

Senate Bill 566

By: Senators Hufstetler of the 52nd, Anavitarte of the 31st, Albers of the 56th, Hickman of the 4th and Still of the 48th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad
2 valorem taxation of property, so as to provide for the acceptance of tax digests in the event
3 of a publication error made by a newspaper; to revise required information for bills and
4 notices of assessment for ad valorem taxation of property; to revise definitions, limits, and
5 procedures related to a state-wide base year homestead exemption; to provide for annual
6 submissions and review of homestead information across the state; to expand the period of
7 time within which taxpayers may apply for homestead exemptions; to provide for penalties
8 for failing to report ineligibility for a homestead exemption; to make conforming changes;
9 to provide for an effective date and applicability; to provide for related matters; to repeal
10 conflicting laws; and for other purposes.

11 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

12 **SECTION 1.**

13 Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem
14 taxation of property, is amended by adding a new Code section to read as follows:

S. B. 566

15 "48-5-32.2.

16 In the event that the commissioner determines a newspaper advertisement or publication
 17 required by Code Section 48-5-32 or Code Section 48-5-32.1 was insufficient to meet the
 18 statutory requirements imposed by the respective Code section, the commissioner may
 19 waive such statutory requirements, accept the digest for review, and issue an order for the
 20 collection of taxes, provided that the county submits documentation demonstrating that the
 21 insufficiency did not result from an error or omission on the part of the respective levying
 22 authority or recommending authority. A newspaper advertisement or publication
 23 requirement waived or redressed pursuant to this Code section shall not constitute grounds
 24 for contesting the validity of the digest or levy."

25

SECTION 2.

26 Said chapter is further amended by revising Code Section 48-5-34, relating to tax bill and
 27 procedures and requirements, as follows:

28 "48-5-34.

29 (a) In addition to any other requirements provided by law, the ad valorem property tax bill
 30 form shall be prepared annually by the county tax commissioner or collector and furnished
 31 to each taxpayer who owes state, county, or county school tax for the current tax year. The
 32 form shall provide for each given levying authority and recommending authority:

33 (1) The the total amount of such taxes levied on property owned by the taxpayer;

34 (2) The the amount of property tax credit granted by Act of the 1973 Session of
 35 Georgia's General Assembly, and by which such taxes were reduced as a result of
 36 exemptions, credits, and preferential assessments that were applied to such property, if
 37 any; and

38 (3) The the net amount of such taxes due for the current tax year.

39 (b) ~~In addition to the requirements of subsection (a) of this Code section, if the millage rate~~
 40 ~~adopted by a taxing authority exceeds the estimated roll-back rate and such estimated~~

41 ~~roll-back rate was provided in the annual notice of assessment, such tax bill shall include~~
 42 ~~a notice containing the name of such taxing authority and the following statement in bold~~
 43 ~~print: 'The adopted millage rate exceeds the estimated roll-back rate as stated in the annual~~
 44 ~~notice of assessment that you previously received for this taxable year, which will result~~
 45 ~~in an increase in the amount of property tax that you will owe.'~~

46 ~~(c)(1) If the governing authority of a county, consolidated government, municipality, or~~
 47 ~~school district elected to opt out of the homestead exemption provided for in Code~~
 48 ~~Section 48-5-44.2 and there is not in effect for such political subdivision a base year~~
 49 ~~value homestead exemption or adjusted base year value homestead exemption that is~~
 50 ~~generally applicable for homestead residents, each ad valorem property tax bill issued by~~
 51 ~~such political subdivision for homestead properties shall contain a notice in bold print~~
 52 ~~that corresponds with the following statement:~~

53 ~~'[Name of the political subdivision] chose to opt out of property tax relief for~~
 54 ~~homeowners related to HB 581 (2024). If you have concerns about that decision,~~
 55 ~~please call [the main telephone number for the levying or recommending authority of~~
 56 ~~the political subdivision].'~~

57 ~~(2) The provisions of paragraph (1) of this subsection shall not apply for any taxable year~~
 58 ~~beginning after December 31, 2029."~~

59 **SECTION 3.**

60 Said chapter is further amended in Code Section 48-5-44.2, relating to base year homestead
 61 exemption, by revising paragraphs (2), (3), and (7) of subsection (a) and revising subsections
 62 (d) and (e) as follows:

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

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

65 (B) An amount equal to the difference between the current year assessed value of the
 66 homestead and the base year assessed value of the homestead, provided that such

67 amount shall not exceed the total of the previous adjusted base year assessed value of
68 the homestead multiplied by the inflation rate for the prior year; and

