

The Senate Committee on Finance offers the following substitute to HB 221:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated,  
2 relating to general provisions regarding ad valorem taxation of property, so as to change the  
3 definition of fair market value of property; to provide for related matters; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

6 Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to  
7 general provisions regarding ad valorem taxation of property, is amended by revising  
8 subparagraph (B) of paragraph (3) of Code Section 48-5-2, relating to definitions regarding  
9 ad valorem taxation, as follows:  
10

11 "(B) The tax assessor shall apply the following criteria in determining the fair market  
12 value of real property:

13 (i) Existing zoning of property;

14 (ii) Existing use of property, including any restrictions or limitations on the use of  
15 property resulting from state or federal law or rules or regulations adopted pursuant  
16 to the authority of state or federal law;

17 (iii) Existing covenants or restrictions in deed dedicating the property to a particular  
18 use;

19 (iv) Bank sales, other financial institution owned sales, or distressed sales, or any  
20 combination thereof, of comparable real property;

21 (v) Decreased value of the property based on limitations and restrictions resulting  
22 from the property being in a conservation easement;

23 (vi) Rent limitations, operational requirements, and any other restrictions or  
24 covenants imposed upon the property in connection with the property being eligible  
25 for any income tax credits described in subparagraph (B.1) of this paragraph or  
26 receiving any other state or federal subsidies or federal loans for multi-family housing

27 provided with respect to the use of the property as residential rental property;  
28 provided, however, that such properties described in subparagraph (B.1) of this  
29 paragraph shall not be considered comparable real property for assessment or appeal  
30 of assessment of other properties which are not subject to such restrictions or  
31 covenants; and  
32 (vii) Any other existing factors provided by law or by rule and regulation of the  
33 commissioner deemed pertinent in arriving at fair market value."

34 **SECTION 2.**  
35 All laws and parts of laws in conflict with this Act are repealed.