

The House Committee on Ways & Means offers the following substitute to SB 382:

A BILL TO BE ENTITLED

AN ACT

1 To amend Titles 20, 36, and 48 of the Official Code of Georgia Annotated, relating to
2 education, local government, and revenue and taxation, respectively, so as to provide for
3 property tax reform; to revise provisions regarding caps on local sales and use tax; to require
4 that each sales tax return include specific information regarding the collection of such taxes;
5 to revise the special district option sales and use tax (FLOST); to provide for imposition
6 pursuant to resolution; to provide for distribution and use of proceeds; to revise the single
7 state-wide homestead exemption from a base year homestead exemption to a uniform
8 reduction of the value of the homestead; to eliminate its application to local school systems;
9 to make such state-wide homestead exemption mandatory; to exclude amounts attributable
10 to certain exemptions from ad valorem taxation from the equalized adjusted school property
11 tax digest for the purpose of calculating the local five mill share and equalization grants; to
12 require the proposed annual operating budget resolution of a local board of education to be
13 approved in a referendum election if such resolution would increase certain revenues raised
14 by the local board of education by a certain amount; to provide that certain proposed
15 increases in revenue collections by local governments must be approved by the voters of such
16 local government; to revise provisions relating to certification of assessed taxable value of
17 property and method of computation, resolution or ordinance required for millage rate, and
18 advertisement of intent to increase property tax; to make conforming changes; to provide for

S. B. 382 (SUB)

- 1 -

19 the holding of a nonbinding, advisory referendum election to determine whether the qualified
20 electors of the State of Georgia desire that the Georgia General Assembly allow Georgians
21 to decide whether to authorize new finance procedures for local governments and school
22 systems for the purpose of providing complete property tax relief for homeowners; to provide
23 for legislative intent regarding the appropriation of certain sales tax revenue collected on and
24 after January 1, 2029, on the sale or lease of computer equipment to high-technology
25 companies; to provide for related matters; to provide for a short title; to provide an effective
26 date; to repeal conflicting laws; and for other purposes.

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

28 **PART I**
29 **SECTION 1-1.**

30 This Act shall be known and may be cited as the "Homeownership Opportunity and Market
31 Equalization Act of 2026."

32 **PART II**
33 **SECTION 2-1.**

34 Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and
35 use taxes, is amended by revising Code Section 48-8-6, relating to prohibition of political
36 subdivisions from imposing various taxes, ceiling on local sales and use tax, and taxation of
37 mobile telecommunications, as follows:

38 "48-8-6.

39 (a)(1) Until December 31, 2026, except ~~Except~~ as provided in this subsection, on and
40 after July 1, 2024, there shall not be imposed in any jurisdiction in this state or on any

41 transaction in this state local sales taxes, local use taxes, or local sales and use taxes in
42 excess of 2 percent. For purposes of such 2 percent limitation, the taxes affected are any
43 sales tax, use tax, or sales and use tax which is levied in an area consisting of less than
44 the entire state, however authorized, including such taxes authorized by or pursuant to
45 constitutional amendment, and regardless of whether another provision of law purports
46 to the contrary except for the following:

47 (A) A 1 percent sales and use tax for educational purposes exempted from such
48 limitation under Article VIII, Section VI, Paragraph IV of the Constitution;

49 (B) Up to 1 percent in aggregate of any of the transportation related sales and use taxes
50 authorized under Articles 5, 5A, and 5B of this chapter and Article 2 of Chapter 9 of
51 Title 32, and in a county in which a tax is levied and collected pursuant to Part 2 of
52 Article 2A of this chapter, any tax levied for purposes of a metropolitan area system of
53 public transportation, as authorized by the amendment to the Constitution set out at
54 Georgia Laws, 1964, page 1008, the continuation of such amendment under Article XI,
55 Section I, Paragraph IV(d) of the Constitution, and the laws enacted pursuant to such
56 constitutional amendment; and

57 (C) Up to 1 percent in aggregate of any sales and use taxes authorized under Code
58 Section 48-8-96, Code Section 48-8-97, Article 2B of this chapter, Part 3 of Article 3
59 of this chapter, and Article 4 of this chapter.

60 (2) Notwithstanding any provision of law to the contrary, any tax that does not comply
61 with the limitations provided in paragraph (1) of this subsection as of July 1, 2025, but
62 was initiated in compliance with the law in effect prior to January 1, 2025, shall be
63 allowed to continue as authorized under laws that existed prior to July 1, 2025; provided,
64 however, that, upon the expiration or termination of any such tax, the jurisdiction that
65 levied such tax shall be fully subject to the limitations imposed by this subsection.

66 (3) This subsection shall not limit the imposition of any local excise tax, which is
67 separately authorized under Chapter 13 of this title.

68 (4) If the imposition of any otherwise authorized local sales tax, local use tax, or local
69 sales and use tax would result in a tax rate in excess of that authorized by this subsection,
70 then such otherwise authorized tax shall not be imposed.

71 (5) This subsection shall stand repealed and reserved on December 31, 2026.

72 (b)(1) On and after January 1, 2027, there shall not be imposed in any jurisdiction in this
73 state or on any transaction in this state local sales taxes, local use taxes, or local sales and
74 use taxes in excess of 5 percent. For purposes of such 5 percent limitation, the taxes
75 affected are any sales tax, use tax, or sales and use tax which is levied in an area
76 consisting of less than the entire state, however authorized, including such taxes
77 authorized by or pursuant to constitutional amendment, and regardless of whether another
78 provision of law purports to the contrary except for the following:

79 (A) Sales and use taxes levied and collected pursuant to Article 4 of this chapter; and
80 (B) Any tax levied for purposes of a metropolitan area system of public transportation,
81 as authorized by the amendment to the Constitution set out at Georgia Laws, 1964,
82 page 1008, the continuation of such amendment under Article XI, Section I,
83 Paragraph IV(d) of the Constitution, and the laws enacted pursuant to such
84 constitutional amendment.

85 (2) This subsection shall not limit the imposition of any local excise tax, which is
86 separately authorized under Chapter 13 of this title.

87 (3) If the imposition of any otherwise authorized local sales tax, local use tax, or local
88 sales and use tax would result in a tax rate in excess of that authorized by paragraph (1)
89 of this subsection, then such otherwise authorized tax shall not be imposed. Reserved.

90 (c) Where the exception specified in paragraph (2) of subsection (a) of this Code section
91 applies, the tax imposed under subparagraph (a)(1)(D) of Code Section 48-8-111 shall not
92 apply to the sale of motor vehicles. This subsection shall stand repealed and reserved on
93 December 31, 2026.

94 (c.1) Where the exception specified in paragraph (2) of subsection (a) of this Code section
95 applies, on and after July 1, 2007, the aggregate amount of all excise taxes imposed under
96 paragraph (5) of subsection (a) of Code Section 48-13-51 and all sales and use taxes shall
97 not exceed 14 percent. This subsection shall stand repealed on December 31, 2026.