69 (C) The value of any substantial property change, provided that no ~~such value added~~
70 ~~improvements to the homestead~~ substantial property change shall be duplicated as to
71 the same addition, ~~or improvement, or removal of real property.~~

72 (3) 'Base year assessed value' means:

73 (A) With respect to an exemption under this Code section which is first granted to a
74 person on such person's homestead for the 2025 taxable year, the assessed value for
75 taxable year 2024, including any final determination of value on appeal pursuant to
76 Code Section 48-5-311, of the homestead after adjustment due to any substantial
77 property change which occurred during or after taxable year 2024, provided that no
78 such adjustment shall be duplicated as to the same addition, improvement, or removal
79 of real property; or

80 (B) In all other cases, the assessed value, including any final determination of value on
81 appeal pursuant to Code Section 48-5-311, of the homestead from the taxable year
82 immediately preceding the taxable year in which the exemption under this Code section
83 is first granted to the applicant for such homestead after adjustment due to any
84 substantial property change which occurred during or after the taxable year used to
85 establish the base year assessed value for that homestead, provided that no such
86 adjustment shall be duplicated as to the same addition, improvement, or removal of real
87 property."

88 "(7) 'Substantial property change' means any increase or decrease in the assessed value
89 of a homestead derived from additions or improvements to, or the removal of real
90 property from, the homestead which occurred during or after the year in which used to
91 establish the base year assessed value is determined for the homestead. The assessed
92 value of the substantial property changes shall be established following any final
93 determination of value on appeal pursuant to Code Section 48-5-311."

94 "(d) No person shall receive the exemption granted by subsection (b) of this Code section
95 unless such person or person's agent files an application with the tax receiver or tax
96 commissioner of his or her respective local government or governments charged with the
97 duty of receiving returns of property for taxation giving such information relative to
98 receiving such exemption as will enable such tax receiver or tax commissioner to make a
99 determination regarding the initial and continuing eligibility of such person for such
100 exemption; provided, however, that any person who had previously applied for a
101 homestead exemption, was allowed such homestead exemption for the ~~2024~~ immediately
102 preceding tax year, and remains eligible for a homestead exemption for that same
103 homestead property in the ~~2025~~ current tax year shall be automatically allowed the
104 exemption granted under subsection (b) of this Code section for that homestead without
105 further application. Such tax receiver or tax commissioner shall provide application forms
106 for this purpose.

107 (e)(1) The exemption granted by subsection (b) or (c) of this Code section shall be
108 claimed and returned as provided in Code Section 48-5-50.1. Such exemption shall be
109 automatically renewed from year to year so long as the owner occupies the residence as
110 a homestead. After a person or a person's agent has filed the proper application or is
111 automatically granted the homestead exemption as provided in subsection (d) of this
112 Code section, it shall not be necessary for such person or such person's surviving spouse
113 to make application thereafter for any year, and the exemption shall continue to be
114 allowed to such person or such person's surviving spouse. It shall be the duty of any
115 person granted the homestead exemption under subsection (b) or (c) of this Code section
116 to notify the tax receiver or tax commissioner of the local government or governments
117 in the event such person for any reason becomes ineligible for such exemption.

118 (2) In the event that an applicant becomes ineligible for the homestead exemption
119 granted under subsection (b) or (c) of this Code section with respect to a particular
120 homestead property and, thereafter, the applicant becomes eligible and applies for the

121 homestead exemption on such property, the base year assessed value for such homestead
 122 shall be calculated in accordance with subparagraph (a)(3)(B) of this Code section as if
 123 the applicant were a new applicant who had not been previously granted an exemption
 124 under this Code section for such homestead."

125 **SECTION 4.**

126 Said chapter is further amended in Code Section 48-5-45, relating to application for
 127 homestead exemption and unlawful to solicit fee to file application for homestead for
 128 another, by revising subsections (a) and (b) as follows:

129 "(a)(1) An applicant seeking a homestead exemption as provided in Code Section
 130 48-5-44 and qualifying under the provisions of Code Section 48-5-40 shall file a written
 131 application and schedule with the tax receiver or tax commissioner charged with the duty
 132 of receiving returns of property for taxation ~~at any time during the~~ a calendar year
 133 subsequent to the property becoming the primary residence of the applicant at any time
 134 up to and including ~~the date for the closing of the books for the return of taxes for the~~
 135 ~~calendar year, except that, in the case of a property which is subject to a reassessment by~~
 136 ~~the board of tax assessors; the final date to file an appeal of the annual notice of current~~
 137 assessment. Any such application and schedule may be filed in conjunction with or in
 138 lieu of an appeal of the reassessment.

