



Georgia Department of Revenue

For Educational Purposes Only:

The material within is intended to give the course participant a solid understanding of general principles in the subject area. As such, the material may not necessarily reflect the official procedures and policies of the Georgia Department of Revenue or the Department's official interpretation of the laws of the State of Georgia. The application of applicability to specific situations of the theories, techniques, and approaches discussed herein must be determined on a case-by-case basis.



Georgia Department of Revenue

HOT TOPICS GATO 2016



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**





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**



Georgia Department of Revenue

Digest Submission

- O.C.G.A. § 48-5-304:
 - No Order to Bill and Collect if:
 - Value in dispute exceeds 5% of the total taxable digest in a non-revaluation year
 - Value in dispute exceeds 8% of the total taxable digest when a complete revaluation completed
 - Excludes any one appeal when:
 - value in dispute exceeds 1.5% of the total assessed value of the total taxable digest

5%



- or -

8%





Georgia Department of Revenue

Digest Submission

- Issues
 - How to determine a complete revaluation or reappraisal program?
 - Affidavit attesting to number of parcels reappraised provided when digest submitted to Commissioner for Order to Bill and Collect



Georgia Department of Revenue



Temporary Billing

Non-homestead property valued at less than \$2M & homestead property with no new improvements

- temporary bill - 85% of the current year's value or the more recent "final" value – whichever is less

**2014 Proposed Assessment =
750,000
 $637,500 * 85\% =$
637,500**

**2013 assessed value = 500,000
500,000**

**Value used to calculate tax bill = 500,000
(500,000 < 637,500)**



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Temporary Billing

New improvement to homestead property
billed at 85% of the current year value

Proposed Assessment Value = 125,000
 $125,000 * 85\% = 106,250$ Temporary Billing Value





Georgia Department of Revenue

Temporary Billing

In addition, non-homestead property with a proposed value > \$2M Taxpayer's choice to pay on one of the following:

85% of the Proposed Value

**100% prior year +
difference between
85% current & prior
value**

**100% of current year
value
(if no substantial
improvement added)**

**2015 proposed value =
2,500,000
 $2,500,000 * 85\% =$
2,125,000**

**2014 value =
\$1,500,000
+ 625,000 (held in
escrow)**

**2015 proposed value =
2,500,000**

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	Lesser of			May Elect
	2	Lesser of			
	3	Lesser of		May Elect	May Elect
			May Elect		
	4	Lesser of		May Elect	
			May Elect		
	5	Lesser of			May Elect
	6		Only Option		



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 not subject to \$150 and \$5,000 limit

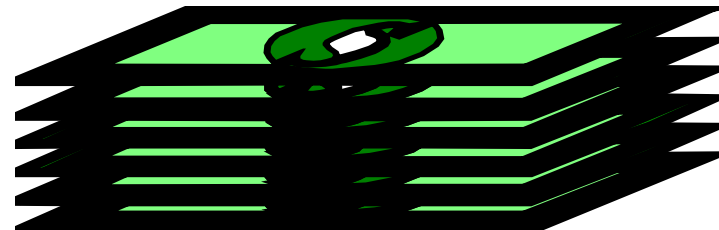


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House Bill 202 – Section 15 Amending Appeal Code OCGA 48-5-311 Interest – Additional Tax Due

At final billing, if additional tax due from taxpayer... taxpayer is given 60 days from date of postmark to pay additional tax due without any interest added

Once 60 day payment period is expired bill is considered past due and interest accrues from original billing due date until bill is paid in full





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Refund Due Appeal

Refund interest due

interest **from** final due date **or** date paid, ***whichever later***,
to date of final determination of value

Example:

2013 taxes due 12/20/13

May 20, 2014 Final Determination of

Interest due 12/20/2013 through 5/20/2014





Georgia Department of Revenue

Refund Due Appeal

Homestead Property:

\$1,000 Refund due

\$ 50 Interest due (\$50; \$150 Cap)

\$1,050 Total Due



If paid within 60 days of final determination of value





Georgia Department of Revenue

Refund Due Appeal

Refund interest due

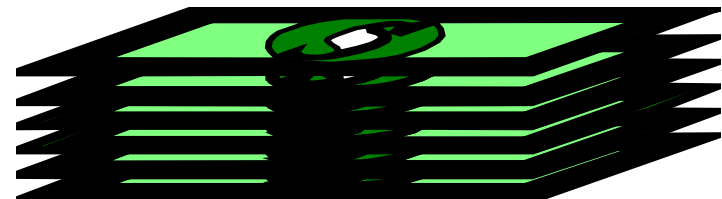
interest **from** final due date **or** date paid, **whichever later**, to date of final determination of value

Example:

2013 taxes due 11/01/13

May 20, 2014 Final Determination of value

Interest due 11/01/2013 through 5/20/2014





Georgia Department of Revenue

Refund Due Appeal

Homestead Property:

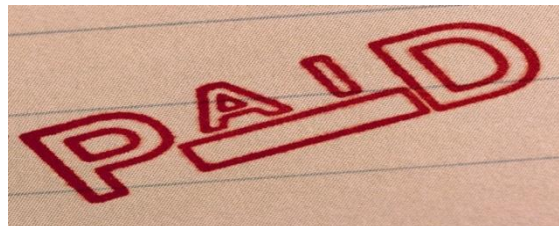
\$100,000 Refund due

\$ 150 Interest due (\$150 Cap)

