

House Bill 990 (COMMITTEE SUBSTITUTE)

By: Representative Powell of the 171st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-5-299 of the Official Code of Georgia Annotated, relating to
2 ascertainment of taxable property and changing values established by certain appeal or
3 agreement, so as to change certain provisions regarding the changing values established by
4 certain appeal or agreement; to provide for an effective date; to repeal conflicting laws; and
5 for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 48-5-299 of the Official Code of Georgia Annotated, relating to ascertainment
9 of taxable property and changing values established by certain appeal or agreement, is
10 amended by revising subsection (c), as follows:

11 "(c) When the value of real property is reduced ~~or is unchanged~~ from the value on the
12 initial annual notice of assessment or a corrected annual notice of assessment issued by the
13 board of tax assessors and such valuation ~~is~~ has been established as the result of ~~either~~ an
14 appeal decision rendered by the board of equalization, hearing officer, arbitrator, or
15 superior court pursuant to Code Section 48-5-311 or stipulated by written agreement ~~of the~~
16 ~~parties to such an appeal that this subsection shall apply in any year~~ signed by the board
17 of tax assessors and taxpayer or taxpayer's authorized representative, the new valuation so
18 established by appeal decision or agreement may not be increased by the board of tax
19 assessors during the next two successive years, unless otherwise agreed in writing by both
20 parties, subject to the following exceptions:

21 (1) This subsection shall not apply to a valuation established by an appeal decision if the
22 taxpayer or his or her authorized representative failed to attend the appeal hearing or
23 provide the board of equalization, hearing officer, or arbitrator with some written
24 evidence supporting the taxpayer's opinion of value;

25 (2) This subsection shall not apply to a valuation established by an appeal decision or
26 agreement if the taxpayer files a return at a different valuation during the next two
27 successive years;

28 (3) If the taxpayer files an appeal pursuant to Code Section 48-5-311 during the next two
29 successive years, the board of tax assessors, the board of equalization, hearing officer, or
30 arbitrator may increase or decrease the value of the real property based on the evidence
31 presented by the ~~parties~~ taxpayer during the appeal process; and

32 (4) The board of tax assessors may increase ~~or decrease~~ the value of the real property if,
33 after a visual on-site inspection of the property, it is found that there have been substantial
34 additions, deletions, or improvements to such property or that there are errors in the board
35 of tax assessors' records as to the description or characterization of the property, or the
36 board of tax assessors finds an occurrence of other material factors that substantially
37 affect the current fair market value of such property."

38 **SECTION 2.**

39 This Act shall become effective upon its approval by the Governor or upon its becoming law
40 without such approval.

41 **SECTION 3.**

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