

## House Resolution 1276

By: Representatives Royal of the 171<sup>st</sup>, Roberts of the 154<sup>th</sup>, Keen of the 179<sup>th</sup>, Porter of the 143<sup>rd</sup>, Cole of the 125<sup>th</sup>, and others

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide for the special assessment and  
 2 taxation of bona fide large forest land conservation use property; to provide for bona fide  
 3 large forest land conservation use tax relief adjustments; to provide for procedures,  
 4 conditions, and limitations; to provide for the submission of this amendment for ratification  
 5 or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

## 7 SECTION 1.

8 Article VII, Section I, Paragraph III of the Constitution is amended by revising subparagraph  
 9 (a) as follows:

10 "(a) All taxes shall be levied and collected under general laws and for public purposes  
 11 only. Except as otherwise provided in subparagraphs (b), (c), (d), ~~and (e)~~, and (f) of this  
 12 Paragraph, all taxation shall be uniform upon the same class of subjects within the  
 13 territorial limits of the authority levying the tax."

## 14 SECTION 2.

15 Said Paragraph of the Constitution is further amended by revising subparagraph (f) as  
 16 follows:

17 "(f) The General Assembly shall provide by general law:

18 (1) For the definition and methods of assessment and taxation, such methods to include  
 19 a formula based on current use, annual productivity, and real property sales data, of 'bona  
 20 fide large forest land conservation use property' to include only tracts of forest land which  
 21 exceed 500 acres of a single owner. Such methods of assessment and taxation shall be  
 22 subject to the following conditions:

23 (A) A qualified property owner shall consist of any individual or individuals or any  
 24 entity registered to do business in this state;

1       (B) A property owner desiring the benefit of such methods of assessment and  
 2       taxation shall be required to enter into a covenant to continue the property in bona fide  
 3       large forest land use;

4       (C) All contiguous bona fide large forest land conservation use property of an owner  
 5       shall be in a single covenant; and

6       (D) A breach of such covenant within 15 years shall result in a recapture of the tax  
 7       savings resulting from such methods of assessment and taxation and may result in other  
 8       appropriate penalties;

9       (2) That no portion of an otherwise eligible tract of property shall be entitled to receive  
 10       simultaneously special assessment and taxation under this subparagraph and either  
 11       subparagraph (c) or (e) of this Paragraph;

12       (3) That for each taxable year, a bona fide large forest land conservation use tax relief  
 13       adjustment shall be applied to the ad valorem property tax bill of a qualified taxpayer on  
 14       eligible forest land. The amount of such adjustment shall provide a taxpayer with a  
 15       benefit equivalent to an ad valorem tax exemption of the eligible assessed value of such  
 16       bona fide large forest land conservation use property. The eligible assessed value shall  
 17       be the difference between the fair market value of an eligible tract within a county and  
 18       the bona fide large forest land conservation use value of such tract. For purposes of this  
 19       calculation, fair market value shall equal forest land values determined for conservation  
 20       use purposes under subparagraph (e) of this Paragraph or such other manner as provided  
 21       for by general law. The eligible assessed value for purposes of this subparagraph shall  
 22       not include the value of the standing timber located on such property. The General  
 23       Assembly shall appropriate such amount each year for grants to local governments and  
 24       school districts as bona fide large forest land conservation use tax relief grants. The  
 25       grants authorized under this subparagraph shall be made only with respect to bona fide  
 26       large forest land conservation use property located in a county where the total tax digest  
 27       revenue of such county is reduced by more than 4 percent due to the implementation of  
 28       this subparagraph. The grants authorized by this subparagraph shall be made in such  
 29       manner and shall be subject to the procedures and conditions as may be specified by  
 30       general law.

31       (g) The General Assembly may provide for a different method and time of returns,  
 32       assessments, payment, and collection of ad valorem taxes of public utilities, but not on a  
 33       greater assessed percentage of value or at a higher rate of taxation than other properties,  
 34       except that property provided for in subparagraph (c), (d), or (e), or (f) of this Paragraph."

**SECTION 3.**

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

5 "( ) YES Shall the Constitution of Georgia be amended so as to provide for the  
6 ( ) NO special assessment and taxation of bona fide large forest land conservation  
7 use property and for bona fide large forest land conservation use tax relief  
adjustments?"

8 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

9 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
10 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
11 become a part of the Constitution of this state.