\$100,150 Total Due



If paid within 60 days of final determination of value





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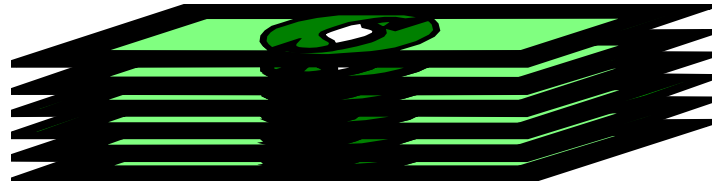
Refund Due Appeal

Non-Homestead Property:

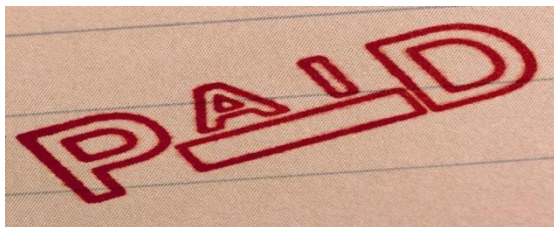
\$100,000 Refund due

\$ 5,000 Interest due (\$5,000 Cap)

\$105,000 Total Due



If paid within 60 days of final determination of value





Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Penalty for Failure to Pay

Amends OCGA 48-2-44

5% penalty is assessed if tax not paid within 120 days of due date...

Another 5% penalty due if not paid within the additional 120 days, up to a maximum penalty of 20% assessed in 5% increments :

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

\$1,500 paid 01/31/2017

\$ 500 still due on 04/20/2017

Penalty based on unpaid tax on date penalties are assessed

Penalty is \$25 (5% of \$500)



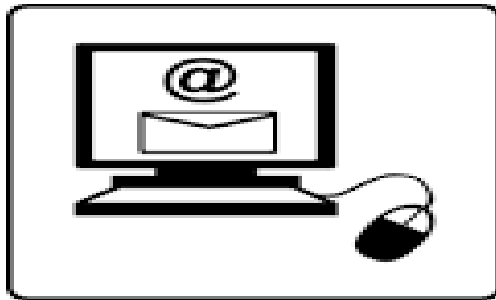


Georgia Department of Revenue

House Bill 202 *effective January 1, 2016

Section 5 *OCGA 48-3-3 electronic tax delinquency notices per discretion of tax commissioner, in lieu of or in addition to mailed notices

Section 8 *OCGA 48-5-148 tax bills sent electronically per discretion of tax commissioner, in lieu of or in addition to mailed bills



**Both require taxpayer consent via form*



Georgia Department of Revenue

House Bill 202 *effective January 1, 2016

Section 7 OCGA 48-5-32

“Current and Five Year History Advertisement”

- Time period to advertise “current and 5 year history” prior to date of meeting to adopt mill rate from two weeks to one week
- Required to post advertisement on levying or recommending authority 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	0	0	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	4,218,471	6,037,995	6,353,475	9,324,116	9,847,705
Adjusted Net M&O Digest	229,276,004	222,336,844	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%	17.99%

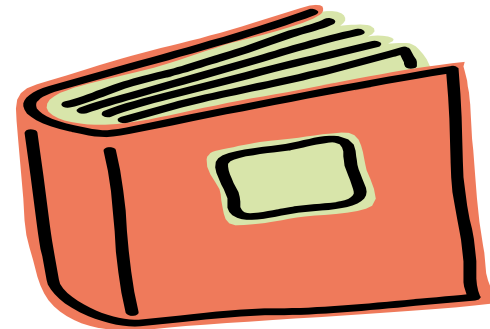
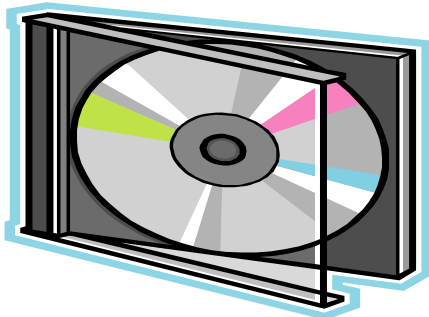


Georgia Department of Revenue

House Bill 202 *effective **January 1, 2016**

Section 9 OCGA 48-5-205

-Deadline date to submit digest for approval to commissioner from August 1st to **September 1st**





Georgia Department of Revenue

House Bill 202 *effective January 1, 2016

Section 14 *OCGA 48-5-306

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

ANNUAL NOTICE OF ASSESSMENT

Notice Date: <insert date>
This is not a tax bill.
Do not send payment.
Last Date to File Appeal: <insert date>
County property records are available online at: <insert county website address>
OFFICIAL TAX MATTER - YEARLY ASSESSMENT

The amount of your ad valorem tax bill for the year shown above will be based on the appraised (100%) and assessed (80%) values specified in this notice. You have the right to appeal these values to the County Board of Tax Assessors. All documents and records used to determine the current value are available upon request. Additional information on the appeal process may be obtained at <https://tax.dor.ga.gov/jtd/adm/taxguide/appeals.aspx>.

