

Senate Bill 597

By: Senators Pearson of the 51st, Balfour of the 9th, Cagle of the 49th, Powell of the 23rd, Schaefer of the 50th and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-5-311 of the Official Code of Georgia Annotated, relating to
2 county boards of equalization and tax appeal procedures, so as to change certain provisions
3 regarding recovery of certain appeal costs by a taxpayer; to provide an effective date; to
4 provide for applicability; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 48-5-311 of the Official Code of Georgia Annotated, relating to county boards
8 of equalization and tax appeal procedures, is amended by striking subdivision (g)(4)(B)(ii)
9 and inserting in its place a new subdivision (g)(4)(B)(ii) to read as follows:

10 "(ii) If the final determination of value on appeal is 80 percent or less of the valuation
11 set by the county board of equalization as to commercial property, or 85 percent or
12 less of the valuation set by the county board of ~~equalization~~ tax assessors as to other
13 property, the taxpayer, in addition to the interest provided for by this paragraph, shall
14 recover costs of litigation and reasonable attorney's fees incurred in the action. This
15 division shall not apply when the property owner has failed to return for taxation the
16 property that is under appeal."

17 **SECTION 2.**

18 This Act shall become effective on July 1, 2006, and shall apply with respect to all tax
19 appeals filed with the county boards of tax assessors on or after that date.

20 **SECTION 3.**

21 All laws and parts of laws in conflict with this Act are repealed.