98 (d) Notwithstanding any law or ordinance to the contrary, any tax, charge, or fee levied
99 by any political subdivision of this state and applicable to mobile telecommunications
100 services, as defined in Section 124(7) of the federal Mobile Telecommunications Sourcing
101 Act, 4 U.S.C. Section 124(7), shall apply only if the customer's place of primary use is
102 located within the boundaries of the political subdivision levying such local tax, charge,
103 or fee. For purposes of this subsection, the provisions of Code Section 48-8-13 shall apply
104 in the same manner and to the same extent as such provisions apply to the tax levied by
105 Code Section 48-8-1 on mobile telecommunications services. This subsection shall not be
106 construed to authorize the imposition of any tax, charge, or fee."

107 **SECTION 2-2.**

108 Said chapter is further amended in Code Section 48-8-30, relating to imposition, rate, and
109 collection of tax, by adding a new subsection to read as follows:

110 "(1)(1) On or after January 1, 2027, each sales tax return remitting taxes collected under
111 this chapter shall include the location at which any of the taxes remitted were collected,
112 including separate line items for collections made within the city limits of a municipality
113 and collections made within an unincorporated area of a county. Vendors submitting
114 such sales tax returns shall provide a North American Industry Classification System
115 code with each respective sales tax return.

116 (2) The commissioner shall compile and organize sales tax data differentiating sales
117 made within the limits of a municipality from sales made within the unincorporated area
118 of a county. In the event that a municipality is located in more than one county, the

119 compiled sales tax data shall distinguish between such sales made within the municipal
 120 limits of each respective county.
 121 (3) On or before December 31 of each calendar year beginning on and after January 1,
 122 2027, the commissioner shall publish on the department's website the aggregate sales tax
 123 data specified by the North American Industry Classification System."

124 **SECTION 2-3.**

125 Said chapter is further amended in paragraph (1) of subsection (a) of Code Section 48-8-201,
 126 relating to intergovernmental contract for distribution of tax proceeds, approval of
 127 referendum by voters, cap on aggregate amount of tax, and rate, by striking "paragraph (2)
 128 of subsection (a)" and replacing it with "subsection (b)".

129 **SECTION 2-4.**

130 Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific,
 131 business, and occupation taxes, is amended in division (b)(7)(B)(ii) of Code
 132 Section 48-13-51, relating to county and municipal levies on public accommodations charges
 133 for promotion of tourism, conventions, and trade shows, by striking "subsection (c.1) of Code
 134 Section 48-8-6 and".

135 **PART III**

136 **SECTION 3-1.**

137 Article 2B of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to
 138 special district option sales and use tax (FLOST), is amended by revising Code Section
 139 48-8-109.31, relating to imposition of special sales and use tax within special district and
 140 limited time and purpose, as follows:

141 "48-8-109.31.

142 (a) Subject to the requirement of ~~approval by local referendum~~ adoption of a resolution
143 and the other requirements of this article, there may be imposed within any given special
144 district a special sales and use tax for a limited period of time for the limited purpose of
145 property tax relief.

146 (b) Except as to rate, a tax imposed under this part shall correspond to the tax imposed by
147 Article 1 of this chapter. No item or transaction which is not subject to taxation under
148 Article 1 of this chapter shall be subject to a tax imposed under this article, except that a
149 tax imposed under this article shall apply to sales of motor fuels as prepaid local tax as
150 defined in Code Section 48-8-2 and shall be applicable to the sale of food and food
151 ingredients and alcoholic beverages as provided for in Code Section 48-8-3.

152 (c) The special sales and use tax provided for in subsection (a) of this Code section may
153 be imposed by a special district in 0.05 percent increments, but in no event shall such tax
154 exceed 1 percent in total. The levy of such tax upon sales of motor fuels as defined in
155 Code Section 48-9-2 shall only be imposed on the retail sales price of the motor fuel which
156 is not more than \$3.00 per gallon.

157 (d) As conditions precedent to the ~~issuance of the call for the referendum~~ adoption of a
158 resolution by the governing authority to impose a levy pursuant to this article:

159 (1) The governing authority of the county whose geographical boundary is conterminous
160 with that of the special district and the governing authority or authorities of all
161 municipalities in such county that levy an ad valorem tax on property, other than those
162 municipalities that are excluded from the special district pursuant to subsection (f) of this
163 Code section, shall have in effect a base year value homestead exemption or adjusted
164 base year value homestead exemption, except that such condition precedent shall not
165 apply with respect to any municipality that levies an ad valorem tax on property and that
166 represents no more than 5 percent of the special district's residents of municipalities that
167 levy an ad valorem tax on property; and

168 (2) The governing authority of the county whose geographical boundary is conterminous
169 with that of the special district and the governing authority or authorities, if any, that
170 represent at least 50 percent of the special district's residents of municipalities that levy
171 an ad valorem tax on property, other than those municipalities that are excluded from the
172 special district pursuant to subsection (f) of this Code section, shall enter into an
173 intergovernmental agreement calling for the tax authorized under this article and
174 specifying the proposed rate of the tax, the proposed maximum period of time that the tax
175 is to be levied, and the proposed distribution of the tax.

176 (e)(1) As used in this subsection, the term 'absent municipality' means any municipality
177 that levies an ad valorem tax on property, other than those municipalities that are
178 excluded from the special district pursuant to subsection (f) of this Code section, and that
179 did not enter into the intergovernmental agreement provided for in paragraph (2) of
180 subsection (d) of this Code section.

181 (2) If the combined total of the populations of all absent municipalities is less than
182 one-half of the aggregate population of all municipalities located within the special
183 district that levy an ad valorem tax on property, the governing authorities entering into
184 such intergovernmental agreement shall, in behalf of such absent municipalities, specify
185 a percentage of that portion of the remaining proceeds which each municipality that
186 levies an ad valorem tax on property shall receive, which percentage shall not be less than
187 that proportion which each such absent municipality's population bears to the total
188 population of all municipalities that levy ad valorem taxes on property within the special
189 district multiplied by that portion of the remaining proceeds which are received by all
190 such municipalities within the special district. No portion of the tax shall be apportioned
191 to counties or municipalities that do not levy an ad valorem tax on property or do not
192 have a base year value homestead exemption or adjusted base year value homestead
193 exemption in effect.

194 (f) Subject to the limitation provided for in Code Section 48-8-6, any special district which
 195 wholly or partially contains a jurisdiction levying the tax provided for under Article 4 of
 196 this chapter is authorized to levy the tax authorized under this article. Such tax authorized
 197 under this article may only be levied in the areas of the special district outside of the
 198 jurisdiction levying the tax provided for under Article 4 of this chapter. Any jurisdiction
 199 levying the tax provided for under Article 4 of this chapter shall not be considered within
 200 the procedure necessary to levy the tax under this article and shall not be entitled to any
 201 portion of said tax."

202 SECTION 3-2.

203 Said article is further amended by revising Code Section 48-8-109.32, relating to maximum
 204 period of time of the tax, submission to voters to determine imposition of tax, ballot
 205 language, expenses of election, and resolution, as follows:

206 "48-8-109.32.

