

## House Resolution 1041

By: Representatives Washburn of the 144<sup>th</sup>, Powell of the 33<sup>rd</sup>, Cox of the 28<sup>th</sup>, Stephens of the 164<sup>th</sup>, McCollum of the 30<sup>th</sup>, and others

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that the governing authority of  
2 any county or consolidated government shall be authorized to adopt an alternative method  
3 of appraisal and assessment of real property located within such county for taxation; to  
4 provide for conditions and limitations; to provide for legislative findings; to provide for  
5 related matters; to provide for the submission of this amendment for ratification or rejection;  
6 and for other purposes.

7 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 (a) The General Assembly finds and determines that it is appropriate and advisable to  
10 provide for a local option for an alternative method of establishing the value of property for  
11 the assessment of taxes.

12 (b) The General Assembly further finds and declares that by allowing for a local option of  
13 using the most recent sales price for property as the method for determining the value of  
14 property would lead to the following beneficial effects:

- 15 (1) Provide greater transparency for taxpayers;  
16 (2) Eliminate ambiguity in the annual appraisal and assessment process;

- 17 (3) Eliminate the need for taxpayer appeals, except in instances of a recent transaction  
18 or improvement concerning the real property;
- 19 (4) Greatly lower the administrative costs related to assessing real property for taxation;
- 20 (5) Reduce the number of appeals to the superior court, thus reducing costs;
- 21 (6) Reduce administrative costs related to preparing and mailing annual appraisals and  
22 assessments;
- 23 (7) Make digest data available to taxing authorities much earlier in the year, which would  
24 allow for more precise forecasting and budgeting;
- 25 (8) Create a more predictable and consistent digest;
- 26 (9) Require less time and resources for state approval of the digest;
- 27 (10) Help eliminate the annual discussions on capping value increases on real property;
- 28 (11) Eliminate the need for exemptions that attempt to cap or freeze property value  
29 increases, which are administratively cumbersome and confusing to taxpayers;
- 30 (12) Reduce the potential for interference and pressure applied to the valuation process;  
31 and
- 32 (13) Help address unhealthy types of gentrification which may force people from their  
33 homes.

34

**SECTION 2.**

35 Article VII, Section I of the Constitution is amended in Paragraph III by adding a new  
36 subparagraph to read as follows:

37 "(i)(1)(A) The governing authority of any county or consolidated government shall  
38 be authorized to adopt an alternative method of appraising and assessing real property  
39 for ad valorem taxes levied for all purposes within the county in accordance with the  
40 provisions of this subparagraph (i).

41 (B) A governing authority may initiate or revoke the use of such alternative method  
42 prescribed by this subparagraph (i) upon passage of an ordinance or resolution by a

43 majority of such governing authority. A governing authority may provide that the  
44 effectiveness of such ordinance or resolution shall be contingent upon approval of a  
45 majority of voters in a referendum thereon. However, a revocation by a governing  
46 authority shall not occur within five years from the date the alternative method initially  
47 becomes effective.

48 (2) The alternative method of appraising and assessing real property for ad valorem  
49 taxation shall use the appraised fair market value as of January 1 of the year following  
50 the adoption of such alternative method as shown on the tax digest of the county on such  
51 date for such real property. Thereafter, the appraised fair market value of the property  
52 shall be the most recent purchase price for such property unless there is a substantial  
53 improvement made to the property. A substantial improvement shall be the construction  
54 of, an addition to, or replacement of structures on such real estate that increase the fair  
55 market value of the real estate by an amount in excess of \$50,000.00. Upon such event,  
56 the property may be reappraised and reassessed and the fair market value reestablished  
57 for ad valorem tax purposes. The appraised value of such real property shall change only  
58 upon a subsequent transfer of such property or a substantial improvement to the property.

59 (3) The alternative method of appraising and assessing real property for ad valorem  
60 taxation shall be uniform for all real property within the county. Real property appraised  
61 pursuant to this alternative method shall be assessed for taxation at the same rate and  
62 percentage of value as all other tangible property in the county.

63 (4) The implementation and administration of this subparagraph (i) shall be further  
64 provided by general law in a manner consistent with this subparagraph (i)."

65 **SECTION 3.**

66 The above proposed amendment to the Constitution shall be published and submitted as  
67 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
68 above proposed amendment shall have written or printed thereon the following:

69    " YES    Shall the Constitution of Georgia be amended so as to provide that the  
70        NO    governing authority of any county or consolidated government shall be  
71                    authorized to adopt an alternative method of appraisal and assessment of all  
72                    real property for the ad valorem taxes levied on such property within such  
73                    taxing jurisdiction?"

74    All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."  
75    All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
76    such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
77    become a part of the Constitution of this state.