Georgia Department of Revenue

GEORGIA ASSOCIATION OF TAX OFFICIALS

May 11-14, 2015

Local Government Services Division

Ellen Mills, Director

Opening Session

Legislative Update

Georgia Department of Revenue

Georgia Certification Program - Mark Loyd

Georgia Certification Program manager is responsible for seeing that county tax officials receive training in ad valorem tax administration and appraisal. Mark also serves as an instructor / course developer for the Georgia Certification Program

He holds an Appraiser IV designation with the Georgia Certification Program and is also a Registered Real Estate Appraiser with GREAB.

Previously served as Deputy Chief Appraiser in Laurens County and as an Real Estate Appraiser with the Georgia DOAA

B.A. in Management from Georgia Southern University

Georgia Department of Revenue

Digest Compliance Section – Don Hicks

Digest Compliance Section manager responsible for the oversight of ad valorem taxation across the state including the receipt and approval of digests and promulgation of regulations.

Also serves as an instructor / course developer for the Georgia Certification Program for county Tax Officials

Has worked with the Department since 1990 in Compliance and Local Government Services

Certified Public Accountant

B.S. in Accounting from Auburn University

LEGISLATION

Signed and effective 5/6/15

Georgia Department of Revenue

House Bill 48 – Sections 2, 6 & 7 p.45
Real Property and Motor Vehicle

Additions/Amendments to Disabled Veterans exemptions

1. Free **license plates** on motor vehicles per OCGA 40-2-69
2. **Homestead** exemption per OCGA 48-5-48
3. Exemption from **tax on motor vehicles** per OCGA 48-5-478

Signed and effective 5/6/15

Georgia Department of Revenue

Any veteran who was discharged under honorable conditions and who has been adjudicated by the VA as being 100% totally disabled or as being less than 100% totally disabled is compensated at the 100% level due to un-employability **and** entitled to receive a statutory award from VA for:

1. loss or permanent loss of use one or both feet
2. loss or permanent loss of use one or both hands
3. loss of sight in one or both eyes
4. permanent impairment of vision in both eyes central acuity 20/200 or less in better eye central acuity 20/200 or ….

Signed and effective 5/6/15

Georgia Department of Revenue

Qualifiers Match … Internal process changes needed?

Signed 5/6/15 - effective 7/1/15

Georgia Department of Revenue

House Bill 94 p.54
Motor Vehicle 'Birthday' Ad Valorem

HB94 excuses Georgia residents, who cancel their vehicle registration, from paying the 10% penalty for failure to pay motor vehicle ad valorem taxes, while the vehicle was unregistered

Taxpayer remains liable for the ad valorem tax (excludes TAVT)

Signed and effective 5/12/15

Georgia Department of Revenue

House Bill 174 p.93
Economic Development

Changes terminology used in Title 36 from "slum" to "**pockets of blight**" regarding urban redevelopment powers.

Signed and effective 5/5/15

Georgia Department of Revenue

House Bill 192 p.104
Government Purchasing Cards

After January 1, 2016, the Governing authority must approve by public vote and adopt/promulgate policies for use by elected officials

Signed and effective 5/5/15

Georgia Department of Revenue

Policies shall include…

- Designation of officials authorized to be issued cards
- Authorized officials sign & accept agreement with county that cards will be used in accordance with such policy
- Transaction limits
- Description of authorized purchases authorized
- Description of unauthorized purchases
- Designation of purchasing card administrator
- Procedures for auditing
- Procedures for addressing violations

Signed and effective 5/5/15

Georgia Department of Revenue

Felony penalties for use of government purchasing cards in an unauthorized manner or purpose

Signed and effective 5/6/15

Georgia Department of Revenue

House Bill 199 p.113
Timber Harvesting

Currently counties may adopt an ordinance requiring timber harvesters to provide notice of their operations prior to cutting timber.

HB199 requires notice prior to entering the property, if possible, but no later than 24 hours after entering the property and a cessation notice within 24 hours after the job is completed.

$5,000 bond is required of a harvester in each county, but per HB199 only one bond regardless of the number of tracts being harvested.

Counties will need to amend existing timber harvesting ordinances.

