

The Senate Finance Committee offered the following substitute to HR 1276:

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide for the special assessment and  
 2 taxation of forest land conservation use property; to provide for local government assistance  
 3 grants; to provide for definitions, procedures, conditions, and limitations; to provide for the  
 4 submission of this amendment for ratification or rejection; and for other purposes.

5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### SECTION 1.

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

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

### SECTION 2.

13 Said Paragraph of the Constitution is further amended by revising subparagraph (f) as  
 14 follows:  
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16       “(f)(1) The General Assembly shall provide by general law for the definition and  
 17 methods of assessment and taxation, such methods to include a formula based on current  
 18 use, annual productivity, and real property sales data, of 'forest land conservation use  
 19 property' to include only forest land each tract of which exceeds 200 acres of a qualified  
 20 owner. Such methods of assessment and taxation shall be subject to the following  
 21 conditions:

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

24       (B) A qualified owner desiring the benefit of such methods of assessment and  
 25 taxation shall be required to enter into a covenant to continue the property in forest land  
 26 use;

1       (C) All contiguous forest land conservation use property of an owner within a county  
2       for which forest land conservation use assessment is sought under this subparagraph  
3       shall be in a single covenant;

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

7       (E) The General Assembly may provide by general law for a limited exception to the  
8       200 acre requirement in the case of a transfer of ownership of all or a part of the forest  
9       land conservation use property during a covenant period to another owner qualified to  
10       enter into an original forest land conservation use covenant if the original covenant is  
11       continued by both such acquiring owner and the transferor for the remainder of the  
12       term, in which event no breach of the covenant shall be deemed to have occurred even  
13       if the total size of a tract from which the transfer was made is reduced below 200 acres.

14       (2) No portion of an otherwise eligible tract of forest land conservation use property  
15       shall be entitled to receive simultaneously special assessment and taxation under this  
16       subparagraph and either subparagraph (c) or (e) of this Paragraph.

17       (3)(A) The General Assembly shall appropriate an amount for assistance grants to  
18       counties, municipalities, and county and independent school districts to offset revenue  
19       loss attributable to the implementation of this subparagraph. Such grants shall be made  
20       in such manner and shall be subject to such procedures as may be specified by general  
21       law.

22       (B) If the forest land conservation use property is located in a county, municipality,  
23       or county or independent school district where forest land conservation use value  
24       causes an ad valorem tax revenue reduction of 3 percent or less due to the  
25       implementation of this subparagraph, in each taxable year in which such reduction  
26       occurs, the assistance grants to the county, each municipality located therein, and the  
27       county or independent school districts located therein shall be in an amount equal to 50  
28       percent of the amount of such reduction.

29       (C) If the forest land conservation use property is located in a county, municipality,  
30       or county or independent school district where forest land conservation use value  
31       causes an ad valorem tax revenue reduction of more than 3 percent due to the  
32       implementation of this subparagraph, in each taxable year in which such reduction  
33       occurs, the assistance grants to the county, each municipality located therein, and the  
34       county or independent school districts located therein shall be as follows:

35               (i) For the first 3 percent of such reduction amount, in an amount equal to 50  
36               percent of the amount of such reduction; and