139 (2) The failure to file properly the application and schedule on or before the ~~date for the~~
 140 ~~closing of the books for the return of taxes of a calendar year in which the taxes are due~~
 141 applicable deadline under paragraph (1) of this subsection shall constitute a waiver of the
 142 homestead exemption on the part of the applicant failing to make the application for such
 143 exemption for that year.

144 (b) The owner of a homestead which is actually occupied by the owner as a residence and
 145 homestead shall not have to apply for the exemption more than once so long as the owner
 146 remains in continuous occupation of the residence as a homestead. The exemption shall

147 automatically be renewed from year to year so long as the owner continuously occupies the
148 residence as a homestead. In the event any person granted the exemption becomes
149 ineligible for such exemption, such person shall notify the tax receiver or tax commissioner
150 charged with the duty of receiving returns of property for taxation on or before the final
151 date to file an appeal of the annual notice of current assessment."

152 **SECTION 5.**

153 Said chapter is further amended by adding a new Code section to read as follows:

154 "48-5-51.1.

155 (a) For taxable years beginning on or after January 1, 2026, in the event that a person fails
156 to report his or her ineligibility for any homestead exemption that is listed on the annual
157 notice of current assessment for the property by the final date to file an appeal of such
158 notice, the property shall be appropriately billed for all taxes and interest due and a penalty
159 shall be imposed in an amount equal to 50 percent of the amount by which the taxes were
160 to be reduced from exemptions and credits for which the taxpayer was ineligible.

161 (b) Each taxpayer shall be notified in writing at the taxpayer's last known address as it
162 appears on the latest records of the tax commissioner or tax collector of the reasons for the
163 denial or removal of a homestead exemption pursuant to this Code section. Any such
164 taxpayer shall be entitled to appeal the removal of the homestead exemption and the
165 application of penalties in the same manner provided in Code Section 48-5-311.

166 (c) The local tax receiver or tax commissioner shall collect and remit any tax, penalty, or
167 interest due under this Code section in the same manner as other taxes."

168 **SECTION 6.**

169 Said chapter is further amended by adding a new Code section to read as follows:

170 "48-5-57.
171 Recognizing the importance and value of properly granting and continually allowing
172 homestead exemptions, each local tax official charged by law with the duty of reviewing
173 applications for homestead exemptions shall submit to the department a list of taxpayers
174 that have been granted or denied a homestead exemption for property within its
175 jurisdiction. Such submissions shall be made annually for each taxing jurisdiction at the
176 same time as the county digest is submitted to the commissioner. The commissioner shall
177 maintain a list of homestead information throughout the state in a manner which allows
178 local tax officials access to review and ensure accuracy of their jurisdiction's properties
179 receiving homestead exemptions. Each such local tax official shall review said list prior
180 to approving a homestead exemption and on an annual basis prior to issuing the notices of
181 assessment for the taxing jurisdiction."

182 **SECTION 7.**

183 Said chapter is further amended in Code Section 48-5-306, relating to annual notice of
184 current assessment, contents, posting notice, and new assessment description, by revising
185 subsection (b) as follows:

186 "(b) Contents of notice.

187 (1) The annual notice of current assessment required to be given by the county board of
188 tax assessors under subsection (a) of this Code section shall be dated and shall contain
189 the name and last known address of the taxpayer pursuant to Code Section 48-5-10. The
190 annual notice shall be given on the applicable state-wide assessment notice form which
191 shall be established by the commissioner by rule and regulation and shall contain:

192 (A) The '(insert previous tax year) Value' which is the fair market value used for
193 amount of the previous assessment following any final determination of value on appeal
194 pursuant to Code Section 48-5-311;

- 195 (B) The '(insert current tax year) Value' which is the fair market value used for amount
196 of the current assessment;
- 197 (C) The year for which the new assessment is applicable;
- 198 (D) A brief description of the assessed property broken down into real and personal
199 property classifications;
- 200 (E) A brief description of any change in the taxable assessed value from the previous
201 assessment.
- 202 (F) A list of each exemption, credit, and preferential assessment granted or allowed for
203 the property as of the creation of the notice of assessment;
- 204 ~~(G) The fair market value of property of the taxpayer subject to taxation and the~~
205 ~~assessed value of the taxpayer's property subject to taxation after being reduced~~ The
206 estimated tax savings from all exemptions, credits, and preferential assessments granted
207 or allowed for the property calculated using the sum of all millage rates which were
208 imposed on such property in the previous tax year;
- 209 ~~(F)~~(H) A brief description of the methods and manner by which the taxpayer may
210 appeal the current assessment;
- 211 (I) The name, phone number, and contact information of the person in the assessors'
212 office who is administratively responsible for the handling of the appeal and who the
213 taxpayer may contact if the taxpayer has questions about the reasons for the assessment
214 change or the appeals process;
- 215 ~~(G)~~(J) If available, the public website address of the office of the county board of tax
216 assessors;
- 217 ~~(H)~~(K) A statement that all documents and records used to determine the current value
218 are available upon request; and
- 219 (L) Such other details as may be required by the department after consultation with the
220 chairpersons of the House Committee on Ways and Means and the Senate Finance
221 Committee.

