

House Bill 654

By: Representatives Hatchett of the 150th and Jasperse of the 11th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-164 of the Official Code of Georgia Annotated, relating to
2 local five mill share funds, so as to exclude freeport property from the equalized adjusted
3 school property tax digest for purposes of calculating local five mill share; to phase in such
4 exclusion over time; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 20-2-164 of the Official Code of Georgia Annotated, relating to local five mill
9 share funds, is amended by revising subsection (g) as follows:

10 "(g) For purposes of calculation under this Code section and Code Section 20-2-165, the
11 equalized adjusted school property tax digest, adjusted by paragraph (1) of subsection (a)
12 of this Code section, shall be reduced by the sum of the following products:

13 (1) The product of the number of constitutional homestead exemptions for owner
14 occupied homes pursuant to Code Section 48-5-44 granted for that year, exclusive of
15 those homestead exemptions provided pursuant to Code Sections 48-5-47, 48-5-48, and
16 48-5-52, multiplied by the amount per exemption authorized under Code Section 48-5-44;

provided, further, that in any city operating an independent school system which provides a homestead exemption through local legislation comparable to that provided in Code Section 48-5-44, the product calculated in this paragraph shall represent the number of homestead exemptions provided through the applicable local legislation multiplied by the amount per exemption authorized in Code Section 48-5-44, or by the amount per exemption authorized in the applicable local legislation, whichever is less; and provided, further, that if the amount per exemption authorized in Code Section 48-5-44 has been changed subsequent to the year of the applicable digest, the more recently adopted amount per exemption shall be used for the product calculated in this paragraph;

(2) The product of the number of constitutional homestead exemptions for disabled veterans pursuant to Code Section 48-5-48 granted for that year, multiplied by the amount per exemption authorized under that Code section; provided, further, that in any city operating an independent school system which provides a homestead exemption through local legislation comparable to that provided in Code Section 48-5-48, the product calculated in this paragraph shall represent the number of homestead exemptions provided through the applicable local legislation multiplied by the amount per exemption authorized in the applicable local legislation, whichever is less; and provided, further, that if the amount per exemption authorized in Code Section 48-5-48 has been changed subsequent to the year of the applicable digest, the more recently adopted amount per exemption shall be used for the product calculated in this paragraph;

(3) The product of the estimated number of persons age 65 or older residing in the local school system during that year multiplied by 5,000;

(4) The product which results from the following calculations:

(A) Subtract the estimated state-wide percentage that persons age 65 or older is of the total population, excluding military personnel and institutional population, from the respective percentage for the local school system. If the respective percentage for the

local school system is less than the state-wide percentage, a difference of zero shall be used in the calculations in this paragraph;

(B) Multiply the difference which results from subparagraph (A) of this paragraph by 1,000; and

(C) Multiply the product which results from subparagraph (B) of this paragraph by the estimated number of persons age 65 or older residing in the local school system during that year; ~~and~~

(5) The product which results from the following calculations:

(A) Divide the amount reported in paragraph (4) of subsection (e) of this Code section by the average ratio of assessed value to true value used to calculate the most recent equalized adjusted school property tax digest pursuant to Code Section 48-5-274; and

(B) Multiply the quotient which results from subparagraph (A) of this paragraph by .4;

(6) For 2022, the product of the fair market value of all tangible personal property which is exempt from ad valorem taxation pursuant to Code Section 48-5-48.2 multiplied by 25 percent of the tax rate that would be applied to the property if not exempt;

(7) For 2023, the product of the fair market value of all tangible personal property which is exempt from ad valorem taxation pursuant to Code Section 48-5-48.2 multiplied by 50 percent of the tax rate that would be applied to the property if not exempt;

(8) For 2024, the product of the fair market value of all tangible personal property which is exempt from ad valorem taxation pursuant to Code Section 48-5-48.2 multiplied by 75 percent of the tax rate that would be applied to the property if not exempt; and

(9) For years after 2024, the product of the fair market value of all tangible personal property which is exempt from ad valorem taxation pursuant to Code Section 48-5-48.2 multiplied by the tax rate that would be applied to the property if not exempt."

SECTION 2.

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