

House Bill 182 (COMMITTEE SUBSTITUTE)

By: Representatives Martin of the 47th, Royal of the 171st, Scott of the 2nd, and Williams of the 4th

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 48-5-274 of the Official Code of Georgia Annotated, relating to the
2 establishment of the equalized adjusted property tax digest, so as to provide that positive tax
3 allocation increments shall not be used in calculating certain tax digest amounts; to provide
4 an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Code Section 48-5-274 of the Official Code of Georgia Annotated, relating to the
8 establishment of the equalized adjusted property tax digest, is amended by revising
9 subsection (b) as follows:

10 "(b) The state auditor shall establish on a continuing basis, no later than November 15 in
11 each year, an equalized adjusted property tax digest for each county in the state and for the
12 state as a whole for the current calendar year. ~~All real and personal property exempted
13 from taxation shall be excluded from the digest. Such digest shall exclude all real and
14 personal property exempted from taxation and the difference between the value of all
15 taxable property within any tax allocation district and the tax allocation increment base of
16 such tax allocation district as defined under paragraph (15) of Code Section 36-44-3 for
17 which consent has been obtained pursuant to Code Section 36-44-9.~~ The state auditor may
18 establish a unit within the Department of Audits and Accounts consisting of such number
19 of personnel as is deemed necessary in order to establish and maintain on a continuing
20 basis the equalized adjusted property tax digest. The equalized adjusted property tax digest
21 shall be established and maintained as follows:

22 (1) Determine the locally assessed valuation of the county property tax assessment digest
23 for the preceding calendar year, exclusive of real and personal property exempted from
24 taxation ~~and, exclusive of the difference between the value of all taxable property within
25 any tax allocation district and the tax allocation increment base of such tax allocation
26 district as defined under paragraph (15) of Code Section 36-44-3 for which consent has
27 been obtained pursuant to Code Section 36-44-9,~~ exclusive of railroad equipment
28 company property shown on the county railroad equipment company property tax digest,

1 exclusive of any property subject to current use valuation on the county property tax
2 digest, and exclusive of the locally assessed valuation of timber harvested or sold;
3 (2) Determine the fair market value for timber harvested or sold during the calendar year;
4 (3) Divide the sum of the locally assessed valuation of the county property tax
5 assessment digest under paragraph (1) of this subsection by the ratio of assessed value to
6 fair market value of the property established by the state auditor in accordance with
7 paragraph (8) of this subsection;
8 (4) Determine the fair market value of the county railroad equipment company property
9 tax digest for the preceding calendar year;
10 (5) Determine the sum of the current use valuation of the county property tax digest;
11 (6) Determine the total fair market value of the Public Utility Digest as established by
12 the commissioner;
13 (7) The total of the sums obtained through the calculations prescribed in paragraphs (2),
14 (3), (4), (5), and (6) of this subsection shall be known as the current equalized adjusted
15 property tax digest of the county. The sum of the current equalized adjusted property tax
16 digest of all counties of the state combined shall be known as the current equalized
17 adjusted property tax digest for the state as a whole; and
18 (8) Establish for each county in the state the ratio of assessed value to fair market value
19 of county property subject to taxation, excluding railroad equipment company property.
20 The ratio shall be determined by establishing the ratio of assessed value to sales price for
21 each of a representative number of parcels of real property, the titles to which were
22 transferred during a period of time to be determined by the state auditor, and then by
23 establishing the measure of central tendency for the county as a whole based upon a
24 representative number of usable transactions studied. The representative number of
25 transactions shall not include any parcel of which the sales price is not reflective of the
26 fair market value of such property as fair market value is defined in Code Section 48-5-2.
27 The state auditor shall supplement realty sales price data available in any county with
28 actual appraisals of a representative number of parcels of farm property and industrial and
29 commercial property located within the county, the titles to which were not transferred
30 within the period of time determined by the state auditor. The state auditor may make
31 appraisals on other types of real property located within the county when adequate realty
32 sales data cannot be obtained on such property. The representative number of parcels of
33 each class of real property as defined by the commissioner used for the study shall be
34 determined by the state auditor. The state auditor may use the same ratio for other
35 personal property, excluding motor vehicles, within the county as is finally determined
36 for real property within the county."

37 **SECTION 2.**
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- 1 This Act shall become effective upon its approval by the Governor or upon its becoming law
- 2 without such approval.

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SECTION 3.

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