207 (a) Except as otherwise provided in subsection (b) of this Code section, the ~~The~~
 208 intergovernmental agreement required by this article shall specify the maximum period of
 209 time of the tax, to be stated in calendar years or calendar quarters not to exceed five years
 210 in total; provided, however, that any intergovernmental agreement in effect on the day prior
 211 to the effective date of this Act may be extended by resolution of the governing authorities
 212 which are party to such agreement.

213 (b) On and after the effective date of this Act, the intergovernmental agreement required
 214 by this article shall specify the maximum period of time of the tax, to be stated in calendar
 215 years or calendar quarters not to exceed ten years in total.

216 ~~(b) Each such intergovernmental agreement shall prescribe that the county election~~
 217 ~~superintendent shall issue the call for an election for the purpose of submitting the question~~
 218 ~~of the imposition of the tax authorized by this article to the voters of the county. The call~~
 219 ~~for and conduct of any such election shall be in the manner authorized under Code Section~~

220 ~~21-2-540, on a date specified by the intergovernmental agreement from among the dates~~
221 ~~allowed under paragraph (2) of subsection (c) of Code Section 21-2-540. Such election~~
222 ~~superintendent shall cause the date and purpose of the election to be published once a~~
223 ~~week for four weeks immediately preceding the date of the election in the legal organ of~~
224 ~~the county or in a newspaper having general circulation in the county at least equal to that~~
225 ~~of the legal organ.~~

226 ~~(c) The exact ballot language shall be prescribed in the intergovernmental agreement~~
227 ~~which imposes the tax authorized by this article, but shall contain, at a minimum, the~~
228 ~~purpose of the tax, the rate of the tax, and the duration for which the tax shall be imposed.~~

229 ~~(d) All persons desiring to vote in favor of imposing the tax shall vote 'Yes' and all persons~~
230 ~~opposed to levying the tax shall vote 'No.' If more than one-half of the votes cast are in~~
231 ~~favor of imposing the tax, then the tax shall be imposed as provided in this article;~~
232 ~~otherwise, the tax shall not be imposed and the question of imposing the tax shall not again~~
233 ~~be submitted to the voters of the special district until after 12 months immediately~~
234 ~~following the month in which the election was held; provided, however, that, if an election~~
235 ~~date authorized under paragraph (2) of subsection (c) of Code Section 21-2-540 occurs~~
236 ~~during the twelfth month immediately following the month in which such election was~~
237 ~~held, the question of imposing the tax may be submitted to the voters of the special district~~
238 ~~on such date. The county election superintendent shall hold and conduct the election under~~
239 ~~the same rules and regulations as govern special elections. Such election superintendent~~
240 ~~shall canvass the returns, declare the result of the election, and certify the result to the~~
241 ~~Secretary of State and to the commissioner. The expense of the election shall be paid from~~
242 ~~county funds.~~

243 ~~(e)(c) If no intergovernmental agreement is required pursuant to this article, the governing~~
244 ~~authority of the county or consolidated government whose geographical boundary is~~
245 ~~conterminous with that of the special district shall adopt a resolution which meets the~~
246 ~~requirements provided for in this Code section for intergovernmental agreements."~~

247 **SECTION 3-3.**

248 Said article is further amended by revising Code Section 48-8-109.33, relating to timing for
 249 imposition of tax following approval and termination of tax, as follows:

250 "48-8-109.33.

251 (a)(1) ~~If the imposition of the tax is approved by referendum~~ Following the adoption of
 252 a resolution or intergovernmental agreement in accordance with the provisions of this
 253 article, the tax shall be imposed on the date specified in such resolution or agreement;
 254 provided, however, that such date shall not be earlier than the first day of the next
 255 succeeding calendar quarter which begins more than ~~50~~ 30 days after the date ~~of the~~
 256 ~~election at which the tax was approved by the voters~~ that such resolution or agreement
 257 is received by the commissioner.

258 (2) With respect to services that are regularly billed on a monthly basis, however, the tax
 259 shall apply to the first regular billing period coinciding with or following the effective
 260 date specified in paragraph (1) of this subsection. A certified copy of the
 261 intergovernmental agreement ~~or~~ and resolution required to impose the tax authorized by
 262 this article shall be forwarded to the commissioner to ensure it is received within five
 263 business days ~~after certification of the election results~~ of adoption of such
 264 intergovernmental agreement and resolution.

265 (b) The tax shall cease to be imposed on the final day of the maximum period of time
 266 specified for the imposition of the tax.

267 (c) For any special district in which a tax authorized by this article is in effect, the General
 268 Assembly may pass a local Act calling for a reimposition of a tax as authorized by this
 269 article upon the termination of the tax then in effect, ~~and a referendum may be held for this~~
 270 ~~purpose while the tax is in effect.~~ Proceedings for such reimposition shall be in the same
 271 manner as proceedings for the initial imposition of the tax as provided for in Code Sections
 272 48-8-109.31 and 48-8-109.32. Such newly authorized tax shall not be imposed until the
 273 expiration of the tax then in effect."

274 **SECTION 3-4.**

275 Said article is further amended by revising Code Section 48-8-109.36, relating to distribution
276 of proceeds, as follows:

277 "48-8-109.36.

278 The proceeds of the tax collected by the commissioner under this article shall be disbursed
279 as soon as practicable after collection as follows:

280 (1) One percent of the amount collected shall be paid into the general fund of the state
281 treasury to defray the costs of administration; and

282 (2) The remaining proceeds of the tax shall be distributed to the county whose boundary
283 is conterminous with the boundary of the special district, or in the instance of multiple
284 political subdivisions, to be distributed thereafter by such county among the political
285 subdivisions within the special district in accordance with the distribution schedule;
286 which shall be prescribed in the intergovernmental agreement imposing the tax, or in the
287 absence of such intergovernmental agreement, based on a pro rata distribution
288 corresponding to the relative reduction in ad valorem property tax revenues that were not
289 received by each such political subdivision due to the state-wide homestead exemptions
290 provided pursuant to Code Section 48-5-44.2."

291 **SECTION 3-5.**

292 Said article is further amended by revising Code Section 48-8-109.42, relating to use of tax
293 proceeds, property tax relief requirements, and noncompliance, as follows:

294 "48-8-109.42.

295 (a) Any proceeds received by a political subdivision from the tax authorized by this article
296 shall be used by such political subdivision exclusively ~~for tax relief and in conjunction with~~
297 ~~all limitations provided in the intergovernmental agreement authorizing the tax for such~~
298 ~~political subdivision~~ to offset the reduction in ad valorem property tax revenues that were

299 not received by such political subdivision due to the state-wide homestead exemptions
300 provided pursuant to Code Section 48-5-44.2.