At the time of filing your appeal you must select one of the following options:
(1) Appeal to the County Board of Tax Assessors with appeal to the Superior Court (value, uniformity, denial of exemption, taxability)
(2) No objection without an appeal to the Superior Court (valuation is the only grounds that may be appealed to arbitration).
(3) For a parcel of non-homestead property with a FMV in excess of \$1 million, to a hearing officer with appeal to the Superior Court.

If you wish to file an appeal, you must do so in writing no later than 45 days after the date of this notice. If you do not file an appeal by this date, your right to file an appeal will be lost. Appeal forms which may be used are available at <insert forms availability location here>.

For further information on the proper method of filing an appeal, you may contact the county Board of Tax Assessors which is located at <insert physical location of BOA office here> and which may be contacted by telephone at <insert telephone No. Your staff contacts are <insert name> and <insert name>.

Account Number	Property ID Number	Assessed	Tax Bill	Current Year	Homestead
Property Description					
Property Address					
Fair Market Value	Returned Value	Previous Year Value	Current Year Value	Other Value - <code>	
100% Fair Market Value					
80% Assessed Value					

REASONS FOR NOTICE

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

105-108 (Rev. 12/2010)





Georgia Department of Revenue

House Bill 202 *effective July 1, 2015

Section 15 *OCGA 48-5-311

Appeal to hearing officer on available to non-homestead property with fmv in excess of \$750,000 (formerly \$1,000,000) as shown on taxpayers annual notice of assessment and on



One or more accounts of wireless property with aggregate FMV in excess of \$750,000 as shown on taxpayers annual notice of assessment





Georgia Department of Revenue

House Bill 202 *effective July 1, 2015

Section 15 *OCGA 48-5-311

Appeals to hearing officer

- available on non-homestead property with fmv in excess of \$750,000 (formerly \$1,000,000) as shown on taxpayers annual notice of assessment and on and...
- one or more accounts of wireless property with aggregate FMV in excess of \$750,000 as shown on taxpayers annual notice of assessment





Georgia Department of Revenue

House Bill 202 *effective January 1, 2016

Section 18 *OCGA 48-5-345

- 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



Georgia Department of Revenue

Exemptions

Disabled Veterans Exemption

CUVA Exemption

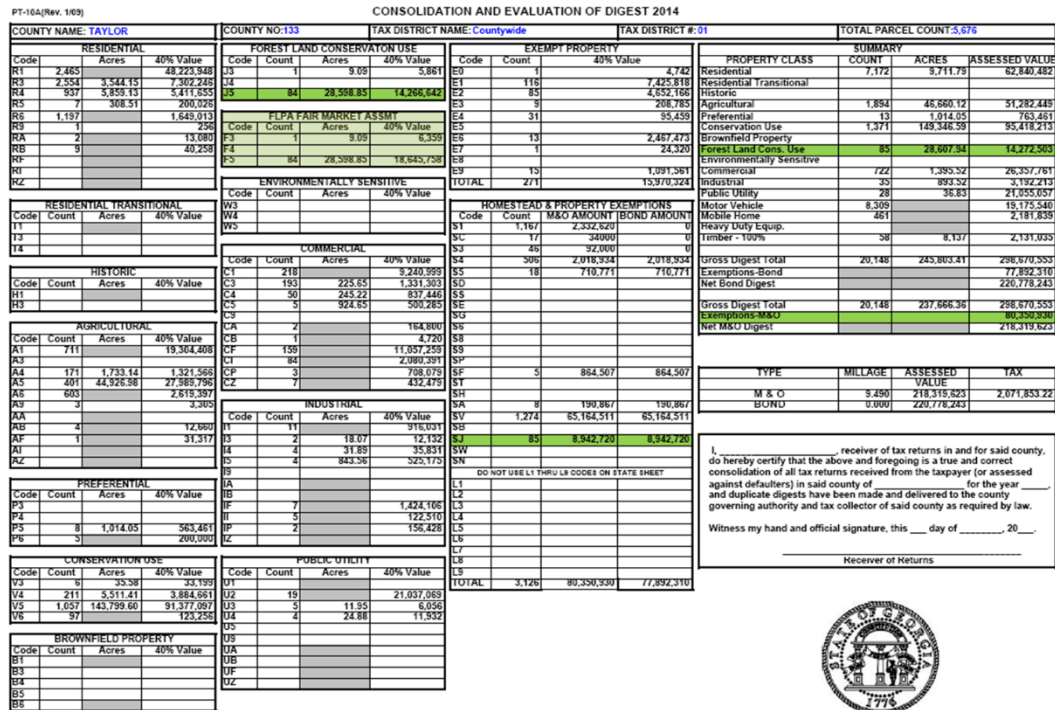
FLPA Exemption

These exemptions apply to all tax districts

These exemptions apply to any municipal
tax levies



- A State Consolidation Sheet **must** be Submitted with each Digest.





Georgia Department of Revenue



Department of Revenue
Local Government Services Division
Informational Bulletin
NEW - 2016 Digest Submission Requirement

March 15, 2016

The chairman of the board of assessors for each county must certify the number, overall value and percentage of total real property parcels under appeal to board of equalization, arbitration, hearing officer and superior court and the number of taxpayers' failure to appear at any hearing, for the prior tax year.

