

House Bill 821

By: Representatives Buck of the 135<sup>th</sup>, Royal of the 164<sup>th</sup> and Jamieson of the 22<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to ad  
2 valorem tax exemptions, so as to clarify the provisions of the ad valorem tax exemption with  
3 respect to property of nonprofit homes for the aged; to provide an effective date; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to ad valorem tax  
8 exemptions, is amended by striking paragraph (12) of subsection (a) and inserting in its place  
9 a new paragraph (12) to read as follows:

10 "(12)(A) Property of a nonprofit home for the aged used in connection with its  
11 operation when the home for the aged has no stockholders and no income or profit  
12 which is distributed to or for the benefit of any private person and when the home is  
13 qualified as an exempt organization under the United States Internal Revenue Code,  
14 Section 501(c)(3), as amended, and Code Section 48-7-25, and is subject to the laws of  
15 this state regulating nonprofit and charitable corporations;";

16 (B) Property exempted by this paragraph shall not include property of a home for the  
17 aged held primarily for investment purposes or used for purposes unrelated to the  
18 providing of residential or health care to the aged;";

19 (C) For purposes of this paragraph, indirect ownership of such home for the aged  
20 through a limited liability company that is fully owned by such exempt organization  
21 shall be considered direct ownership;".

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

23 This Act shall become effective on January 1, 2002.

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**SECTION 3.**

2 All laws and parts of laws in conflict with this Act are repealed.