301 ~~(b)(1) Each taxpayer's ad valorem tax bill shall clearly state the dollar amount by which~~
302 ~~the property tax has been reduced as a result of the imposition of the tax imposed under~~
303 ~~this article.~~

304 ~~(2) The roll-back rate for the political subdivision, which is calculated under Code~~
305 ~~Section 48-5-32.1, shall be reduced annually by the millage equivalent of the net~~
306 ~~proceeds of the tax authorized under this article, which proceeds were received by the~~
307 ~~political subdivision during the prior taxable year.~~

308 (b)(1) In the event that the proceeds collected pursuant to this article exceed the total
309 revenue necessary to provide complete offset for each political subdivision or
310 subdivisions equal to the ad valorem property tax revenues that were not received by each
311 such political subdivision due to the state-wide homestead exemptions provided pursuant
312 to Code Section 48-5-44.2, the excess proceeds may be used to offset reductions in ad
313 valorem property tax revenues due to property tax exemptions provided by any such
314 political subdivision or subdivisions for nonhomestead properties within the respective
315 political subdivisions.

316 (2) In the event proceeds remain following the application of paragraph (1) of this
317 subsection, such excess proceeds may be used by the eligible political subdivision or
318 subdivisions for funding all or any portion of those services which are to be provided by
319 such eligible political subdivision or subdivisions pursuant to and in accordance with
320 Article IX, Section II, Paragraph III of the Constitution of this state.

321 (c) If any political subdivision is not in compliance with the use of the proceeds of a tax
322 levied under this article, the commissioner shall not certify the tax digest of such political
323 subdivision until it complies with this Code section."

324

PART IV

325

SECTION 4-1.

326 Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem
 327 taxation of property, is amended by revising Code Section 48-5-44.2, relating to base year
 328 homestead exemption, as follows:

329 "48-5-44.2.

330 (a) For purposes of this Code section, the term:

331 (1) 'Ad valorem taxes' means all ad valorem taxes levied by, for, or on behalf of the state
 332 or any county, consolidated government, or municipality, ~~or local school district~~ in this
 333 state, except for any ad valorem taxes levied to pay interest on and to retire bonded
 334 indebtedness.

335 ~~(2) 'Adjusted base year assessed value' means the sum of:~~

336 ~~(A) The previous adjusted base year assessed value;~~

337 ~~(B) An amount equal to the difference between the current year assessed value of the~~
 338 ~~homestead and the base year assessed value of the homestead, provided that such~~
 339 ~~amount shall not exceed the total of the previous adjusted base year assessed value of~~
 340 ~~the homestead multiplied by the inflation rate for the prior year; and~~

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

344 ~~(3) 'Base year assessed value' means:~~

345 ~~(A) With respect to an exemption under this Code section which is first granted to a~~
 346 ~~person on such person's homestead for the 2025 taxable year, the assessed value for~~
 347 ~~taxable year 2024, including any final determination of value on appeal pursuant to~~
 348 ~~Code Section 48-5-311, of the homestead; or~~

349 ~~(B) In all other cases, the assessed value, including any final determination of value on~~
350 ~~appeal pursuant to Code Section 48-5-311, of the homestead from the taxable year~~
351 ~~immediately preceding the taxable year in which the exemption under this Code section~~
352 ~~is first granted to the applicant.~~

353 ~~(4)(2) 'Homestead' means homestead as defined and qualified in Code Section 48-5-40,~~
354 ~~with the additional limitation that it shall include:~~

355 (A) Only the primary residence and not more than five contiguous acres of land
356 immediately surrounding such residence; or

357 (B) If the property is assessed pursuant to Code Section 48-5-7.4 or 48-5-7.7, only the
358 primary residence and the portion of the underlying property that is excluded from the
359 benefit of such assessment pursuant to subparagraph (a)(1)(B) of Code Section 48-5-7.4
360 or subparagraph (b)(2)(B) of Code Section 48-5-7.7.

361 ~~(5) 'Inflation rate' means the annual inflationary index rate as determined for a given year~~
362 ~~by the commissioner in accordance with subsection (g) of this Code section.~~

363 ~~(6) 'Previous adjusted base year assessed value' means:~~

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

366 ~~(B) In all other cases, the adjusted base year assessed value of the homestead as~~
367 ~~calculated in the taxable year immediately preceding the current year, including any~~
368 ~~final determination of value on appeal pursuant to Code Section 48-5-311.~~

369 ~~(7) 'Substantial property change' means any increase or decrease in the assessed value~~
370 ~~of a homestead derived from additions or improvements to, or the removal of real~~
371 ~~property from, the homestead which occurred after the year in which the base year~~
372 ~~assessed value is determined for the homestead. The assessed value of the substantial~~
373 ~~property changes shall be established following any final determination of value on~~
374 ~~appeal pursuant to Code Section 48-5-311.~~

375 (b)(1) ~~Subject Beginning January 1, 2027, and subject to the limitations provided in this~~
376 Code section, each resident of this state is granted an exemption on that person's
377 homestead from ad valorem taxes in an amount equal to:

378 (A) For taxable year 2027, 10 percent of the value of the homestead;

379 (B) For taxable year 2028, 20 percent of the value of the homestead;

380 (C) For taxable year 2029, 30 percent of the value of the homestead;

381 (D) For taxable year 2030, 40 percent of the value of the homestead; and

382 (E) For taxable year 2031 and thereafter, 50 percent of the value of the homestead.

383 ~~the amount by which the current year assessed value of that homestead, including any~~
384 ~~final determination of value on appeal pursuant to Code Section 48-5-311, exceeds its~~
385 ~~previous adjusted base year assessed value.~~

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

389 (c) The surviving spouse of the person who has been granted the exemption provided for
390 in subsection (b) of this Code section shall continue to receive the exemption provided
391 under subsection (b) of this Code section, so long as such surviving spouse continues to
392 occupy the residence as a homestead.

393 (d) No person shall receive the exemption granted by subsection (b) of this Code section
394 unless such person or person's agent files an application with the tax receiver or tax
395 commissioner of his or her respective local government or governments charged with the
396 duty of receiving returns of property for taxation giving such information relative to
397 receiving such exemption as will enable such tax receiver or tax commissioner to make a
398 determination regarding the initial and continuing eligibility of such person for such
399 exemption; provided, however, that any person who had previously applied for a
400 homestead exemption, was allowed such homestead exemption for the ~~2024~~ 2026 tax year,
401 and remains eligible for a homestead exemption for that same homestead property in the

402 ~~2025~~ 2027 tax year shall be automatically allowed the exemption granted under subsection
403 (b) of this Code section for that homestead without further application. Such tax receiver
404 or tax commissioner shall provide application forms for this purpose.

405 (e) The exemption granted by subsection (b) or (c) of this Code section shall be claimed
406 and returned as provided in Code Section 48-5-50.1. Such exemption shall be
407 automatically renewed from year to year so long as the owner occupies the residence as a
408 homestead. After a person or a person's agent has filed the proper application or is
409 automatically granted the homestead exemption as provided in subsection (d) of this Code
410 section, it shall not be necessary for such person or such person's surviving spouse to make
411 application thereafter for any year, and the exemption shall continue to be allowed to such
412 person or such person's surviving spouse. It shall be the duty of any person granted the
413 homestead exemption under subsection (b) or (c) of this Code section to notify the tax
414 receiver or tax commissioner of the local government or governments in the event such
415 person for any reason becomes ineligible for such exemption.