Signed 5/6/15 - effective 7/1/15 and 1/1/16

Georgia Department of Revenue

House Bill 202
Comprehensive Ad Valorem Revisions

House Bill 202 p.117
Comprehensive Ad Valorem Revisions

- MV manufacturer plate
- Failure to pay penalty
- Billing via electronic transmission
- Obstructing levy officer
- Publication of digest history
- Incomplete digests
- Appraisal staff
- Sales Ratio Study by DOAA
- 48-5-299(c)
- NOA
- Deadline to complete digest
- Appeal revisions
- Digest statistics
- Municipal taxation
- Mobile Home taxation
- TAVT for MARTA
- Real estate transfer tax
- Sales tax exemption

effective 5/6/16

Georgia Department of Revenue

HB202 – Section 1, 2 & 3
Manufacturer Headquarter License Plates

- Issued on motor vehicles owned by manufacturer for 24 months per vehicle.
- Exempt from TAVT
- Vehicles must be used for evaluation, marketing, demonstration or as part of a vehicle lease program for the benefit of manufacturer employees, which shall be deemed a type of demonstration.

effective 1/1/16

Georgia Department of Revenue

House Bill 202 - Section 4
Penalty for Failure to Pay

Amends OCGA 48-2-44

10% penalty is assessed if tax not paid within 90 days of due date…

Previously the code said 10% based on the amount outstanding on the due date….now the code says 10% based on amount outstanding at the time the penalty is assessed which is 90 days after due date:

Example - $2,000 tax due on 12/20/2016

$1,500 paid 01/31/2017

$ 500 still due on 03/20/2017

Penalty based on unpaid tax on date penalty is assessed

Penalty is $50 (10% of $500)

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 5
Tax Bills via electronic transmission

Amends OCGA 48-3-3 regarding electronic **tax bills or tax delinquency notices** at discretion of tax commissioner and at option of taxpayer, in lieu of or in addition to mailed notices…

Tax Commissioner requirements:

- Portable document format (PDF)
- If undeliverable, then mail to address of record in assessors files
- Taxpayer consent via form developed by DOR

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 6
Ex Officio Sheriff

Amends OCGA 48-3-27 … Misdemeanor to obstruct or hinder any **sheriff, ex officio sheriff, tax commissioner or municipal levy officer** in the levy of state, county or municipal tax execution

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 7
Five Year History and Current Digest Publication

Amends OCGA 48-5-32 regarding publication of "Current Digest and Five Year History" by shortening the timeframe for publication from two weeks to **one week prior to meeting**. Also requires that advertisement be **posted on authority's website**

NOTICE

The Taylor County Board of Commissioners does hereby announce that the millage rate will be set at a meeting to be held at the Taylor County Government Complex on July 16, 2014 at 7:00pm and pursuant to the requirements of O.C.G.A. Section 48-5-32 does hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five years.

CURRENT 2014 TAX DIGEST AND 5 YEAR HISTORY OF LEVY

COUNTY WIDE	2009	2010	2011	2012	2013	2014
Real & Personal	275,489,331	273,207,008	273,553,622	272,592,908	272,109,327	275,182,139
Motor Vehicles	20,122,890	20,672,870	18,436,450	18,781,810	19,175,540	19,175,540
Mobile Homes	2,454,010	2,559,840	2,390,400	2,346,364	2,347,864	2,181,839
Timber - 100%	2,572,323	2,302,630	2,614,505	2,871,346	1,778,626	2,131,035
Heavy Duty Equipment	0					0
Gross Digest	300,638,554	298,742,348	296,994,977	296,592,428	295,411,357	298,670,553
Less M& O Exemptions	72,608,242	80,623,975	82,678,000	83,452,662	80,922,469	80,350,930
Net M & O Digest	228,030,312	218,118,373	214,316,977	213,139,766	214,488,888	218,319,623
State Forest Land Assistance Grant Value	1,245,692	4,216,471	6,037,995	6,353,475	9,324,116	9,847,705
Adjusted Net M&O Digest	229,276,004	222,334,844	220,354,972	219,493,241	223,813,004	228,167,328
Gross M&O Millage	12.170	12.300	12.110	12.060	11.850	11.760
Less Rollbacks	3.940	4.120	3.920	3.860	3.650	2.270
Net M&O Millage	8.230	8.180	8.190	8.200	8.200	9.490
Total County Taxes Levied	$1,886,942	$1,818,699	$1,804,707	$1,799,845	$1,835,267	$2,165,308
Net Taxes $ Increase		-$68,242	-$13,992	-$4,863	$35,422	$330,041
Net Taxes % Increase		-3.62%	-0.77%	-0.27%	1.97%	17.98%

