

House Bill 746

By: Representatives Williamson of the 112th, Martinez of the 111th, and Fleming of the 114th

A BILL TO BE ENTITLED
AN ACT

1 To provide a homestead exemption from City of Monroe ad valorem taxes for municipal
2 purposes in an amount equal to the amount by which the current year assessed value of a
3 homestead exceeds the adjusted base year assessed value of such homestead; to provide for
4 definitions; to specify the terms and conditions of the exemption and the procedures relating
5 thereto; to provide for applicability; to provide for compliance with constitutional
6 requirements; to provide for a referendum, effective dates, automatic repeal, mandatory
7 execution of election, and judicial remedies regarding failure to comply; to provide for
8 related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 (a) As used in this Act, the term:

12 (1) "Ad valorem taxes" means all ad valorem taxes levied by, for, or on behalf of the City
13 of Monroe for municipal purposes, except for any ad valorem taxes levied to pay interest
14 on and to retire bonded indebtedness.

15 (2) "Adjusted base year assessed value" means the sum of:

16 (A) The previous adjusted base year assessed value;

17 (B) An amount equal to the difference between the current year assessed value of the
18 homestead and the base year assessed value of the homestead, provided that such amount
19 shall not exceed the total of the previous adjusted base year assessed value of the
20 homestead multiplied by the inflation rate for the prior year plus 25 basis points; and

21 (C) The value of any substantial property change, provided that no such value added
22 improvements to the homestead shall be duplicated as to the same addition or
23 improvement.

24 (3) "Base year assessed value" means:

25 (A) With respect to an exemption under this section which is first granted to a person on
26 such person's homestead for the 2026 taxable year, the assessed value for taxable
27 year 2024, including any final determination of value on appeal pursuant to Code
28 Section 48-5-311 of the O.C.G.A., of the homestead; or

29 (B) In all other cases, the assessed value, including any final determination of value on
30 appeal pursuant to Code Section 48-5-311 of the O.C.G.A., of the homestead from the
31 taxable year immediately preceding the taxable year in which the exemption under this
32 section is first granted to the applicant.

33 (4) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
34 the O.C.G.A., as amended, with the additional qualification that it shall include not more
35 than one contiguous acre of homestead property.

36 (5) "Inflation rate" means the annual inflationary index rate as determined for a given year
37 by the commissioner of revenue in accordance with subsection (f) of this section.

38 (6) "Previous adjusted base year assessed value" means:

39 (A) With respect to the year for which the exemption under this section is first granted
40 to a person on such person's homestead, the base year assessed value; or

41 (B) In all other cases, the adjusted base year assessed value of the homestead as
42 calculated in the taxable year immediately preceding the current year, including any final
43 determination of value on appeal pursuant to Code Section 48-5-311 of the O.C.G.A.

44 (7) "Substantial property change" means any increase or decrease in the assessed value of
45 a homestead derived from additions or improvements to, or the removal of real property
46 from, the homestead which occurred after the year in which the base year assessed value
47 is determined for the homestead. The assessed value of the substantial property changes
48 shall be established following any final determination of value on appeal pursuant to Code
49 Section 48-5-311 of the O.C.G.A.

50 (b)(1) Subject to the limitations provided in this section, each resident of the City of
51 Monroe is granted an exemption on that person's homestead from ad valorem taxes in an
52 amount equal to the amount by which the current year assessed value of that homestead,
53 including any final determination of value on appeal pursuant to Code Section 48-5-311,
54 exceeds its previous adjusted base year assessed value.

55 (2) Except as provided for in subsection (c) of this section, no exemption provided for in
56 this subsection shall transfer to any subsequent owner of the property, and the assessed
57 value of the property shall be as provided by law.

58 (c) No person shall receive the exemption granted by subsection (b) of this section unless
59 such person or person's agent files an application with the governing authority of the City of
60 Monroe, or its designee as will enable the governing authority of the City of Monroe, or its
61 designee to make a determination regarding the initial and continuing eligibility of such
62 person for such exemption; provided, however, that any person who had previously applied
63 for a homestead exemption, was allowed such homestead exemption for the 2025 tax year,
64 and remains eligible for a homestead exemption for that same homestead property in
65 the 2026 tax year shall be automatically allowed the exemption granted under subsection (b)
66 of this section for that homestead without further application. The governing authority of the
67 City of Monroe, or its designee shall provide application forms for this purpose.