416 (f)(1) Except as otherwise provided in paragraph (2) of this subsection, the homestead
417 exemption granted by subsection (b) of this Code section shall be in addition to and not
418 in lieu of any other homestead exemption applicable to ad valorem taxes.

419 (2) The homestead exemption granted by subsection (b) of this Code section shall not
420 be applied in addition to any other base year value homestead exemption provided by law
421 with respect to the given taxing jurisdiction to which the such law applies. In any such
422 event, the tax receiver or tax commissioner of the taxpayer's respective local government
423 or governments charged with the duty of receiving returns of property for taxation shall
424 apply only the base year value homestead exemption that is larger or more beneficial for
425 the taxpayer with respect to the particular taxing jurisdictions to which more than one
426 base year value homestead exemption applies.

427 ~~(g) For the purposes of this Code section, the commissioner shall promulgate a~~
428 ~~standardized method for determining annual inflationary index rates which reflect the~~

429 ~~effects of inflation and deflation on the cost of living for residents of this state for a given~~
430 ~~calendar year. Such method may utilize the Consumer Price Index as reported by the~~
431 ~~Bureau of Labor Statistics of the United States Department of Labor or any other similar~~
432 ~~index established by the federal government if the commissioner determines that such~~
433 ~~federal index fairly reflects the effects of inflation and deflation on residents of this state.~~
434 ~~(h) The exemption granted by subsection (b) of this Code section shall apply to all taxable~~
435 ~~years beginning on or after January 1, 2025, provided that:~~

436 ~~(1) A constitutional amendment is ratified and becomes effective on January 1, 2025,~~
437 ~~which authorizes the General Assembly to provide by general law for a homestead~~
438 ~~exemption that shall not be applicable to certain political subdivisions, which elect to opt~~
439 ~~out of the homestead exemption by a date certain; and~~

440 ~~(2) The exemption granted by subsection (b) of this Code section shall not be applicable~~
441 ~~for any county, consolidated government, municipality, or school district for which the~~
442 ~~governing authority of such political subdivision adopts an opt-out resolution in~~
443 ~~accordance with subsection (i) of this Code section.~~

444 ~~(i)(1) The governing authority of any county, consolidated government, municipality, or~~
445 ~~school district may elect to opt out of the homestead exemption otherwise granted by this~~
446 ~~Code section with respect to such political subdivision through the adoption of a~~
447 ~~resolution to do the same by March 1, 2025, after completing the following steps:~~

448 ~~(A) The governing authority shall advertise its intent to do so and shall conduct at least~~
449 ~~three public hearings thereon, at least one of which shall commence between the hours~~
450 ~~of 6:00 P.M. and 7:00 P.M., inclusive, on a business weekday. The governing authority~~
451 ~~shall place an advertisement in a newspaper of general circulation serving the residents~~
452 ~~of the political subdivision and post such advertisement on its website, which shall read~~
453 ~~as follows:~~

454 ~~INTENT TO OPT OUT OF HOMESTEAD EXEMPTION~~

455 ~~The (name of governing authority) intends to opt out of the statewide adjusted~~
456 ~~base year ad valorem homestead exemption for (name of the political subdivision).~~

457 ~~All concerned citizens are invited to the public hearing on this matter to be held~~
458 ~~at (place of meeting) on (date and time).~~

459 ~~Times and places of additional public hearings on this matter are at (place of~~
460 ~~meeting) on (date and time)!~~

461 ~~Simultaneously with this notice the governing authority shall provide a press release to~~
462 ~~the local media, and~~

463 ~~(B) The advertisement required by subparagraph (A) of this paragraph shall appear at~~
464 ~~least one week prior to each hearing, be prominently displayed, be not less than 30~~
465 ~~square inches, and not be placed in that section of the newspaper where legal notices~~
466 ~~appear and shall be posted on the appropriate website at least one week prior to each~~
467 ~~hearing. In addition to the advertisement specified under this paragraph, the levying~~
468 ~~or recommending authority may include in the notice reasons or explanations for its~~
469 ~~intention to opt out of the homestead exemption.~~

470 ~~(2) No election to opt out of the homestead exemption pursuant to this Code section shall~~
471 ~~become effective with respect to a political subdivision unless the procedures and~~
472 ~~hearings required by paragraph (1) of this subsection are completed and a copy of such~~
473 ~~resolution is filed with the Secretary of State by March 1, 2025.~~

474 ~~(3) For an election to opt out of the homestead exemption pursuant to this subsection to~~
475 ~~remain effective for tax years 2027 and after with respect to a political subdivision that~~
476 ~~does not have in effect a base year value homestead exemption or an adjusted base year~~
477 ~~value homestead exemption that is generally applicable to homestead residents, the~~
478 ~~governing authority of such political subdivision shall complete the same procedures and~~
479 ~~hearings required by paragraph (1) of this subsection, except that a copy of the required~~
480 ~~resolution shall be filed with the Secretary of State by March 1, 2027.~~

481 ~~(4) The governing authority of any county, consolidated government, municipality, or~~
 482 ~~school district that has elected to opt out of the homestead exemption pursuant to this~~
 483 ~~subsection may rescind such election at any time by adopting a resolution to do so and~~
 484 ~~filing a copy of such resolution with the Secretary of State; provided, however, that such~~
 485 ~~resolution to rescind the election to opt out shall only be effective for:~~

486 ~~(A) Tax year 2025 if a copy of the resolution is filed with the Secretary of State by~~
 487 ~~April 30, 2025; and~~

488 ~~(B) Any other tax year from 2026 through 2029 if a copy of the resolution is filed with~~
 489 ~~the Secretary of State by March 1 of such year."~~

490 SECTION 4-2.

491 Said chapter is further amended in Code Section 48-5-34, relating to tax bill and procedures
 492 and requirements, by repealing subsection (c).

