

The House Committee on Ways and Means offers the following substitute to HB 233:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 48 of the Official Code of Georgia Annotated, related to revenue and  
2 taxation, so as to provide for the comprehensive revision of the manner and method of  
3 assessing real property; to limit valuation increases of real property; to provide for  
4 procedures, conditions, and limitations; to provide for applicability; to provide for related  
5 matters; to provide for an effective date; to provide for automatic repeal; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 48 of the Official Code of Georgia Annotated, related to revenue and taxation, is  
10 amended by adding a new chapter to read as follows:

11 "CHAPTER 5B

12 48-5B-1.

13 (a) The rate of increase of the assessed value of real property for county, municipal, or  
14 educational ad valorem tax purposes shall not exceed from one taxable year to the  
15 succeeding taxable year 3 percent except as provided in subsections (b) and (c) of this Code  
16 section. Nothing in this subsection shall be construed to prohibit the assessed value of real  
17 property from decreasing.

18 (b) If real property or interests therein are sold or transferred, such real property shall be  
19 valued for ad valorem tax purposes at the most recent value established under subsection  
20 (a) of this Code section. Additions or improvements to such real property shall be valued  
21 for ad valorem tax purposes at their fair market value and shall be added to the owner's  
22 valuation amount under this subsection.

23 (c) If property is rezoned at the request of the property owner and the use of such property  
24 is changed to conform with the use authorized by such rezoning, such property shall be  
25 valued for ad valorem tax purposes at its fair market value.

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26 (d) Nothing in this chapter shall be construed to alter or affect in any manner the authority  
27 granted to the General Assembly under Article VII, Section II, Paragraph II of the  
28 Constitution to enact homestead exemptions.

29 48-5B-2.

30 The provisions of this chapter shall not apply to:

31 (1) State ad valorem taxes; and

32 (2) Real property in any county for which a local constitutional amendment has been  
33 continued in force and effect as part of the Constitution which imposes millage rate  
34 limitations regarding ad valorem property taxes with respect to real property in such  
35 county or county school district unless such local constitutional amendment is repealed."

36 **SECTION 2.**

37 This Act shall become effective on July 1, 2009 and shall stand repealed in its entirety on  
38 June 30, 2011.

39 **SECTION 3.**

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