48-5-345. Receipt for digest and order authorizing use

(a) (1) Upon the determination by the commissioner that a county tax digest is in proper form, that the property therein that is under appeal is within the limits of Code Section 48-5-304, and that the digest is accompanied by all documents, statistics, and certifications required by the commissioner, including the number, overall value and percentage of total real property parcels of appeals in each county to the boards of equalization, arbitration, hearing officer, and superior court, and the number of taxpayers' failure to appear at any hearing, for the prior tax year, the commissioner shall issue a receipt for the digest and enter an order authorizing the use of said digest for the collection of taxes. All statistics and certifications regarding real property appeals provided to the commissioner under this paragraph shall be made publicly available on the Department of Revenue website.

(2) Nothing in this subsection shall be construed to prevent the superior court from allowing the new digest to be used as the basis for the temporary collection of taxes under Code Section 48-5-310.

(b) Each year the commissioner shall determine if the overall assessment ratio for each county, as computed by the state auditor under paragraph (8) of subsection (b) of Code Section 48-5-274, deviates substantially from the proper assessment ratio as provided in Code Section 48-5-7, and if such deviation exists, the commissioner shall assess against the county governing authority additional state tax in an amount equal to the difference between the amount the state's levy, as prescribed in Code Section 48-5-8, would have produced if the digest had been at the proper assessment ratio and the amount the digest that is actually used for collection purposes will produce. The commissioner shall notify the county governing authority annually of the amount so assessed and this amount shall be due and payable not later than five days after all appeals have been exhausted or the time for appeal has expired or the final date for payment of taxes in the county, whichever comes latest, and shall bear interest at the rate specified in Code Section 48-2-40 from the due date.

(c) Beginning with tax digests on or after January 1, 2016, no county shall be subject to the assessment authorized by subparagraph (b) of this Code section.

FOR MORE INFORMATION
Contact the Local Government Services Division
at 404-724-7003,
Monday through Friday, excluding holidays.
from 8:00 a.m. to 4:30 p.m. EST,

For forms and other information, please visit our website (www.dor.ga.gov).



Georgia Department of Revenue

Appeal Status

APPEAL STATISTICS FOR PREVIOUS DIGEST YEAR'S APPEALS

Pursuant to O.C.G.A. § 48-5-345, the digest submission process requires a reporting detailing statistics regarding the prior digest year's appeals. These statistics are required by law to include the:

The number, overall value and percentage of total real property parcels of appeals in each county to the boards of equalization, arbitration, hearing officer, and superior court, and the number of taxpayers' failure to appear at any hearing, for the prior tax year

Previous Year Total Real Property Parcel Count	80,669
Previous Year Total Real Property Digest Value (100%)	12,140,012,216
Digest Statistics for digest year	2014

	Total Appeals	BOE Appeals	ARB Appeals	CHO Appeals	SC Appeals
Count	1306	415	9	0	1
No Shows	0	0	0	0	0
Value	596,863,164	251,675,143	895,248		481,322
% of Parcels	1.62 %	0.51 %	0.01 %	0.00 %	0.00 %
% of Real Digest Value	4.92 %	2.07 %	0.01 %	0.00 %	0.00 %

[illegible]



Georgia Department of Revenue

GASB Statement #77

Tax Abatement Disclosures

A reduction in tax revenues that results from an agreement wherein the government promises to forgo tax revenues to which they were otherwise entitled and the private entity agrees to take a specific action that contributes to economic development.

[illegible]



Georgia Department of Revenue

Economic Development Certification

2016 Economic Development Certification									
County Number	County Name	Property Type	Account Number	Parcel Number	Digest Class	Tax District Number	Owner (Fee Title)	Full Fee Title Value	Leasehold Interest Value
		REAL	19	002 01019A	C			4,286,500	428,650
		REAL	26	002 02008	I			121,100	84,770
		REAL	28	002 02010	I			1,234,600	617,300
		REAL	29	002 02011	I			123,400	12,340
		REAL	30	002 02013	I			1,650,000	330,000
		Personal	01-1259		I			1,300,000	1,170,000
		Personal	15-9984		I			1,190,000	357,000
		Personal	04-1154		I			1,245,000	498,000
		Personal	13-6788		I			1,375,000	137,500
		REAL	43	002 03014	I			1,100,000	220,000
		REAL	44	002 03015	I			1,133,000	1,019,700
		REAL	46	002 04001	C			5,290,000	4,232,000
		REAL	47	002 04010	C			8,700,000	5,220,000
		REAL	68	002 06006	I			700,000	350,000
		Personal	01-1260		I			15,400,000	4,620,000
		Personal	14-2232		I			700,000	210,000
		Personal	14-2233		I			800,000	80,000
		REAL	94	002 09003	I			1,000,000	100,000
<p>I hereby certify that this is a complete listing of Development Authority owned property as of Jan 1, 2016 and the values stated represent the 2016 assessment of such property made by the Spalding County Board of Assessors and included on the 2016 tax digest.</p>									
Chairman County Board of Assessors						Date			



Georgia Department of Revenue

Senate Bill 82

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





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%



Georgia Department of Revenue

Senate Bill 82 – Section 1 AAVT Vehicle Ratio Formula

Any **remaining funds** remaining after satisfying the benchmark will be distributed by the following formula:

$$(\$15,948,038 - \$9,007,200 = \$ 6,940,838)$$

- 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



Georgia Department of Revenue

AAVT LETTER



AAVT Letter.xps



Georgia Department of Revenue

- **FOREST LAND PROTECTION**
560-11-11-.03 QFLP Qualifications





Georgia Department of Revenue

Forest Land



- Definition of “Forest land fair market value” in O.C.G.A. § 48-5-2:
 - 'Forest land fair market value' means the 2008 fair market value of the forest land;
 - If appealed and value changed by BOA or BOE or Court then new value becomes fair market value.
 - This final fair market value of the forest land shall be used in the calculation of FLPA reimbursement grants.



