

House Bill 982 (COMMITTEE SUBSTITUTE)

By: Representatives Stephens of the 164th, Petrea of the 166th, Hitchens of the 161st, Stephens of the 165th, and Gordon of the 163rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated,
2 relating to general provisions concerning ad valorem taxation of property, so as to change
3 a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to
7 general provisions concerning ad valorem taxation of property, is amended by revising
8 paragraph (3) of Code Section 48-5-2, relating to definitions, as follows:

9 "(3) 'Fair market value of property' means the amount a knowledgeable buyer would pay
10 for the property and a willing seller would accept for the property at an arm's length, bona
11 fide sale. The income approach, if actual income and expense data is available are
12 supplied by the property owner, shall be considered in determining the fair market value
13 of income-producing property. Notwithstanding any other provision of this chapter to
14 the contrary, the transaction amount of the most recent arm's length, bona fide sale in any
15 year shall be the maximum allowable fair market value for the next taxable year. With
16 respect to the valuation of equipment, machinery, and fixtures when no ready market
17 exists for the sale of the equipment, machinery, and fixtures, fair market value may be
18 determined by resorting to any reasonable, relevant, and useful information available,
19 including, but not limited to, the original cost of the property, any depreciation or
20 obsolescence, and any increase in value by reason of inflation. Each tax assessor shall
21 have access to any public records of the taxpayer for the purpose of discovering such
22 information."

23 **SECTION 2.**

24 All laws and parts of laws in conflict with this Act are repealed.