

To: Mayor and Council  
City of Dunwoody

From: Richard Platto  
Finance Director

Re: Recommendation of Action Under HB92

Date: 28 April 2025

This memo is a summary of new options concerning millage rates which go into effect under HB 92 passed in the most recent session of the Georgia General Assembly. Staff recommend the Mayor and Council take the option of non-certification of an estimated roll-back rate as it is the most transparent of the two options.

**Summary:**

HB 92 (2025) revises some statements within the previous HB 581 (2024). Both bills affect the requirements for approval of the City's annual millage rate. The historical requirements approving the millage rate stay the same. (e.g. three hearings, advertisement etc.)

Under the new law, a city may certify an estimated roll-back rate through an official vote. While this rate is called the "roll-back rate" the law itself indicates that any rate may be used and that the proper rate to show would be the rate the City intends on levying later this year.

As the budget was built on a rate of 3.040 mills, it is assumed that is the rate that will be levied. If the City "certifies" that rate by vote (ahead of the real advertising requirements) then the notice of assessments (NOA) will not include an estimate of taxes owed by City residents.

Staff thinks not including a tax bill estimate (the first option) would be anti-transparent and recommends the City take "no action" (the second option). In that case assessments would be mailed with an estimated tax bill of 3.040, the statutory cap.

This item is being included on the agenda as an action item, but the intent is for City Council to take no action on it.

## ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA & GEORGIA MUNICIPAL ASSOCIATION

### **Estimated Roll-Back Rate Guidance and Best Practices**

The estimated roll-back rate is a new concept that became law in 2025. It was created by [HB 581 \(2024\)](#) and revised by [HB 92 \(2025\)](#). Under prior law, a property owner's annual notice of assessment (NOA) automatically included the previous year's millage rate for each authority and an estimated tax liability based on that rate. HB 581 created the estimated roll-back rate, designed to provide local governments with more flexibility in accurately previewing that year's millage rate to the property owner on their NOA. HB 92 added deadline by which the estimated roll-back rate must be provided and added a fallback provision if a jurisdiction fails to certify and provide an estimated roll-back rate.

#### **Guidance in Providing the Estimated Roll-Back Rate**

Under HB 581 and HB 92, local governments are provided two options concerning the information that appears on property owner's NOA:

**Option 1:** A local government may certify an estimated roll-back rate to be included on the NOA. The estimated rollback rate is defined as "the current year's estimated millage rate for general maintenance and operations minus the millage equivalent of the total net assessed value added by reassessments." The levying or recommending authority must certify this rate by a formal vote and provide the rate to the county board of assessors and tax commissioner no less than 15 days prior to the postmark on the annual NOA. If the estimated roll-back rate is certified by the deadline, then the NOA for that taxing jurisdiction will show the current year's value, value of exemptions, net taxable value after exemptions have been applied, and the estimated roll-back rate. The NOA will **not** include the estimate of taxes owed.

**Option 2:** If a local government fails to certify and provide an estimated roll-back rate by the deadline, then the NOA for that specific jurisdiction will state the previous year's millage rate and provide an estimate of taxes owed based upon the property's current assessed value and the prior year's millage, which is similar to how NOA's were prepared prior to HB 581.

#### **Practical Considerations and Best Practices for the Estimated Roll-Back Rate**

##### **Procedure and Timeline to Certify the Estimated Roll-Back Rate**

O.C.G.A. § 48-5-306.2 provides "Each levying or recommending authority shall annually calculate its estimated roll-back rate for the current year and shall certify such rate to the county board of tax assessors and the county tax commissioner no less than 15 days prior to the postmark of the annual notice of assessment."

Although 'certify' in this instance is not a defined term in statute, 'levying authority' refers to the county board of commissioners (BOC) and the city council; 'recommending authority' refers to the school board. It is recommended that staff members of these bodies do not make an independent decision for their local government, and neither does the chairman. The decision to certify the estimated roll-back rate must be made via a vote of the entire board or city council; the only exception is in the case of a sole commissioner.

For jurisdictions that have submitted an estimated roll-back rate via the chairman or a staff member (such as the CFO), it is strongly encouraged to ratify that decision via a formal vote in a public meeting. It may be necessary to advertise and hold a special-called meeting of your elected body to certify the estimated roll-back rate to meet the deadline. If your jurisdiction has not yet submitted an estimated roll-back rate and wishes to do so, you are encouraged to communicate with your chief appraiser and BOA and hold a vote in a public meeting before the deadline 15 days prior to the postmark of the NOA.

#### Calculating the Estimated Roll-Back Rate

For guidance on setting an estimated roll-back rate, it is recommended to contact the county chief appraiser to obtain the most current preliminary data on how the digest may change in your community. Once the values have been updated and the NOA document mailed, the values may only be lowered upon appeal, never raised.

Accordingly, you may wish to be conservative when calculating your estimated roll-back rate and take into consideration current budget discussions and early estimates of reassessment growth which can change before you set your actual millage rate later in the year. Please keep in mind that if you do decide to certify an estimated roll-back rate and you later set a millage rate higher than the estimated roll-back rate published on the NOA, there will be a disclaimer added to the tax bill stating "the name of the governing authority that exceeded the estimated roll-back rate and that this will result in an increase of taxes owed." Please keep in mind that the estimated roll-back rate applies only to the general fund M&O (maintenance and operations) rate and not any special service district millage levies or other levies.

#### Estimated Roll-Back Compared to Taxpayer Bill of Rights Rollback

Note that the estimated roll-back rate is a new concept that became law in 2025 and is completely separate and distinct from the actual roll-back rate calculation you are already used to on the PT 32.1 form when submitting your tax digest; if you exceed your actual roll-back rate, you will still have to advertise this as a tax increase and hold the three advertised public meetings. This means that depending on your estimated roll-back rate, actual roll-back rate, and final adopted millage rate, it is possible to have no advertised tax increase and no disclaimer on the tax bill, have either of them, or have both in any given year.