222 ~~(f)(i) The current year's estimated roll-back rate for each levying or recommending~~
223 ~~authority that certified its estimated roll-back rate for the current year to the county~~
224 ~~board of tax assessors and county tax commissioner by the date specified under Code~~
225 ~~Section 48-5-306.2; or~~

226 ~~(ii) For each levying or recommending authority that did not certify its estimated roll-~~
227 ~~back rate to the county board of tax assessors and county tax commissioner by the~~
228 ~~date specified in Code Section 48-5-306.2, the millage rate that was actually levied~~
229 ~~by or on behalf of such authority for the previous tax year, and an estimate of the~~
230 ~~amount of ad valorem taxes due for the assessed property based on such millage rate~~
231 ~~and the amount of the current assessment.~~

232 (2) In addition to the items required under paragraph (1) of this subsection, the notice
233 shall contain a statement of the taxpayer's right to an appeal and other information which
234 shall be in substantially the following form:

235 ~~'The amount of your ad valorem tax bill for this year will be based on the~~
236 ~~appraised and assessed values specified in this notice. You have the right to~~
237 ~~appeal these values to the county board of tax assessors.~~

238 ~~At the time of filing your appeal you must select one of the following options:~~

239 ~~(A) An appeal to the county board of equalization with appeal to the superior~~
240 ~~court;~~

241 ~~(B) To arbitration without an appeal to the superior court; or~~

242 ~~(C) For a parcel of nonhomestead property with a fair market value in excess~~
243 ~~of \$500,000.00 as shown on the taxpayer's annual notice of current assessment~~
244 ~~under this Code section, or for one or more account numbers of wireless~~
245 ~~property as defined in subparagraph (e.1)(1)(B) of Code Section 48-5-311 with~~
246 ~~an aggregate fair market value in excess of \$500,000.00 as shown on the~~
247 ~~taxpayer's annual notice of current assessment under this Code section, to a~~
248 ~~hearing officer with appeal to the superior court.~~

249 ~~If you wish to file an appeal, you must do so in writing no later than 45 days after~~
250 ~~the date of this notice. If you do not file an appeal by this date, your right to file~~
251 ~~an appeal will be lost. For further information on the proper method for filing an~~
252 ~~appeal, you may contact the county board of tax assessors which is located at:~~
253 ~~(insert address) and which may be contacted by telephone at: (insert telephone~~
254 ~~number):~~

255 'You have the right to appeal the property values provided in this notice. You may
256 also apply for homestead exemptions if your property was owned and occupied
257 as your family's primary residence and homestead as of January 1 of (insert
258 current tax year).

259 If you wish to appeal your (insert current tax year) property value or apply for
260 homestead exemptions, you must do so in writing no later than 45 days after the
261 date of this notice. If you do not file an appeal or apply for homestead exemption
262 by this date, your right to do so for this year will be lost.

263 ***You are required by law to notify (insert name of appropriate local tax
264 official) if you become ineligible for any homestead exemption listed in this
265 notice and subject to penalties for failing to do so.***

266 For further information on filing appeals, applying for homestead exemptions, or
267 reporting your ineligibility for a homestead exemption, visit or contact the county
268 board of tax assessors at (insert website, address, and telephone number).

269 Please note: Tax rates for counties, school districts, and cities will be established
270 by each local government later this year. If a local government intends to increase
271 revenue on existing properties, they must advertise and hold three public meetings
272 to do so.'

273 (3) The annual notice required under this Code section shall be mailed no later than July
274 1; provided, however, that the annual notice required under this Code section may be sent

275 later than July 1 for the purpose of notifying property owners of corrections and mapping
276 changes."

277 **SECTION 8.**

278 Said chapter is further amended by repealing Code Section 48-5-306.2, relating to annual
279 calculation and certification of estimated roll-back rate, in its entirety.

280 **SECTION 9.**

281 Said chapter is further amended in Code Section 48-5-2, relating to definitions, by repealing
282 paragraph (2.1).

283 **SECTION 10.**

284 (a) This Act shall become effective upon its approval by the Governor or upon its becoming
285 law without such approval.

286 (b) This Act shall be applicable to taxable years beginning on or after January 1, 2026.

287 **SECTION 11.**

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