493 PART V

494 SECTION 5-1.

495 Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
 496 relating to financing under the "Quality Basic Education Act," is amended in Code
 497 Section 20-2-164, relating to local five mill share funds, by revising subsection (g) as
 498 follows:

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

502 (1) The product of the number of constitutional homestead exemptions for owner
 503 occupied homes pursuant to Code Section 48-5-44 granted for that year, exclusive of
 504 those homestead exemptions provided pursuant to Code Sections 48-5-47, 48-5-48, and

505 48-5-52, multiplied by the amount per exemption authorized under Code Section 48-5-44;
506 provided, further, that, in any city operating an independent school system which
507 provides a homestead exemption through local legislation comparable to that provided
508 in Code Section 48-5-44, the product calculated in this paragraph shall represent the
509 number of homestead exemptions provided through the applicable local legislation
510 multiplied by the amount per exemption authorized in Code Section 48-5-44, or by the
511 amount per exemption authorized in the applicable local legislation, whichever is less;
512 and provided, further, that, if the amount per exemption authorized in Code
513 Section 48-5-44 has been changed subsequent to the year of the applicable digest, the
514 more recently adopted amount per exemption shall be used for the product calculated in
515 this paragraph;

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

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

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

530 (A) Subtract the estimated state-wide percentage that persons age 65 or older is of the
531 total population, excluding military personnel and institutional population, from the

532 respective percentage for the local school system. If the respective percentage for the
 533 local school system is less than the state-wide percentage, a difference of zero shall be
 534 used in the calculations in this paragraph;

535 (B) Multiply the difference which results from subparagraph (A) of this paragraph by
 536 1,000; and

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

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

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

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

545 (6) The difference between the assessed value and the net taxable assessed value of all
 546 properties for which an exemption pursuant to Code Section 48-5-44.2 was granted for
 547 that year;

548 (7) The difference between the assessed value and the net taxable assessed value of all
 549 properties for which an exemption authorized pursuant to a local constitutional
 550 amendment or Article VII, Section II, Paragraph II(a) of the Constitution was granted in
 551 that year; and

552 (8) The product of the value of all homestead property for which homestead exemptions
 553 pursuant to Code Section 48-5-44.2 were granted for that year, multiplied by .4."

554 **SECTION 5-2.**

555 Said part is further amended in Code Section 20-2-167.1, relating to public meetings on
 556 proposed annual operating budget, notice, electronic copies, and exception for certain
 557 nonprofits, by revising subsection (b) as follows:

558 "(b)(1) Each governing body shall hold at least two public meetings, which shall not
559 occur within the same week, for the purpose of providing an opportunity for public input
560 on its proposed annual operating budget before adopting any budget; provided, however,
561 that any other public meeting or hearing held that is related to the budget as required by
562 law shall satisfy all or a portion of such requirement. The governing body of a charter
563 school with a state-wide attendance zone and students residing in 25 percent or more of
564 Georgia's counties or in three or more counties which are not geographically contiguous
565 shall conduct one such public meeting virtually and one such public meeting in the
566 county in which its primary business office is located. The public meetings shall be
567 advertised in a local newspaper of general circulation which shall be the same newspaper
568 in which other legal announcements of the board of education are advertised.

569 (2)(A)(i) On and after January 1, 2027, no proposed annual operating budget
570 resolution that would result in an increase in the revenues raised by the local board
571 of education from the levy and collection of ad valorem property taxes by an amount
572 that exceeds the greater of 3 percent or the percent change in the rate of economic
573 inflation on individual taxpayers as determined under the Consumer Price Index, as
574 reported by the Bureau of Labor Statistics of the United States Department of Labor,
575 of the amount of such revenues raised by the local board of education shall go into
576 effect unless the General Assembly enacts a local Act authorizing such increase or the
577 electors of the local school system have approved such budget resolution in a
578 referendum election. In calculating whether a proposed annual operating budget
579 resolution would result in such an increase in the revenues raised by the local board
580 of education, increases in revenue attributable to the levies of sales and use taxes
581 collected for the purpose of providing property tax relief shall be counted, but
582 increases in revenue attributable to any assessments other than those included in the
583 determination of total net assessed value added by reassessments, as such term is
584 defined in Code Section 48-5-32.1, and the levies of ad valorem property tax for costs

585 incurred pursuant to a state of emergency declared by any federal, state, or local
586 emergency management agency, official, or authority shall not be counted.

587 (ii) The call for and conduct of any such election shall be in the manner authorized
588 under Code Section 21-2-540. The costs of any referendum held pursuant to this
589 paragraph shall be paid by the local board of education. The exact ballot language
590 shall be prescribed by the local board of education but shall contain, at a minimum,
591 the projected amount of revenue to be generated by the budget resolution; the amount
592 of revenue received by the local board of education in the previous fiscal year; and
593 a statement as to whether or not such projected revenue increase is the result of an
594 increase in the levy or rate of ad valorem property taxes. All persons desiring to vote
595 in favor of the budget resolution shall vote 'Yes' and all persons opposed to the budget
596 resolution shall vote 'No.' If more than one-half of the votes cast are in favor of the
597 budget resolution, then the budget resolution shall go into effect as provided by law;
598 otherwise, the budget resolution shall either:

599 (I) Not go into effect and the local board of education shall prepare a new proposed
600 budget which is projected not to increase the revenues raised by the local board of
601 education by an amount that exceeds the 3 percent limitation provided for in this
602 subparagraph; or

603 (II) Go into effect and the local board of education shall be required to reduce its
604 proposed budget for the subsequent year by an amount corresponding to the
605 unapproved increase exceeding the 3 percent limitation.

606 (B) A local board of education shall not be required to hold either or both of the public
607 meetings required under paragraph (1) of this subsection after a proposed annual
608 operating budget resolution has been approved in a referendum election required under
609 subparagraph (A) of this paragraph.

610 (C) Nothing in this paragraph shall be construed to require that the public meetings of
611 a local board of education required under paragraph (1) of this subsection shall be held

612 at any particular time either prior to or following the referendum election required
613 under subparagraph (A) of this paragraph."

614 **SECTION 5-3.**

615 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
616 in Code Section 36-81-3, relating to establishment of fiscal year, requirement of annual
617 balanced budget, adoption of budget ordinances or resolutions generally, budget
618 amendments, and uniform chart of accounts, by revising subsection (d) as follows:

619 "(d) Nothing contained in this Code section shall preclude a local government from
620 amending its budget so as to adapt to changing governmental needs during the budget
621 period; provided, however, that, on and after January 1, 2027, no such amendment shall
622 result in an increase in the revenues raised by the unit of local government from the levy
623 and collection of ad valorem property taxes by an amount that exceeds the greater of 3
624 percent or the percent change in the rate of economic inflation on individual taxpayers as
625 determined under the Consumer Price Index, as reported by the Bureau of Labor Statistics
626 of the United States Department of Labor, of the amount of such revenues which would be
627 raised by the unit of local government; provided, further, that, in calculating whether a
628 proposed annual operating budget resolution would result in such an increase in the
629 revenues raised by the local board of education, increases in revenue attributable to the
630 levies of sales and use taxes collected for the purpose of providing property tax relief shall
631 be counted, but increases in revenue attributable to any assessments other than those
632 included in the determination of total net assessed value added by reassessments, as such
633 term is defined in Code Section 48-5-32.1, and the levies of ad valorem property tax for
634 costs incurred pursuant to a state of emergency declared by any federal, state, or local
635 emergency management agency, official, or authority shall not be counted. Amendments
636 shall be made as follows, unless otherwise provided by charter or local law:

- 637 (1) Any increase in appropriation at the legal level of control of the local government,
 638 whether accomplished through a change in anticipated revenues in any fund or through
 639 a transfer of appropriations among departments, shall require the approval of the
 640 governing authority. Such amendment shall be adopted by ordinance or resolution;
 641 (2) Transfers of appropriations within any fund below the local government's legal level
 642 of control shall require only the approval of the budget officer; and
 643 (3) The governing authority of a local government may amend the legal level of control
 644 to establish a more detailed level of budgetary control at any time during the budget
 645 period. Said amendment shall be adopted by ordinance or resolution."

