

Senate Bill 277

By: Senators Kemp of the 3rd and Johnson of the 1st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-5-7.4 of the Official Code of Georgia Annotated, relating to bona
2 fide conservation use property, residential transitional property, application procedures,
3 penalties for breach of covenant, classification on tax digest, and an annual report, so as to
4 provide that a conservation use covenant may be renewed and continued without a lapse in
5 the agreement; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 48-5-7.4 of the Official Code of Georgia Annotated, relating to bona fide
9 conservation use property, residential transitional property, application procedures, penalties
10 for breach of covenant, classification on tax digest, and an annual report, is amended by
11 striking in its entirety subsection (d) and inserting in lieu thereof the following:
12 "(d) No property shall qualify for current use assessment under this Code section unless
13 and until the owner of such property agrees by covenant with the appropriate taxing
14 authority to maintain the eligible property in bona fide qualifying use for a period of ten
15 years beginning on the first day of January of the year in which such property qualifies for
16 such current use assessment and ending on the last day of December of the final year of the
17 covenant period. After the owner has applied for and has been allowed current use
18 assessment provided for in this Code section, it shall not be necessary to make application
19 thereafter for any year in which the covenant period is in effect and current use assessment
20 shall continue to be allowed such owner as specified in this Code section. Upon the
21 expiration of any covenant period, the property shall not qualify for further current use
22 assessment under this Code section unless and until the owner of the property has entered
23 into a renewal covenant for an additional period of ten years; provided, however, that the
24 owner may enter into a renewal contract in the ninth year of a covenant period so that the
25 contract is continued without a lapse for an additional ten years."

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SECTION 2.

- 2 All laws and parts of laws in conflict with this Act are repealed.