Georgia Department of Revenue

Grant Funds

- County must reimburse the state for overpayment of grant as a result of a reduction in the 2008 appealed value



- due within 12 months
- difference between the FLPA grant paid and the amount based on the final 2008 final fair market value of the forest land



Georgia Department of Revenue

FLPA

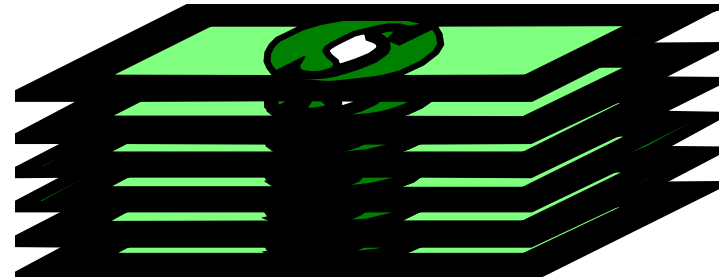
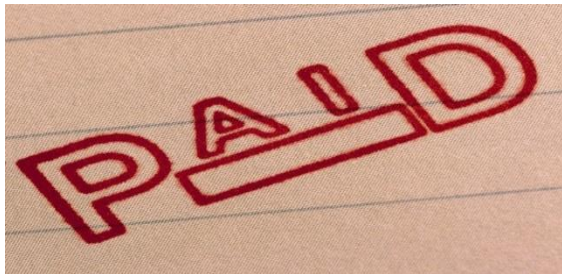
- Forest Land Covenants
- List to be submitted with digest
- All covenants must be recorded in Clerk of Courts Office
 - Required to be a true covenant
 - Cannot be enforced by county if not recorded
 - Will not be paid grant by state if not recorded
- Audits of FLPA



Georgia Department of Revenue

State Refunds

- Process for refunds after state millage rate is gone.





Georgia Department of Revenue

Exchange of Tax Information

O.C.G.A. § 48-2-16 (2015)

§ 48-2-16. Exchange of tax information

(a) The commissioner and **each tax receiver, tax collector, and tax commissioner** of this state, **at his discretion**, may furnish to the tax officials of any other state, political subdivision of any other state, political subdivision of this state, the District of Columbia, or the United States and its territories any information contained in tax returns, reports, and related schedules and documents filed pursuant to the tax laws of this state or contained in the report of an audit or investigation made with respect to any such return, report, schedule, or document if the jurisdiction to which the information is furnished grants similar privileges to this state and if the information is to be used only for tax purposes.

(b) The commissioner and each tax receiver, tax collector, and tax commissioner of this state may enter into agreements with tax officials described in subsection (a) of this Code section to provide for the exchange of tax information as authorized by this Code section.

(c) Furnishing information as permitted by this Code section shall not be deemed to change the confidential character of the information furnished.

HISTORY: Ga. L. 1967, p. 537, §§ 1, 2; Code 1933, § 91A-213, enacted by Ga. L. 1978, p. 309, § 2.



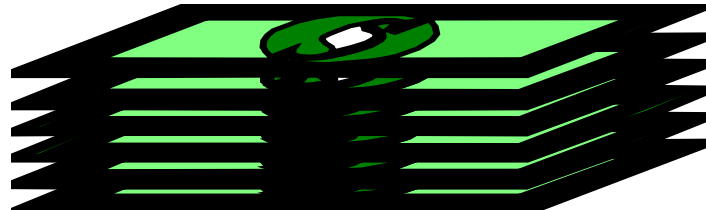
Georgia Department of Revenue

House Bill 51 (Effective 07/01/16)

Redemption of Property sold at tax sale

O.C.G.A. 48-4-40

The amount required to be paid for redemption for any sale after July 1, 2002, shall be the amount paid for the property at tax sale (shown on the tax deed) plus....