646 **SECTION 5-4.**

647 Said title is further amended by revising Code Section 36-81-6, relating to adoption of budget
 648 ordinance or resolution and form of budget, as follows:

649 "36-81-6.

650 (a)(1) On a date after the conclusion of the hearing required in subsection (f) of Code
 651 Section 36-81-5, the governing authority shall adopt a budget ordinance or resolution
 652 making appropriations in such sums as the governing authority may deem sufficient,
 653 whether greater or less than the sums presented in the proposed budget. The budget
 654 ordinance or resolution shall be adopted at a public meeting which shall be advertised in
 655 accordance with the procedures set forth in subsection (e) of Code Section 36-81-5 at
 656 least one week prior to the meeting, except as otherwise provided in paragraph (2) of this
 657 subsection.

658 (2)(A) On and after January 1, 2027, if such budget ordinance is projected to result in
 659 an increase in the revenues raised by the unit of local government from the levy and
 660 collection of ad valorem property taxes by an amount that exceeds the greater of 3
 661 percent or the percent change in the rate of economic inflation on individual taxpayers
 662 as determined under the Consumer Price Index, as reported by the Bureau of Labor

663 Statistics of the United States Department of Labor, of the amount of such revenues
664 raised by the unit of local government, then such budget ordinance shall not go into
665 effect unless the General Assembly enacts a local Act authorizing such increase or the
666 electors of the unit of local government have approved such budget ordinance in a
667 referendum election. In calculating whether a proposed annual operating budget
668 resolution would result in such an increase in the revenues raised by the local board of
669 education, increases in revenue attributable to the levies of sales and use taxes collected
670 for the purpose of providing property tax relief shall be counted, but increases in
671 revenue attributable to any assessments other than those included in the determination
672 of total net assessed value added by reassessments, as such term is defined in Code
673 Section 48-5-32.1, and the levies of ad valorem property tax for costs incurred pursuant
674 to a state of emergency declared by any federal, state, or local emergency management
675 agency, official, or authority shall not be counted.

676 (B) The call for and conduct of any such election shall be in the manner authorized
677 under Code Section 21-2-540. The costs of any referendum held pursuant to this
678 paragraph shall be paid by the unit of local government adopting such budget
679 ordinance. The exact ballot language shall be prescribed by the governing authority
680 adopting the budget ordinance but shall contain, at a minimum, the projected amount
681 of revenue to be generated by the budget ordinance; the amount of revenue received by
682 the unit of local government in the previous fiscal year; and a statement as to whether
683 or not such projected revenue increase is the result of an increase in the levy or rate of
684 ad valorem property taxes. All persons desiring to vote in favor of the budget
685 ordinance shall vote 'Yes' and all persons opposed to the budget ordinance shall vote
686 'No.' If more than one-half of the votes cast are in favor of the budget ordinance, then
687 the budget ordinance shall go into effect as provided by law; otherwise, the budget
688 ordinance shall either:

- 689 (i) Not go into effect and the unit of local government shall prepare a new proposed
 690 budget pursuant to Code Section 36-81-5 which is projected not to increase the
 691 revenues raised by the unit of local government by an amount that exceeds the 3
 692 percent limitation provided for in this subsection; or
 693 (ii) Go into effect and the unit of local government shall be required to reduce its
 694 proposed budget for the subsequent year by an amount corresponding to the
 695 unapproved increase exceeding the 3 percent limitation.
- 696 (b) The budget may be prepared in any form that the governing authority deems most
 697 efficient in enabling it to make the fiscal policy decisions embodied in the budget, but such
 698 budget shall be subject to the provisions of this article."

699 **PART VI**

700 **SECTION 6-1.**

701 Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem
 702 taxation of property, is amended by revising Code Section 48-5-32.1, relating to certification
 703 of assessed taxable value of property and method of computation, resolution or ordinance
 704 required for millage rate, and advertisement of intent to increase property tax, as follows:

705 "48-5-32.1.

706 (a) As used in this Code section, the term:

707 (1) 'Ad valorem tax' or 'property tax' means a tax imposed upon the assessed value of real
 708 property.

709 (2) 'Certified tax digest' means the total net assessed value on the annual property tax
 710 digest certified by the tax commissioner of a taxing jurisdiction to the department and
 711 authorized by the commissioner for the collection of taxes, or, in the case where the
 712 governing authority of a county whose digest has not been approved by the commissioner

713 has petitioned the superior court of the county for an order authorizing the immediate and
714 temporary collection of taxes, the temporary digest so authorized.

715 (3) 'Levying authority' means a county, a municipality, or a consolidated city-county
716 governing authority or other governing authority of a political subdivision of this state
717 that exercises the power to levy ad valorem taxes to carry out the governing authority's
718 purposes.

719 (4) 'Mill' means one one-thousandth of a United States dollar.

720 (5) 'Millage' or 'millage rate' means the levy, in mills, which is established by the
721 governing authority for purposes of financing, in whole or in part, the taxing jurisdiction's
722 expenses for its fiscal year.

723 (6) 'Millage equivalent' means the number of mills which would result when the total net
724 assessed value added by reassessments is divided by the certified tax digest and the result
725 is multiplied by the previous year's millage rate.

726 (7) 'Net assessed value' means the taxable assessed value of property after all
727 exemptions.

728 (8) 'Recommending authority' means a county, independent, or area school board of
729 education that exercises the power to cause the levying authority to levy ad valorem taxes
730 to carry out the purposes of such board of education.

731 (9) 'Roll-back rate' means the previous year's millage rate minus the millage equivalent
732 of the total net assessed value added by reassessments:

733 (A) As calculated and certified to the commissioner by the tax commissioner for
734 county and educational tax purposes; and

735 (B) As calculated by the collecting officer of the municipality for municipal tax
736 purposes.

737 (10) 'Taxing jurisdiction' means all the real property subject to the levy of a specific
738 levying authority or the recommended levy of a specific recommending authority.

739 (11) 'Total net assessed value added by reassessments' means the total net assessed value
740 added to the certified tax digest as a result of revaluation of existing real property that has
741 not been improved since the previous tax digest year.

742 (b) At the time of certification of the digest, the tax receiver or tax commissioner shall also
743 certify to the recommending authority and levying authority of each taxing jurisdiction the
744 total net assessed value added by reassessments contained in the certified tax digest for that
745 tax digest year of the taxing jurisdiction.

746 (c)(1) Whenever a recommending authority or levying authority shall propose to adopt
747 a millage rate which does not exceed the roll-back rate, it shall adopt that millage rate at
748 an advertised public meeting and at a time and place which is convenient to the taxpayers
749 of the taxing jurisdiction, in accordance with the procedures specified under Code Section
750 48-5-32.

