet contacted local government regarding plans to apply for Georgia Tourism Development Program tax credits.

Applicant has notified the applicable local government, either verbally or in writing, about its plans to apply for Georgia Tourism Development Program tax credits.

Applicable local government has conducted public hearing to obtain comments on applicant's intent to apply for Georgia Tourism Development tax credits.

Applicable local government has issued a resolution approving the applicant's plans to apply for Georgia tourism Development Act tax credits.

4. Timetable and Stages

Indicate your project timetable, including actual or estimated dates for the following project elements: 1) acquisition of necessary land and real estate; 2) physical completion of planned construction; 3) execution of public hearing and approval by resolution of local governing authority; 4) submission of formal application for Georgia Tourism Development Program tax credits; and, 5) anticipated date when new or expanded facilities will be open to the public for operation.

5. Economic Impact

The purpose of the Georgia Tourism Development Act is to preserve and create jobs, and to preserve and create tax revenues for the support of public services. Other factors of consideration are how much the project may compete directly with other tourism developments in the state, whether or not it could adversely impact existing employment, and what percentage of visitors will likely be attracted from out-of-state.

Therefore, please indicate the following:

The number of days per year that the facility will be open for operation to the general public:

The total number of visitors that the facility is expected to attract per year:

The percent of total visitors that are anticipated to be from out-of-state:

The total number of full-time equivalent jobs that the facility is expected to employ upon completion of the project

The total number of full-time equivalent jobs that the facility is expected to employ two years after completion of the project:

The total number of full-time equivalent jobs that the facility is expected to employ five years after completion of the project

Please answer the following questions:

Are there other tourism attractions in the State with which this project will compete?

YES NO

If yes, state the names of the facility(ies), and the extent of the anticipated competition (light, moderate, significant).

How is this facility expected to increase state and local sales tax revenues sufficiently to offset the refund to be pursued?

Will this project have an adverse impact on employment in the state, and if so, how and to what extent (light, moderate, significant)?

Open Records Statute:

Georgia Law requires that “All public records of an agency as defined in subsection (a) of this Code section, except those which by order of a court of this state or by law are prohibited or specifically exempted from being open to inspection by the general public, shall be open for a personal inspection by any citizen of this state at a reasonable time and place; and those in charge of such records shall not refuse this privilege to any citizen” (O.C.G.A. § 50-18-70(b)). This means that past and current records on the use of Georgia Tourism Development Act are required to be open for public inspection.

However, certain proprietary information which is required by DCA to be included in an economic development application and must be supplied by a business or developer in order to receive certification and which constitutes a “trade secret” (O.C.G.A. § 10-1-740 et seq.; 16-8-13(a)(4)) is exempt from disclosure under O.C.G.A. section 50-18-70.

I have read the above information pertaining to the Georgia Open Records Statute and understand that some/all of the information contained in this pre-application may be subject to public inspection.

YES NO

PLEASE PRINT THIS PAGE, SIGN AND RETURN TO:

GEORGIA TOURISM PRODUCT DEVELOPMENT ACT PROGRAM

Georgia Department of Community Affairs

60 Executive Park South, NE

Atlanta, GA 30329

Certification:

I, the undersigned authorized representative of the applicant, certify that to the best of my knowledge and belief, the information contained in this pre application package is true and correct. I understand that a preliminary assessment letter from DCA does not constitute a formal application for Tourism Development Act benefits, or project approval, and that final approval for Tourism Development tax rebates will require the submission and review of a complete formal application as well as written approval by the Commissioners of the Department of Community Affairs and Department of Economic Development. In addition, as required by law, a formal Agreement with DCA must be executed in order to obtain Tourism Development Act incentives.

Signature of Authorized Applicant Representative

Date Signed

Signature of Sponsoring Local Government Authorized Representative

Date Signed