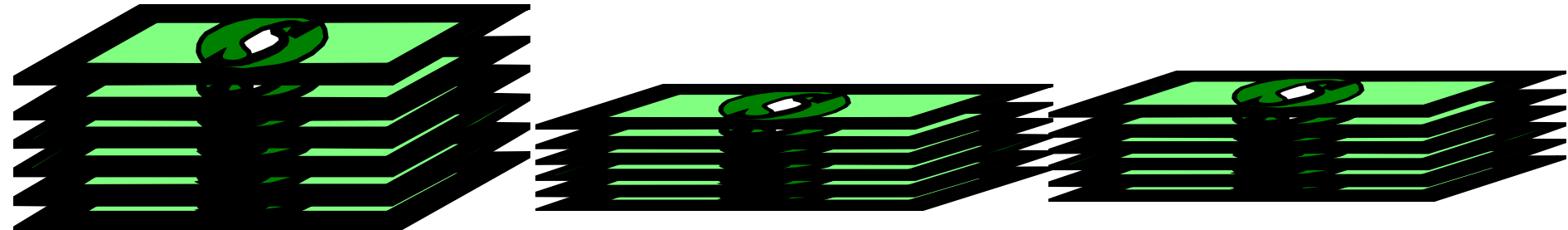


Georgia Department of Revenue

House Bill 51 (Effective 07/01/16) Redemption of Property sold at tax sale

O.C.G.A. 48-4-40

- Any tax paid by purchaser
- Any special assessments
- Premium of 20% for 1st year; and 10% each year after





Georgia Department of Revenue

House Bill 51 (Effective 07/01/16) Redemption of Property sold at tax sale

O.C.G.A. 48-4-40

If redemption is made more than 30 days after the notice provided in 48-4-45 (notice of foreclosure of right to redeem), there shall be added to the amount required....

- the sheriff's cost in connection with serving the notice and
- the cost of publication of any notice.





Georgia Department of Revenue

House Bill 547 Years Support – Homestead

O.C.G.A. 53-3-4

The term 'homestead' shall have the same meaning as in code section 48-5-40.





Georgia Department of Revenue

House Bill 547 Years Support – Homestead

O.C.G.A. 53-3-4

All taxes and liens for taxes accrued for years prior to year of death **against the homestead** shall be divested

Additionally by election, property taxes accrued in year of death or year petition is filed; **OR**





Georgia Department of Revenue

House Bill 547 Years Support – Homestead

O.C.G.A. 53-3-4

If the homestead is not claimed, all taxes and liens for taxes accrued for years prior to the year of the decedent's death **against the real property** shall be divested.



Georgia Department of Revenue

House Bill 547 Years Support – Homestead

O.C.G.A. 53-3-4

Additionally in either case, by election...property taxes accrued in

- year of death or
- year petition is filed or
- year following filing of petition if the petition is filed in the year of the decedent's death



Georgia Department of Revenue

House Bill 769 Dealer Exemption – Watercraft & All-Terrain Vehicles

O.C.G.A. 48-5-504.40

‘All-terrain vehicle’ means any motorized vehicle designed for off-road use which is equipped with four low-pressure tires, a seat designed to be straddled by the operator, and handlebars for steering.





Georgia Department of Revenue

House Bill 769 Dealer Exemption – Watercraft & All-Terrain Vehicles

O.C.G.A. 48-5-504.40

‘Dealer’ means any person engaged in the business of selling watercraft or all-terrain vehicles at retail.





Georgia Department of Revenue

House Bill 769

Dealer Exemption – Watercraft & All-Terrain Vehicles

O.C.G.A. 48-5-504.40 (Effective for tax years beginning 01/01/2017)

Watercraft and all-terrain vehicles owned by a dealer and held in inventory for sale or resale shall not be returned and shall not be taxed and no taxes shall be collected until they are transferred and then otherwise, if at all, become subject to taxation.





Georgia Department of Revenue

House Bill 862 Disabled Veteran – MV Ad Valorem and TAVT

O.C.G.A. 48-5-478

‘Disabled Veteran’ shall have the same meaning as that term is defined in paragraph (1) of subsection (a) of Code Section 48-5-48.





Georgia Department of Revenue

House Bill 862 Disabled Veteran - Free License Plate

O.C.G.A. 40-2-69

‘Disabled Veteran’ shall have the same meaning as that term is defined in paragraph (1) of subsection (a) of Code Section 48-5-48.





Georgia Department of Revenue

House Bill 862 Disabled Veteran – Homestead



O.C.G.A. 48-5-48

‘Disabled Veteran’ means...any veteran who is a citizen and a resident of this state who was discharged under honorable condition and who has been adjudicated by the Veteran Affairs as having a service related disability that renders such veteran as being 100% totally disabled or as being less than 100% but is compensated at the 100% level due to individual unemployability or is entitled to receive



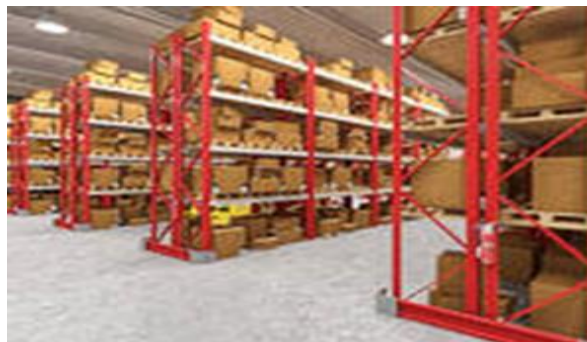
Georgia Department of Revenue

House Bill 935 Freeport Level 1 – Fulfillment Center

OCGA 48-5-48.1

Application for Level 1 Freeport shall provide for:

1. Raw materials and goods in process
2. Finished goods held by manufacturer
3. Finished goods held less than 12 months by Distributor and destined for out of state shipment
4. Stock in trade of a fulfillment center





Georgia Department of Revenue

House Bill 935 Freeport Level 1 – Fulfillment Center

OCGA 48-5-48.1

A schedule of stock in trade of a fulfillment center which on January 1 are stored in the fulfillment center. The information required by code 48-5-48-2 to be contained in the official books and records of the fulfillment center where such property is being stored, which official books and records are required to be open to the inspection of the taxing authorities of this state and political subdivision thereof, shall not be required to be included as a part of or to accompany the application for such exemption.