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 8
Tax Bills via electronic transmission

Amends OCGA 48-5-148 regarding **electronic tax bills** at discretion of tax commissioner and at the option of the taxpayer, in lieu of or in addition to mailed notices…

Tax Commissioner requirements:

- Portable document format (PDF)
- If undeliverable, then mail to address of record in assessors files

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 9
Incomplete or Improper Digests

Amends OCGA 48-5-205 by changing deadline to submit digest for approval to commissioner from August 1st to **September 1st**

ORDER REGARDING 2014 COUNTY TAX DIGEST

WHEREAS the Commissioner of Revenue, State of Georgia, is charged with the duty of examining the tax digests of the counties filed in his office (O.C.G.A. Sec. 48-5-342); and

WHEREAS the BUTTS County digest for 2014 was submitted by the Tax Commissioner of BUTTS County on July 15, 2014, and

WHEREAS the Commissioner has determined that the BUTTS County digest is in proper form, that the property therein that is under appeal is within the limits of O.C.G.A. Sec. 48-5-304, and that the digest has been accompanied by all documents, lists, and certifications required by law; now therefore

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 10
County Appraisal Staff

Amends OCGA 48-5-265

1. Provides that **any county** (formerly only Class I counties) may create a **joint county property appraisal staff** per intergovernmental agreement after consultation with board of tax assessors.)
   - Deemed to be one county for purpose of minimum staff requirements

2. Intergovernmental agreement can also provide for **sharing designated members of appraisal staff**

   **Counties keep their separate character for purpose of minimum staff requirements

   ***there appears to be paragraphs miss-numbered here*

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – 10
County Appraisal Staff

Amends OCGA 48-5-265

Provides that **any county** (formerly only Class 1 counties) may **contract with persons to render advice or assistance** to board of tax assessors regarding assessment and equalization of taxes, property valuations or defense of valuations

Function of such persons is ministerial … final decision of assessment and equalization made by board of tax assessors and **set forth in the minutes** of the county board of tax assessors

No contract can provide for payments of **fees on a percentage** basis

Must complete **training courses** required by Revenue Commissioner

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 11
Sales Ratio Study by DOAA

Amends OCGA 48-5-274 so that State auditor **shall adjust sales prices** upward or downward for effect of price changes between January 1 and date of sale…

- sales prices also reduced by…
  - portion attributable to **personal property**
  - real property **exempt** from taxation
  - **standing timber** included in sales transaction

DEPARTMENT OF AUDITS AND ACCOUNTS
SALES RATIO DIVISION
2013 SALES RATIO STUDY
001 - APPLING COUNTY

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 12
OCGA 48-5-299 : Failure to File Penalty

Amends OCGA 48-5-299 regarding 10% penalty for unreturned property by limiting the application of **penalty to only personal property**.

The penalty is an amount added to the assessment.

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 12
Valuation Established in an Appeal

Amends OCGA 48-5-299 (c) by providing that when Real property value is **reduced or is unchanged from the value on initial NOA** and value is established per appeal or agreement in appeal, the value so established **may not be increased by BOA during next two years**, UNLESS:

1. taxpayer or representative does not **attend appeal** hearings **or** provide BOE, hearing officer or arbitrator with **written evidence** supporting taxpayer's opinion of value

2. taxpayer files **return at different valuation** during next two years

3. If taxpayer **files appeal** during next two years BOE, hearing officer or arbitrator may increase or decrease value based on evidence presented

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 12
Valuation Established in an Appeal

The board of tax assessors may increase or decrease value of real property if after **visual onsite inspection** it is found that there have been …

1. **Substantial** additions, deletions or improvements
2. **Errors** in the board of tax assessor records
3. Occurrence of **material factors that substantially affect the fair market value**

