

House Bill 850

By: Representatives Newton of the 127th, Prince of the 132nd, Howard of the 129th, Heffner of the 130th, and Myles of the 126th

A BILL TO BE ENTITLED
AN ACT

1 To provide a homestead exemption from Augusta-Richmond County ad valorem taxes for
2 consolidated government purposes in an amount equal to the amount by which the current
3 year assessed value of a homestead exceeds the adjusted base year assessed value of such
4 homestead; to provide for definitions; to specify the terms and conditions of the exemption
5 and the procedures relating thereto; to provide for applicability; to provide for compliance
6 with constitutional requirements; to provide for a referendum, effective dates, automatic
7 repeal, mandatory execution of election, and judicial remedies regarding failure to comply;
8 to provide for 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
13 Augusta-Richmond County for consolidated government purposes, except for any ad
14 valorem taxes levied to pay interest 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
19 amount shall not exceed the total of the previous adjusted base year assessed value of
20 the homestead multiplied by 3.2 percent; 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
26 on such person's homestead for the 2026 taxable year, the assessed value for taxable
27 year 2025, 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; provided, however, that if the property is assessed pursuant
35 to Code Section 48-5-7.4 or 48-5-7.7 of the O.C.G.A., only the primary residence and the
36 portion of the underlying property that is excluded from the benefit of such assessment
37 pursuant to subparagraph (a)(1)(B) of Code Section 48-5-7.4 of the O.C.G.A. or
38 subparagraph (b)(2)(B) of Code Section 48-5-7.7 of the O.C.G.A shall be included.

39 (5) "Previous adjusted base year assessed value" means:

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

42 (B) In all other cases, the adjusted base year assessed value of the homestead as
43 calculated in the taxable year immediately preceding the current year, including any

44 final determination of value on appeal pursuant to Code Section 48-5-311 of the
45 O.C.G.A.

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

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

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

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

70 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
71 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
72 so long as the person granted the homestead exemption under subsection (b) of this section
73 occupies the residence as a homestead. After such person has filed the proper application as
74 provided in subsection (c) of this section, it shall not be necessary to make application
75 thereafter for any year, and such exemption shall continue to be allowed to such person. It
76 shall be the duty of any such person granted the homestead exemption under subsection (b)
77 of this section to notify the tax commissioner of Augusta-Richmond County in the event that
78 such person for any reason becomes ineligible for such exemption. The unremarried
79 surviving spouse of the person who has been granted the exemption provided for in
80 subsection (b) of this section shall continue to receive the exemption provided under
81 subsection (b) of this section, so long as that unremarried surviving spouse continues to
82 occupy the home as a residence and homestead.

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

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

89 (3) The homestead exemption granted by subsection (b) of this section shall not be
90 applied in addition to any other base year value homestead exemption provided by law
91 with respect to Augusta-Richmond County. In any such event, the Augusta-Richmond
92 County tax commissioner shall apply only the base year value homestead exemption that
93 is larger or more beneficial for the taxpayer with respect to Augusta-Richmond County.

94 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
95 beginning on or after January 1, 2026.

96

SECTION 2.

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

100

SECTION 3.

101 The election superintendent of Augusta-Richmond County shall call and conduct an election
 102 as provided in this section for the purpose of submitting this Act to the electors of
 103 Augusta-Richmond County for approval or rejection. The election superintendent shall
 104 conduct that election on the Tuesday following the first Monday in November, 2025, and
 105 shall issue the call and conduct that election as provided by general law. The election
 106 superintendent shall cause the date and purpose of the election to be published once a week
 107 for two weeks immediately preceding the date thereof in the official organ of
 108 Augusta-Richmond County. The ballot shall have written or printed thereon the words:

109 " YES Shall the Act be approved which provides a homestead exemption from
 110 Augusta-Richmond County ad valorem taxes for consolidated government
 111 NO purposes in an amount equal to the amount by which the current year
 112 assessed value of a homestead exceeds the adjusted base year assessed
 113 value, including any final determination of value on appeal pursuant to
 114 Code Section 48-5-311 of the O.C.G.A., as amended, of such homestead?"

115 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 116 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 117 such question are for approval of the Act, Section 1 of this Act shall become of full force and
 118 effect on January 1, 2026. If the Act is not so approved or if the election is not conducted
 119 as provided in this section, Section 1 of this Act shall not become effective, and this Act shall
 120 be automatically repealed on the 365th calendar day following the election date provided for
 121 in this section. The expense of such election shall be borne by Augusta-Richmond County.

122 It shall be the election superintendent's duty to certify the result thereof to the Secretary of
123 State. The provisions of this section shall be mandatory upon the election superintendent and
124 are not intended as directory. If the election superintendent fails or refuses to comply with
125 this section, any elector of Augusta-Richmond County may apply for a writ of mandamus
126 to compel the election superintendent to perform his or her duties under this section. If the
127 court finds that the election superintendent has not complied with this section, the court shall
128 fashion appropriate relief requiring the election superintendent to call and conduct such
129 election on the date required by this section or on the next date authorized for special
130 elections provided for in Code Section 21-2-540 of the O.C.G.A.

131 **SECTION 4.**

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

134 **SECTION 5.**

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