68 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
69 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
70 so long as the person granted the homestead exemption under subsection (b) of this section

71 occupies the residence as a homestead. After such person has filed the proper application as
72 provided in subsection (c) of this section, it shall not be necessary to make application
73 thereafter for any year, and such exemption shall continue to be allowed to such person. It
74 shall be the duty of any such person granted the homestead exemption under subsection (b)
75 of this section to notify the governing authority of the City of Monroe, or its designee in the
76 event that such person for any reason becomes ineligible for such exemption. The surviving
77 spouse of the person who has been granted the exemption provided for in subsection (b) of
78 this section shall continue to receive the exemption provided under subsection (b) of this
79 section, so long as that surviving spouse continues to occupy the home as a residence and
80 homestead.

81 (e)(1) The exemption granted by subsection (b) of this section shall not apply to or affect
82 any state ad valorem taxes, county ad valorem taxes for county purposes, or county or
83 independent school district ad valorem taxes for educational purposes.

84 (2) Except as otherwise provided in paragraph (3) of this subsection, the homestead
85 exemption granted by subsection (b) of this section shall be in addition to and not in lieu
86 of any other homestead exemption applicable to ad valorem taxes.

87 (3) The homestead exemption granted by subsection (b) of this section shall not be applied
88 in addition to any other base year value homestead exemption provided by law with respect
89 to the City of Monroe. In any such event, the governing authority of the City of Monroe,
90 or its designee shall apply only the base year value homestead exemption that is larger or
91 more beneficial for the taxpayer with respect to the City of Monroe.

92 (f) For the purposes of this section, the commissioner of revenue shall promulgate a
93 standardized method for determining annual inflationary index rates which reflect the effects
94 of inflation and deflation on the cost of living for residents of this state for a given calendar
95 year. Such method may utilize the Consumer Price Index as reported by the Bureau of Labor
96 Statistics of the United States Department of Labor or any other similar index established by

97 the federal government if the commissioner of revenue determines that such federal index
 98 fairly reflects the effects of inflation and deflation on residents of this state.
 99 (g) The exemption granted by subsection (b) of this section shall apply to all taxable years
 100 beginning on or after January 1, 2026.

101 **SECTION 2.**

102 In accordance with the requirements of Article VII, Section II of the Constitution of the State
 103 of Georgia, this Act shall not become law unless it receives the requisite two-thirds' majority
 104 vote in both the Senate and the House of Representatives.

105 **SECTION 3.**

106 The municipal election superintendent of the City of Monroe shall call and conduct an
 107 election as provided in this section for the purpose of submitting this Act to the electors of
 108 the City of Monroe for approval or rejection. The election superintendent shall conduct that
 109 election on the Tuesday following the first Monday in November of 2025 and shall issue the
 110 call and conduct that election as provided by general law. The election superintendent shall
 111 cause the date and purpose of the election to be published once a week for two weeks
 112 immediately preceding the date thereof in the official organ of Walton County. The ballot
 113 shall have written or printed thereon the words:

114 " YES Shall the Act be approved which provides a homestead exemption from City
 115 of Monroe ad valorem taxes for municipal purposes in an amount equal to
 116 NO the amount by which the current year assessed value of a homestead
 117 exceeds the adjusted base year assessed value, including any final
 118 determination of value on appeal pursuant to Code Section 48-5-311 of the
 119 O.C.G.A., as amended, of such homestead?"

120 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 121 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on

122 such question are for approval of the Act, Section 1 of this Act shall become of full force and
123 effect on January 1, 2026. If the Act is not so approved or if the election is not conducted
124 as provided in this section, Section 1 of this Act shall not become effective, and this Act shall
125 be automatically repealed on the 365th calendar day following the election date provided for
126 in this section. The expense of such election shall be borne by the City of Monroe. It shall
127 be the election superintendent's duty to certify the result thereof to the Secretary of State.
128 The provisions of this section shall be mandatory upon the election superintendent and are
129 not intended as directory. If the election superintendent fails or refuses to comply with this
130 section, any elector of the City of Monroe may apply for a writ of mandamus to compel the
131 election superintendent to perform his or her duties under this section. If the court finds that
132 the election superintendent has not complied with this section, the court shall fashion
133 appropriate relief requiring the election superintendent to call and conduct such election on
134 the date required by this section or on the next date authorized for special elections provided
135 for in Code Section 21-2-540 of the O.C.G.A.

136 **SECTION 4.**

137 Except as otherwise provided in Section 3 of this Act, this Act shall become effective upon
138 its approval by the Governor or upon its becoming law without such approval.

139 **SECTION 5.**

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