Appeal Assessment Freeze Options - Per HB 202

			APPEAL OUTCOMES				
			A	B	C	D	E
			PERSONAL PROPERTY	REAL PROPERTY: Value is increased from value on initial NOA	REAL PROPERTY: Value is reduced or remained the same from value on initial notice of assessment		
					Taxpayer or representive either did attend the hearing or did provide written evidence supporting value		Taxpayer or representative failed to attend hearing and in their absence failed to provide written evidence supporting value
VALUE OPTIONS	1	Value is Frozen for next two succeeding years			No return or appeal filed		
	2	***Value is NOT Frozen for next tow succeeding years*				Either a return or ** appeal was filed*	

** In the case of an appeal being filed within two successive years, only the Board of Equalzation, hearing officer, or arbitrator may change the value*

The assessor may change any appeal value in next two succeeding years only after visual onsite inspecition of the property* ***AND *when substantial additions or deletions have occurred or errors found or the occurrence of other factors that substantiall affect fair market value.*

effective 7/1/15

Georgia Department of Revenue

House Bill 202 – Section 13
Assessors Shall Complete Revisions

Amends OCGA 48-5-302 by changing date for assessors to complete revision & assessment of returns from July 1 to **July 15**. The installment counties must still complete revisions by June 1st.

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 14
Annual Notice of Assessment
County Hearing Officer

Amends OCGA 48-5-306

Annual assessment notice to indicate appeal to county hearing officer available on non-homestead property with FMV in excess of **$750,000** or one or more accounts of **wireless property** with aggregate FMV in excess of $750,000

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 14
Annual Notice of Assessment: Estimate of Tax Bill

Amends OCGA 48-5-306

Annual assessment notice to include statement indicating estimate of tax bill based on previous **or most applicable** year's millage rate.

The estimate of your ad valorem tax bill for the current year is based on the previous year's net millage rate and the fair market value contained in this notice. The actual tax bill you receive may be more or less than this estimate. This estimate may not include all eligible exemptions.

Taxing Authority	Other Exempt	Homestead Exempt	Net Taxable Value	Previous Millage	Estimated Tax
STATE	0	0	539,399	0.1000	53.94
COUNTY M&O	0	0	539,399	6.5780	3,548.17
SCHOOL M&O	0	0	539,399	13.7500	7,416.74
WAYNESBORO	0	0	539,399	11.0000	5,933.39
				Total Estimated Taxes	16,952.24

effective 7/1/15

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
Create Appeal Administrator

"Appeal Administrator" means **clerk of the superior court**

A duty of appeal administrator is to **receive complaints** filed with respect to actions of county board of equalization for failure to perform duties or unprofessional behavior

effective 7/1/15

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
BOE - Grand Jury Hearing, Investigation & Removal

Grand jury authorized to conduct a **hearing** following its receipt of the report of the appeal administrator regarding the board of equalization for failure to perform duties

After investigation, grand jury issues written report that can be grounds for **removal of a member of the board of equalization** by the grand jury

effective 7/1/15

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
BOE - Appeal Administrator

The ‘appeal administrator’ shall have administrative authority in all matters governing he conduct and business of the BOE

Operations of “appeal administrator” a distinct budget unit within the county budget separate from the operations of the clerk of the superior court

effective 7/1/15

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
BOE – Member Application

Persons seeking to be appointed as member or alternate member of board of equalization must file with clerk of superior court a **uniform application** designed by the Council of Superior Court Clerks of Georgia:

- Education
- Employment background
- Experience

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
BOE – 20 hrs Training after Reappointment

On or after 1/1/2016, following the completion of each term of office a BOE member shall within first year of **reappointment** complete at **20 hours of instruction in appraisal and equalization** processes and procedures as required by commissioner for newly appointed members **prior to hearing appeals.**

Ineligible to hear appeals until 20-hrs successfully completed

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
Uniform Appeal Form

Uniform appeal form, established by commissioner, shall require **initial assertion of value by taxpayer**

- such assertion of value subject to later amendment or revision by taxpayer by submission of written evidence to board of tax assessors

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
Appeal – Appraisal submitted by Taxpayer

In support of appeal, taxpayer may submit an **appraisal** certified by a real property appraiser classified by the Georgia Real Estate Commission and the Georgia Real Estate Appraisers Board performed not later than **nine months prior** to date of assessment

