

House Resolution 1000 (COMMITTEE SUBSTITUTE)

By: Representatives Efration of the 104th, Williams of the 148th, Dickey of the 134th,
Williams of the 168th, Buckner of the 137th, and others

A RESOLUTION

1 Proposing an amendment to the Constitution so as to eliminate the ad valorem tax assessment
2 of certain timber at sale or harvest; to require state appropriations to each county,
3 municipality, or school district affected by such tax elimination; to provide for related
4 matters; to provide for the submission of this amendment for ratification or rejection; and for
5 other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Article VII, Section I, Paragraph III of the Constitution is amended by revising
9 subparagraph (e)(2) and adding subparagraph (e)(3) to read as follows:

10 "(2) That standing timber shall be assessed only once, and such assessment shall be
11 made following its harvest or sale and on the basis of its fair market value at the time of
12 harvest or sale. Said Except as provided in subparagraph (e)(3) of this Paragraph, said
13 assessment shall be two and one-half times the assessed percentage of value fixed by law
14 for other real property taxed under the uniformity provisions of subparagraph (a) of this
15 Paragraph but in no event greater than its fair market value; and for a method of
16 temporary supplementation of the property tax digest of any county if the implementation
17 of this method of taxing timber reduces the tax digest by more than 20 percent, such

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18 supplemental assessed value to be assigned to the properties otherwise benefiting from
19 such method of taxing timber.

20 (3)(A) That standing timber shall be assessed as otherwise provided in
21 subparagraph (e)(2) of this Paragraph, except that the rate of the assessment under
22 subparagraph (e)(2) of this Paragraph shall be reduced to zero percent for standing
23 timber harvested or sold from property receiving preferential treatment pursuant to
24 subparagraph (c) of this Paragraph, subparagraph (e)(1) of this Paragraph, or
25 subparagraph (f) of this Paragraph. Such methods of assessment and taxation shall be
26 subject to the following conditions:

27 (i) Any individual or individuals or any entity registered to do business in this state
28 desiring the benefit of such methods of assessment and taxation for standing timber
29 harvested or sold from property receiving preferential treatment pursuant to
30 subparagraph (c) of this Paragraph, subparagraph (e)(1) of this Paragraph, or
31 subparagraph (f) of this Paragraph shall be required to enter into a covenant to
32 continue the property in a qualifying use; and

33 (ii) A breach of such covenant within ten years of the harvest or sale of standing
34 timber assessed at the rate provided for in this subparagraph (3)(A) shall result in a
35 recapture of the tax savings resulting from such methods of assessment and taxation
36 and may result in other appropriate penalties.

37 (B) The General Assembly shall annually appropriate to each county, municipality,
38 or school district that experienced an ad valorem revenue reduction during the
39 preceding tax year resulting from the elimination of the ad valorem tax assessment of
40 timber from the rate of assessment provided for in subparagraph (e)(2) of this Paragraph
41 to the rate of assessment provided for in subparagraph (e)(3)(A) of this Paragraph, an
42 amount equal to 100 percent of such revenue reduction for such tax year."

43

SECTION 2.

44 The above proposed amendment to the Constitution shall be published and submitted as
45 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
46 above proposed amendment shall have written or printed thereon the following:

47 "() YES Shall the Constitution of Georgia, for the purpose of encouraging timberland
48 () NO conservation, be amended so as to eliminate the ad valorem tax assessment
49 of certain timber at sale or harvest and to require state appropriations to each
50 county, municipality, or school district affected by such ad valorem tax
51 assessment elimination?"

52 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

53 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
54 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
55 become a part of the Constitution of this state.