

House Bill 1475

By: Representative Channell of the 111th

A BILL TO BE ENTITLED
AN ACT

1 To provide a homestead exemption from Greene County ad valorem taxes for county
2 purposes in the amount of \$8,000.00 of the assessed value of the homestead for certain
3 residents of that county who are 65 years of age or over; to provide for definitions; to specify
4 the terms and conditions of the exemption and the procedures relating thereto; to provide for
5 applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 For purposes of this Act, the term:

- 10 (1) "Ad valorem taxes for county purposes" means all ad valorem taxes for county
11 purposes levied by, for, or on behalf of the Greene County, including, but not limited to,
12 taxes to pay interest on and to retire bonded indebtedness.
- 13 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
14 the O.C.G.A.
- 15 (3) "Senior citizen" means a person who is 65 years of age or over on or before January
16 1 of the year in which application for the exemption under this Act is made.

17 **SECTION 2.**

- 18 (a) Each resident of Greene County who is a senior citizen is granted an exemption on that
19 person's homestead from all Greene County ad valorem taxes for county purposes in the
20 amount of \$8,000.00 of the assessed value of that homestead. The value of that property in
21 excess of such exempted amount shall remain subject to taxation.
- 22 (b) A person shall not receive the homestead exemption granted by subsection (a) of this
23 section unless the person or person's agent files an affidavit with the tax commissioner of
24 Greene County giving the person's age and such additional information relative to receiving
25 such exemption as will enable the tax commissioner to make a determination as to whether

1 such owner is entitled to such exemption. The tax commissioner shall provide affidavit
2 forms for this purpose.

3 **SECTION 3.**

4 The tax commissioner of Greene County or the designee thereof shall provide application
5 forms for the exemption granted by this Act and shall require such information as may be
6 necessary to determine the initial and continuing eligibility of the owner for the exemption.

7 **SECTION 4.**

8 The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of the
9 O.C.G.A. The exemption shall be automatically renewed from year to year as long as the
10 owner occupies the residence as a homestead. After a person has filed the proper affidavit
11 as provided in subsection (b) of Section 2 of this Act, it shall not be necessary to make
12 application and file such affidavit thereafter for any year, and the exemption shall continue
13 to be allowed to such person. It shall be the duty of any person granted the homestead
14 exemption under this Act to notify the tax commissioner of Greene County or the designee
15 thereof in the event that person for any reason becomes ineligible for that exemption.

16 **SECTION 5.**

17 The exemption granted by this Act shall not apply to or affect any state taxes, county school
18 district taxes for educational purposes, municipal taxes, or independent school district taxes.
19 The homestead exemption granted by this Act shall be in addition to and not in lieu of any
20 other homestead exemption applicable to Greene County ad valorem taxes for county
21 purposes.

22 **SECTION 6.**

23 The exemption granted by this Act shall apply to all taxable years beginning on or after
24 January 1, 2003.

25 **SECTION 7.**

26 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
27 superintendent of Greene County shall call and conduct an election as provided in this
28 section for the purpose of submitting this Act to the electors of Greene County for approval
29 or rejection. The election superintendent shall conduct that election on the date of the 2002
30 state-wide general primary and shall issue the call and conduct that election as provided by
31 general law. The superintendent shall cause the date and purpose of the election to be

1 published once a week for two weeks immediately preceding the date thereof in the official
2 organ of Greene County. The ballot shall have written or printed thereon the words:

3 " YES Shall the Act be approved which provides a new homestead exemption from
4 Greene County ad valorem taxes for county purposes in the amount of
5 NO \$8,000.00 of the assessed value of the homestead for residents of that
6 county who are 65 years of age or over?"

7 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
8 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
9 cast on such question are for approval of the Act, Sections 1 through 6 shall become of full
10 force and effect on January 1, 2003. If the Act is not so approved or if the election is not
11 conducted as provided in this section, Sections 1 through 6 of this Act shall not become
12 effective and this Act shall be automatically repealed on the first day of January immediately
13 following that election date. The expense of such election shall be borne by Greene County.
14 It shall be the election superintendent's duty to certify the result thereof to the Secretary of
15 State.

16 **SECTION 8.**

17 Except as otherwise provided in Section 7 of this Act, this Act shall become effective upon
18 its approval by the Governor or upon its becoming law without such approval.

19 **SECTION 9.**

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