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
Appeal – Sales Ratio Study

Taxpayer can submit in support appeal **most current report of sales ratio study** and tax assessors shall consider such sales ratio study upon request of the taxpayer

DEPARTMENT OF AUDITS AND ACCOUNTS

SALES RATIO DIVISION

2013 SALES RATIO STUDY

001 - APPLING COUNTY

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
Appeal – Final Decision to Tax Commissioner

Within 10 days of expiration of 30 day appeal period to appeal to superior court…board of tax assessors shall forward final determination of value to the tax commissioner

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
BOE Appeal – Assessor Response Time

Upon receipt of appeal to BOE, the Board of Assessors must review the appeal and must notify the taxpayer of any changes or corrections **within 180 days**.

If assessor fails to respond in 180 days, the property valuation asserted by taxpayer (Return or Notice of Appeal) shall become the final fair market value.

If taxpayer did not make an assertion of value, the appeal shall be forwarded to the board of equalization.

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
BOE Appeal – 3% Rule

If the number of appeals exceeds a number equal to or greater than 3% of total number of parcels OR the sum of the current assessed value of parcels under appeal is equal or greater than 3% of the gross tax digest, the board of assessors shall be granted an **additional 180 days** to make its determinations.

The Board of Assessors shall **notify each affected taxpayer** of the additional 180 day review period by mail or electronic communication, including posting notice on the website.

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
BOE Appeal – Additional Response Time

If assessor fails to review the appeal and notify taxpayer of changes or corrections within the **additional 180 days**, the property valuation asserted by taxpayer (Return or Notice of Appeal) shall become the final fair market value.

If no such value assertion was made by the taxpayer, the assessor shall forward the appeal to the board of equalization.

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
BOE Appeal – Extension by Commissioner

Upon a sufficient showing of good cause by reason of unforeseen circumstances proven to the commissioner prior to the expiration of the additional 180 **days…the commissioner is authorized to provide for a time extension** which shall be specified in writing and posted on the website of the county board of assessors..

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
BOE Appeal – Extension by Commissioner

If assessor fails to review the appeal and notify taxpayer of changes or corrections within the additional time provided by the commissioner, the property valuation asserted by taxpayer shall become the final fair market value.

If no such value assertion was made by the taxpayer, the assessor shall forward the appeal to the board of equalization.

In addition, the commissioner is authorized to require additional training or remediation.

effective 7/1/15

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
CHO Appeal – Continuing Education

Hearing officer annual continuing education requirement of at least **four hours of instruction** in recent legislation, current case law and updates on appraisal and equalization procedures as prepared and required by commissioner

Also **initial eight hour** course still exists

Failure of hearing officer to fulfill these requirements renders hearing officer unable to serve

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
CHO Appeal – Temporary Billing

Temporary bills issued while appeal pending using same procedure as temporary billing provided for in Board of equalization appeals

Taxpayer Billing Options - Per HB 755 and HB202

		BILLING OPTIONS			
		A	B	C	D
		Value for last year finally determined	85% of current year	Value for last year finally determined with difference between 85% of current in ESCROW	100% of Current Year
TAXPAYER TYPES 1	REAL OR PERSONAL: Non homestead less than $2,000,000 - **NO** substantial improvements	Lesser of			May Elect
2	REAL OR PERSONAL: Non homestead less than $2,000,000 - **WITH** substantial improvements	Lesser of			
3	REAL OR PERSONAL: Non homestead or aggregate wireless property greater than $2,000,000 with **NO** substantial improvements	Lesser of		May Elect	May Elect
			May Elect		
4	REAL OR PERSONAL: Non homestead or aggregate wireless value greater than $2,000,000 **WITH** substantial improvements	Lesser of		May Elect	
			May Elect		
5	REAL: Homestead with **NO** permits or strucutural improvements	Lesser of			May Elect
6	REAL: Homestead **WITH** permits or structural improvements		Only Option		

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
Interest – Refund Owed to Taxpayer

At final billing, if refund owed to taxpayer… Interest calculated from the due date or date paid, whichever later, through the date on which the final determination of value is made subject to the $150 and $5,000 limits for homestead and non-homestead property

