

Senate Bill 52

By: Senators Goodman of the 8th, Kennedy of the 18th, Tillery of the 19th, Gooch of the 51st, Jones II of the 22nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad
2 valorem taxation of property, so as to authorize certain local governing authorities to provide
3 temporary tax relief from the taxes levied for the harvest or sale of standing timber in certain
4 disaster areas; to provide for conditions and procedures; to provide for grants to such local
5 governing authorities to offset the loss of certain revenues resulting from certain disaster
6 damage to standing timber and such temporary tax relief; to provide for an appropriations
7 contingency; to provide for a grant cap; to provide for the calculation of equalized adjusted
8 property tax digests; to provide for rules and regulations; to provide for definitions; to
9 provide for related matters; to provide for a short title and legislative findings and intent; to
10 provide for an effective date; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 SECTION 1.

13 This Act shall be known and may be cited as the "Timberlands Recovery, Exemption, and
14 Earnings Stability (TREES) Act."

S. B. 52

- 1 -

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SECTION 2.

16 The General Assembly finds that:

- 17 (1) Hurricane Helene has had a catastrophic impact on the citizens and the economy of
18 many areas in this state, has particularly devastated the timber industry on which the
19 citizens of southwest Georgia are heavily dependent for their livelihood by reducing or
20 eliminating the long-held investments in standing timber and timberlands of businesses and
21 families, and has created both a public fire hazard and a danger of insect infestations due
22 to the massive amounts of downed timber caused by the severity of this natural disaster;
- 23 (2) As of November, 2024, the estimated losses to standing timber caused by Hurricane
24 Helene as measured by the Georgia Forestry Commission were nearly \$1.3 billion;
- 25 (3) Timberlands as investments are unique as an agriculture product in this state, as timber
26 products often take ten years or longer to realize any return on the investment;
- 27 (4) Many counties, municipalities, and local school districts rely on the taxes levied at the
28 time of timber's harvest or sale pursuant to Code Section 48-5-7.5, but with the destruction
29 of timberlands throughout this state, that tax revenue will likely not be realized; and
- 30 (5) It is the intent of the General Assembly to authorize local governing authorities to
31 provide temporary tax relief from the taxes levied pursuant to Code 48-5-7.5 so that the
32 timber industry, and the businesses and families that provide timber products to such
33 industry, will realize a reduced cost for growing new product and recovering from the
34 devastating effects of Hurricane Helene. These reduced costs will help stabilize the market
35 and allow for quicker harvesting and recovery of lands where some timber is still
36 salvageable.

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SECTION 3.

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

40 "48-5-33.1.

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

42 (1) 'Disaster area' means any county designated for public assistance or individual and
43 public assistance pursuant to the Federal Emergency Management Agency
44 FEMA-4830-DR Georgia disaster declaration as of November 4, 2024.

45 (2) 'Eligible governing authority' means the governing authority of any county,
46 consolidated government, or municipality or the governing body of any county or local
47 board of education that is located in whole or in part in a disaster area.

48 (3) 'Eligible standing timber' means any standing timber on eligible timberland property.

49 (4) 'Eligible timberland property' means timberland property as such term is defined in
50 Code Section 48-5-600 that is located in whole or in part in a disaster area.

51 (b) Pursuant to Article VII, Section I, Paragraph III(h) of the Constitution of Georgia and
52 in accordance with the provisions of this Code section, an eligible governing authority may
53 grant temporary tax relief from taxes levied for eligible standing timber pursuant to Code
54 Section 48-5-7.5 during:

55 (1) The final quarter of 2024; and

56 (2) Each quarter of 2025.

57 (c) To grant the temporary tax relief authorized by subsection (b) of this Code section, an
58 eligible governing authority shall:

59 (1) Adopt a resolution consenting to grant such tax relief and file such resolution with
60 the department in the manner prescribed by the department;

61 (2) Ensure that all eligible standing timber in its jurisdiction automatically qualifies for
62 such tax relief without need of application or action by the taxpayer;

63 (3) Refund each taxpayer the total amount paid for taxes levied pursuant to Code
64 Section 48-5-7.5 for eligible standing timber during the final quarter of 2024, or if such
65 taxes were levied but unpaid, provide an updated tax bill to such taxpayer reflecting that
66 the amount is no longer due; and

67 (4) Provide that no taxpayer shall be required to pay the taxes levied pursuant to Code
68 Section 48-5-7.5 for eligible standing timber during any quarter of 2025.

69 (d) Any tax relief approved or allowed under this Code section shall be paid from funds
70 of the eligible governing authority to which the taxes were or were to have been paid.

71 (e)(1) For the purpose of offsetting an eligible governing authority's revenue loss in the
72 final quarter of 2024 and any quarter of 2025 due to the destruction of eligible standing
73 timber in the disaster area and the temporary tax relief authorized pursuant to this Code
74 section, the commissioner shall, subject to an appropriation by the General Assembly
75 specifically referencing the provisions of this Act, provide a grant to each eligible
76 governing authority that has consented to grant the temporary tax relief authorized
77 pursuant to this Code section.

78 (2) A grant provided for in paragraph (1) of this subsection shall be allotted to each
79 eligible governing authority based on:

80 (A) The governing authority's estimated revenue loss as described in paragraph (1) of
81 this subsection;

82 (B) The revenue received by such governing authority pursuant to Code
83 Section 48-5-7.5 in each of the preceding three years; and

84 (C) The estimated damage to eligible standing timber in the jurisdiction as provided
85 in the *Hurricane Helene Timber Damage Assessment* published by the Georgia Forestry
86 Commission on November 5, 2024, or other reliable data from the Georgia Forestry
87 Commission.

88 (3) No grant to an eligible governing authority provided pursuant to paragraph (1) of this
89 subsection shall exceed the average of the total revenue received by such governing
90 authority pursuant to Code Section 48-5-7.5 in 2021, 2022, and 2023.

91 (f)(1) The grants provided pursuant to subsection (e) of this Code section shall not be
92 included in the calculation of the equalized adjusted property tax digest under Code

93 Section 48-5-274 for the purpose of calculating the required local five mill share for
94 school funding purposes under Code Section 20-2-164.

95 (2) The temporary tax relief authorized pursuant to this Code section shall not affect the
96 requirement provided for in paragraph (2) of subsection (m) of Code section 48-5-7.5 that
97 the fair market value of timber harvested or sold be added to a digest and be included in
98 the calculation of the equalized adjusted property tax digest under Code Section 48-5-274
99 for the purpose of calculating the required local five mill share for school funding
100 purposes under Code Section 20-2-164.

101 (g) The commissioner shall be authorized to consult with the Georgia Forestry
102 Commission to implement the provisions of this Code section.

103 (h) The commissioner may promulgate any rules and regulations necessary to implement
104 and administer the provisions this Code section."

105 **SECTION 4.**

106 This Act shall become effective upon its approval by the Governor or upon its becoming law
107 without such approval.

108 **SECTION 5.**

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