751 (2) In those instances in which the recommending authority or levying authority
752 proposes to establish a general maintenance and operation millage rate which would
753 require increases beyond the roll-back rate, the recommending authority or levying
754 authority shall:

755 (A) Advertise ~~advertise~~ its intent to do so and shall conduct at least three public
756 hearings thereon, at least one of which shall commence between the hours of 6:00 P.M.
757 and 7:00 P.M., inclusive, on a business weekday. The recommending authority or
758 levying authority shall place an advertisement in a newspaper of general circulation
759 serving the residents of the unit of local government and post such advertisement on the
760 website of the recommending or levying authority, which shall read as follows:

761 'NOTICE OF PROPERTY TAX INCREASE

762 The (name of recommending authority or levying authority) has tentatively adopted a
763 millage rate which will require an increase in property taxes by (percentage increase
764 over roll-back rate) percent.

765 All concerned citizens are invited to the public hearing on this tax increase to be held
766 at (place of meeting) on (date and time).

767 Times and places of additional public hearings on this tax increase are at (place of
768 meeting) on (date and time).

769 This tentative increase will result in a millage rate of (proposed millage rate) mills, an
770 increase of (millage rate increase above the roll-back rate) mills. Without this tentative
771 tax increase, the millage rate will be no more than (roll-back millage rate) mills. The
772 proposed tax increase for a home with a fair market value of (average home value from
773 previous year's digest rounded to the nearest \$25,000.00) is approximately \$(increase)
774 and the proposed tax increase for nonhomestead property with a fair market value of
775 (average nonhomestead property value from previous year's digest rounded to nearest
776 \$25,000.00) is approximately \$(increase).'

777 Simultaneously with this notice the recommending authority or levying authority shall
778 provide a press release to the local media; and

779 (B) Notify each taxpayer with property in the taxing jurisdiction, by mail directed to
780 the taxpayer's last known address, of the proposed intent to exceed the roll-back rate at
781 least ten days in advance of the first public hearing. Alternatively, the recommending
782 authority or levying authority may transmit the notice to the taxpayer by electronic
783 means at least ten days in advance of the first public hearing, if such taxpayer and
784 county clerk have consented in writing to service by electronic means. The county
785 clerk shall consolidate the required information for all taxing subdivisions relevant to
786 the taxpayer's property on one notice. The notice shall include, but not be limited to:

787 (i) The roll-back rate;

788 (ii) The proposed property tax revenue needed to fund the proposed budget;

789 (iii) The proposed millage rate based upon the proposed budget and the current year's
790 total assessed valuation;

791 (iv) The millage rate and property tax of the taxing jurisdiction on the taxpayer's
 792 property from the previous year's tax statement;

793 (v) The proposed percent change in the millage rate between the previous year's tax
 794 rate and the proposed tax rate for the current year;

795 (vi) The appraised value and assessed value of the taxpayer's property for the current
 796 year;

797 (vii) The estimates of the tax for the current tax year on the taxpayer's property based
 798 on the roll-back rate and the proposed millage rate; and

799 (viii) The dates, times, and locations of the public hearings.

800 (3) The advertisement shall appear at least one week prior to each hearing, be
 801 prominently displayed, not be less than 30 square inches, and not be placed in that section
 802 of the newspaper where legal notices appear and shall be posted on the appropriate
 803 website at least one week prior to each hearing. In addition to the advertisement specified
 804 under this paragraph, the levying or recommending authority may include in the notice
 805 reasons or explanations for such tax increase.

806 (4) The recommending authority or levying authority shall provide interested taxpayers
 807 of the taxing jurisdiction desiring to be heard an opportunity to present oral testimony
 808 within reasonable time limits and without unreasonable restriction on the number of
 809 individuals allowed to make public comment.

810 ~~(4)~~(5) No recommending authority shall recommend and no levying authority shall levy
 811 a millage rate in excess of the proposed millage rate as established pursuant to
 812 paragraph (2) of this subsection without beginning anew the procedures and hearings
 813 required by this Code section and those required by Code Section 48-5-32.

814 ~~(5)~~(6) Any notice or hearing required under this Code section may be combined with any
 815 notice or hearing required under Article 1 of Chapter 81 of Title 36 or Code
 816 Section 48-5-32.

817 (d) Nothing contained in this Code section shall serve to extend or authorize any millage
 818 rate in excess of the maximum millage rate permitted by law or to prevent the reduction of
 819 the millage rate.

820 (e) The commissioner shall not accept a digest for review or issue an order authorizing the
 821 collection of taxes if the recommending authority or levying authority other than municipal
 822 governing authorities has established a millage rate that is in excess of the correct rollback
 823 without complying fully with the procedures required by this Code section. In the event
 824 a digest is not accepted for review by the commissioner pursuant to this subsection, it shall
 825 be accepted for review upon satisfactory submission by such authorities of such evidence.
 826 The levies of each of the levying authorities other than the county governing authority shall
 827 be invalid and unenforceable until such time as the provisions of this Code section have
 828 been met.

829 (f) Any recommending authority or levying authority that does not comply with the
 830 provisions of subsection (c) of this Code section shall refund to taxpayers any property
 831 taxes over-collected based on the amount of the levy that was in excess of the roll-back
 832 rate. The provisions of this subsection shall not be construed as prohibiting any other
 833 remedies available under the law.

834 ~~(f)~~(g) The commissioner shall promulgate such rules and regulations as may be necessary
 835 for the administration of this Code section."

836 **PART VII**

837 **SECTION 7-1.**

838 (a) It shall be the duty of the Secretary of State to issue the call for a nonbinding, advisory
 839 referendum election to determine whether the qualified electors of the State of Georgia desire
 840 that the Georgia General Assembly allow Georgians to decide whether to authorize new
 841 finance procedures for local governments and school systems for the purpose of providing

842 complete property tax relief for homeowners. The Secretary of State shall conduct the
843 referendum election as provided in this section on the date of the November, 2026, general
844 election. The Secretary of State shall issue the call and conduct that referendum election as
845 provided by general law.

846 (b) The ballot at the referendum election provided under this section shall have displayed
847 or printed thereon the following:

848 "() YES Should the Georgia General Assembly allow Georgians to decide whether
849 to authorize new finance procedures for local governments and school
850 () NO systems for the purpose of providing complete property tax relief for
851 homeowners?"

852 (c) It shall be the duty of the Secretary of State to tabulate and certify the results of the
853 referendum election and report said results to the Governor and the General Assembly
854 immediately following such certification.

855

PART VIII

856

SECTION 8-1.

857 It is the intent of the General Assembly that all sales tax revenue collected on and after
858 January 1, 2029, on the sale or lease of computer equipment to be incorporated into a facility
859 or facilities in this state to a high-technology company as described in subparagraph (A) of
860 paragraph (68) of Code Section 48-8-3, as it exists on December 31, 2028, shall be
861 appropriated for purposes of homestead property tax relief grants to counties, municipalities,
862 and local school systems pursuant to Code Section 36-89-2.

863

PART IX

864

SECTION 9-1.

865 This Act shall become effective upon its approval by the Governor or upon its becoming law

866 without such approval.

867

SECTION 9-2.

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