Georgia Department of Revenue

House Bill 935 Freeport Level 1 – Fulfillment Center

OCGA 48-5-48.2

Fulfillment Center means, for purposes of a level 1 freeport exemption, a business located in Georgia which is used to pack, ship, store, or otherwise process tangible personal property sold by electronic, Internet, telephonic, or other remote means, provided that such a business location does not allow customers to purchase or receive goods onsite at such business location.





Georgia Department of Revenue

House Bill 935 Freeport Level 1 – Fulfillment Center

OCGA 48-5-48.2

Stock in Trade of a Fulfillment Center means, for purposes of a level 1 freeport exemption, goods, wares, and merchandise held by one in the business of making sales of such goods when such goods are held or stored at a fulfillment center.





Georgia Department of Revenue

House Bill 935 Freeport Level 1 – Fulfillment Center

OCGA 48-5-48.2

The governing authority, subject to approval by the electors, may exempt...

Stock in Trade of a Fulfillment Center which on January 1, are stored in a fulfillment center and which are made available to remote purchasers who may make such purchases by electronic, Internet, telephonic, or other remote means, and where such stock in trade of a fulfillment center will be shipped from the fulfillment center and delivered to the purchaser at a location other than the location of the fulfillment center.



Georgia Department of Revenue

House Bill 935 Freeport Level 1 – Fulfillment Center

OCGA 48-5-48.2

The exemption provided for in this paragraph shall be for a period not exceed 12 months from the date such property is stored in this state. Such period shall be determined based on application of a first-in first-out method of accounting for the inventory.





Georgia Department of Revenue

House Bill 935 Freeport Level 1 – Fulfillment Center

OCGA 48-5-48.2



The official books and records of the fulfillment center where such property is being stored shall contain a full true and accurate inventory of all such property, including the date of the receipt of the property and the date of the withdrawal of the property.





Georgia Department of Revenue

House Bill 935 Freeport Level 1 – Fulfillment Center

OCGA 48-5-48.2

The official books and records of any such fulfillment center pertaining to any such property for which a freeport exemption has been claimed shall be at all times open to the inspection of all taxing authorities of this state and of any political subdivision of this state.





Georgia Department of Revenue

Freeport Level 2

OCGA 48-5-48.5

OCGA 48-5-48.6

The term "finished goods" means, for purposes of a Level 2 Freeport Exemption, goods, wares, and merchandise of every character and kind constituting a business's inventory which would not otherwise qualify for a Level 1 Freeport Exemption.

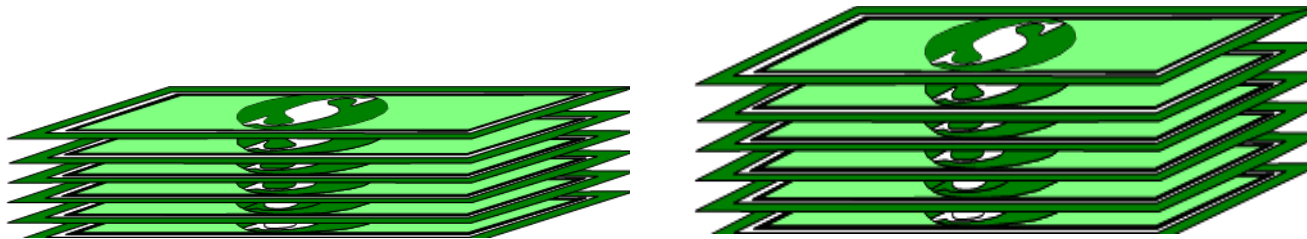


Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Delinquent Tax - Interest

OCGA 48-2-40

Except as otherwise expressly provided by law, taxes owed the state or any local taxing jurisdiction shall bear interest at an annual rate equal to the bank prime loan rate as posted by the Board of Governors of the Federal Reserve System in statistical release H.15 or any publication that may supersede it, **plus 3 percent** to accrue monthly.



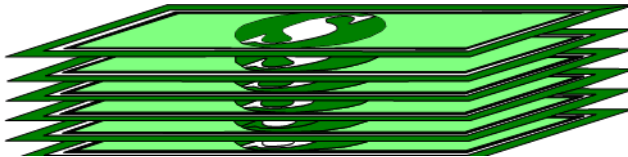


Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Delinquent Tax - Interest

OCGA 48-2-40

...Such annual interest rate shall be determined for each calendar year based on the first weekly posting of statistical release H.15 on or after January 1 of each calendar year. Interest shall begin to accrue from the date the tax is due until the date the tax is paid. ..





Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Delinquent Tax - Interest

48-2-40

...Interest shall begin to accrue from the date the tax is due until the date the tax is paid. For the purposes of this Code section, **any period of less than one month shall be considered to be one month**. This Code section shall also apply to alcoholic beverage taxes.





Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Delinquent Tax - Penalty

48-2-44

(b) (1) In any instance in which any person willfully fails, on or after July 1, 1981, to pay, within 120 days of the date when due, any ad valorem tax owed the state or any local government, such person shall pay, in the absence of a specific statutory civil penalty for the failure, a penalty of 5 percent of the amount of tax due and not paid at the time such penalty is assessed, together with interest as specified by law. ...





Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Delinquent Tax - Penalty

48-2-44

(b) (1) ...After 120 days from the imposition of the initial penalty, an additional penalty of 5 percent of any tax amount remaining due shall be imposed, together with interest as specified by law.

If any tax amount remains due after 120 days from the imposition of such additional penalty, a penalty of 5 percent shall be imposed, together with interest as specified by law.

Should any tax amount remain due 120 days after such date, a penalty of 5 percent shall be imposed together with interest as specified by law.



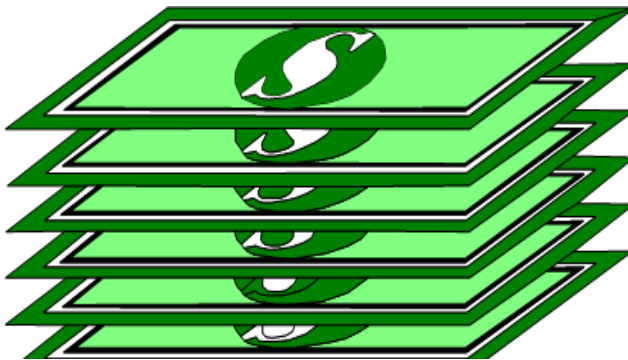


Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Delinquent Tax - Penalty

48-2-44

(b) (1) ...The aggregate amount of penalties imposed pursuant to this subsection shall not exceed an amount equal to 20 percent of the principal amount of the tax originally due.





Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) **Delinquent Tax - Penalty**

48-2-44

These penalties shall not, however, apply in the case of:

- (A) Ad valorem taxes of \$500.00 or less on homestead property as defined in Part 1 of Article 2 of Chapter 5 of this title; or
- (B) With respect to tax year 1986 and future tax years, ad valorem taxes of any amount on homestead property as defined in Part 1 of Article 2 of Chapter 5 of this title, if the homestead property was during the tax year acquired by a new owner who did not receive a tax bill for the tax year and who immediately before acquiring the homestead property resided outside the State of Georgia and if the taxes are paid within one year following the due date.



Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Delinquent Tax - Penalty

48-2-44

These penalties shall not, however, apply in the case of:

(2) Any city or county authorized as of April 22, 1981, by statute or constitutional amendment to receive a penalty of greater than 10 percent for failure to pay an ad valorem tax is authorized to continue to receive that amount



Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Delinquent Tax - Penalty

48-2-44

These penalties shall not, however, apply in the case of:

(3) With respect to all penalties and interest received by the tax commissioner on or after July 1, 1998, unless otherwise specifically provided for by general law, the tax commissioner shall distribute penalties collected and interest collected or earned as follows:

(A) Penalties collected for failure to pay ad valorem taxes attributable to the Board of Education or independent school district shall be paid into the county treasury in the same manner and at the same time the tax is collected and distributed to the county, and they shall remain the property of the county;



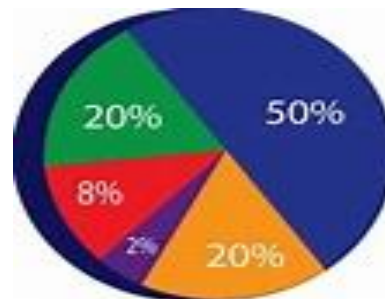
Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Delinquent Tax - Penalty

OCGA 48-2-44

(3) With respect to all penalties and interest received by the tax commissioner on or after July 1, 1998, unless otherwise specifically provided for by general law, the tax commissioner shall distribute penalties collected and interest collected or earned as follows:

(B) Interest earned by the tax commissioner on taxes collected but not yet disbursed shall be distributed pro rata based on each taxing jurisdiction's share of the total amount upon which the interest was computed; and





Georgia Department of Revenue

House Bill 960 (Effective 07/01/2016) Delinquent Tax - Penalty

OCGA 48-2-44

(3) With respect to all penalties and interest received by the tax commissioner on or after July 1, 1998, unless otherwise specifically provided for by general law, the tax commissioner shall distribute penalties collected and interest collected or earned as follows:

(C) **Except as otherwise provided in subparagraph (A) of this paragraph, penalties, collected for failure to return property for ad valorem taxation or failure to pay ad valorem taxes and interest collected on delinquent ad valorem taxes, shall be distributed pro rata based on each taxing jurisdiction's share of the total tax on which the penalty or interest was computed.**



Georgia Department of Revenue

House Bill 991 Delinquent Tax – Military



O.C.G.A. 48-5-243

- Tax Commissioner, shall waive penalty and interest, if determined that the default was due to a taxpayers military service in the armed forces of the United States in an area designated by the President of the United States by executive order as a combat zone and not due to gross or willful neglect or disregard of the law or of regulations or instructions issued pursuant to the law
- Military taxpayer must make full payment of taxes due, not including penalties and interest within 60 days of such taxpayer's return from such military service