Any refund paid after 60th day of final determination of value should include interest at 1% per month not subject to $150 and $5,000 limit

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 15
Amending Appeal Code OCGA 48-5-311
Interest – Additional Tax Due

At Final billing, if additional tax due from taxpayer… taxpayer is given 60 days from date of postmark to pay additional tax due <u>without any interest added</u>

<u>Once 60 day payment period is expired</u> bill is considered past due and interest accrues at 1% a month from <u>original billing due date</u> until bill is paid in full

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 16
Amending Appeal Code OCGA 48-5-311
Arbitration

Nonbinding arbitration (taxpayer can appeal to superior court) replaces Binding arbitration.

Board of tax assessors has burden of proof of its value

Temporary tax bills issued in same manner as BOE appeals

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 16
Amending Appeal Code OCGA 48-5-311
Arbitration

Arbitrator determines FMV (formerly either BOA value or taxpayer value)

Whichever party value not closest to arbitrator value pays for fees and cost of arbitrator

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 16
Amending Appeal Code OCGA 48-5-311
Superior Court

Appeals to superior court requires settlement conference

Within 30 days of receipt of notice of appeal, BOA notifies taxpayer notice of settlement conference

Conference held at date & time no later than 30 days from notice of settlement conference

Taxpayer has one time option to reschedule conference

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 18
Amending Code OCGA 48-5-345
Digest Statistics

As part of digest submission counties to include…

1) number,
2) overall value and
3) percentage total

of all real property parcels under appeal to BOE, arbitration, hearing officer and superior court and also provide "number of taxpayers failing to appear at any hearing for the prior tax year"

*Information to be made publicly available on DOR website

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 18
Amending Code OCGA 48-5-345
Digest Statistics

No county subject to assessment of additional state tax due for lower overall assessment ratio

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 19
Amending Code OCGA 48-5-405
Municipal Taxation

Municipalities may levy a mill rate to support and maintain public schools upon all taxable property within the limits of the independent school system (formerly municipality)

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Sections 20, 21 & 22
Amending Codes OCGA 48-5-492, 493, 494
Mobile Home Taxation

Deadline to obtain location permit for current year and pay taxes due changes from May 1st to **April 1st**

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Sections 20, 21 & 22
Amending Codes OCGA 48-5-492, 493, 494
Mobile Home Taxation

Penalty for failure to attach and display decal goes to $100 to no more than $300 (formerly $25 to $200)

Upon proof of purchase of decal prior to summons fine no more than $50 (formerly $25) but if person owns more than one mobile home in an individual mobile home park then maximum fine for such person not exceed **$1000**

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Section 23
Amending Code OCGA 48-5-5C1
Motor Vehicle - TAVT and MARTA

Amending TAVT for counties with MARTA tax.

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Sections 24 & 25
Amending Codes OCGA 48-6-2 & 4
Real Estate Transfer Tax

Intent that the actual consideration of real and personal property conveyed be shown separately on the PT-61

Disclosure of amount of tax and actual consideration made on PT-61

effective 1/1/16

Georgia Department of Revenue

House Bill 202 – Sections 26
Amending Code OCGA 48-8-3
Sales Tax Exemption

Adds new paragraph '96' regarding exemptions from sales and use tax.

This specific exemption is for the sale or use of construction materials used in the construction of buildings at a private college

Expires 6/30/2016 - Exemption claimed in form of refund

House Bill 202 – Sections 27
Effective Dates

Section 1, 2, and 3 become effective upon their approval by the Governor (**May 6, 2015**)

Section 13 and 15 become effective on **July 1, 2015**

Remaining sections become effective **January 1, 2016**... Including Sections 9, 12,and 15 with regards to all appeals filed.

Signed and effective 5/4/15

Georgia Department of Revenue

House Bill 215 p.166
Equalized Homestead Option Sales Tax

Leaves the current HOST statute in place but adds a new type of HOST called the **Equalized Homestead Option Sales Tax** (EHOST).

- cannot be levied if LOST is in effect;
- approval of EHOST requires the simultaneous approval of a SPLOST
- a special procedure is included for DeKalb County, but not Rockdale County, to repeal HOST and replace it with EHOST plus the requisite SPLOST

Signed and effective 5/6/15

Georgia Department of Revenue

House Bill 234 p. 207
Filing Returns, Licensing MV or Paying Tax

When the filing of any document or the payment of any tax or license fee pursuant to title 48 or any law relating to the taxation and licensing of automobiles, trucks, or trailers falls on a Saturday, Sunday, legal holiday, or **day on which the Federal Reserve Bank is closed**, the making of the return, the filing of the paper or document, or the payment of the tax or license fee shall be postponed by the person required to take such action until the first day following which is not a Saturday, Sunday, legal holiday, or day on which the Federal Reserve Bank is closed."

Georgia Department of Revenue

New Year's Day

Martin Luther King Jr Day

Washington's Birthday

Memorial Day

Independence Day

Labor Day

Columbus Day

Veterans Day

Thanksgiving Day

Christmas Day

Holiday Policy: When holiday falls on Saturday, Federal Reserve Banks and Branches will be open the preceding Friday. For holidays falling on Sunday all Federal Reserve offices will be closed the following Monday

Signed and effective 5/6/15

Georgia Department of Revenue

House Bill 322 – Section 2 p.208
U S Savings Bonds / Unclaimed Property

United States savings bonds which are unclaimed property and subject to the provisions of the 'Disposition of Unclaimed Property Act,' shall escheat to the State of Georgia three years after becoming unclaimed property and all property rights to such **United States savings bonds or proceeds from such bonds shall vest solely in the State of Georgia**.

Signed and effective 5/6/15

Georgia Department of Revenue

House Bill 374 – Section 1 p. 213
Farm Equipment Exemption for Farm Products Producer

Amends OCGA 48-5-41.1(c)(1) regarding farm equipment exemption by specifically defining **'lease purchase agreement'** as a financing agreement under which:

1. A family owed qualified farm products producer **has possession and control** of farm tractors , combines, or other farm equipment other than motor vehicles equipment and uses such farm equipment directly in the production of agricultural products; and

2. The **payments** made pursuant to such financing agreement are **credited toward the purchase** of such farm equipment.

Signed and effective 5/4/15

Georgia Department of Revenue

House Bill 374 – Section 2
Self Propelled Farm Equipment in Dealer Inventory

Amends OCGA 48-5-504 regarding self propelled farm equipment in **dealer inventory** by specifically adding the term **'forestry'**

Self propelled farm equipment owned by a dealer and held in inventory for sale or resale **shall not be taxed** until it is transferred and then otherwise, if at all, becomes subject to taxation.

Farm equipment means any vehicle as defined in Code Section 40-1-1 which is self-propelled and which is designed and used primarily for agricultural, horticultural, **forestry** or livestock raising operations.

Signed and effective 5/12/15

Georgia Department of Revenue

House Bill 457 p. 215
Self Propelled Watercraft in Dealer Inventory

OCGA 48-5-504.40 amended to reinstate the dealer inventory exemption from January 1, 2016 through December 31, 2019.

Signed and effective 3/31/15

Georgia Department of Revenue

Senate Bill 82 p.217
Alternative Ad Valorem Tax Distribution

Amends OCGA 40-2-152 by providing for a new distribution formula for AAVT (Alternative Ad Valorem Tax) proceeds collected by DOR on IRP vehicles

Signed and effective 3/31/15

Georgia Department of Revenue

Senate Bill 82 – Section 1
AAVT Benchmark Formula

First distribution on or before August 1, 2015

The AAVT will be distributed to counties based on the **2013 benchmark** ad valorem tax digest ($9,007,200) for IRP vehicles determined by the ad valorem tax paid to qualified tax jurisdictions

Year 2015 – 100%

Year 2016 – 80%

Year 2017 – 60%

Year 2018 – 40%

Year 2019 – 20%

Signed and effective 3/31/15

Georgia Department of Revenue

Senate Bill 82 – Section 1
AAVT Vehicle Ratio Formula

Any **remaining funds** after satisfying the benchmark **($15,948,038 - $9,007,200 = $ 6,940,838)** will be distributed by the vehicle ratio formula:

The Commissioner shall determine the ratio of IRP vehicles registered and attributed to each county

The allocated proceeds shall then be distributed based on the ratio of each qualified tax jurisdiction within the county

Questions?