

Senate Bill 91

By: Senator Thompson of the 33rd

A BILL TO BE ENTITLED
AN ACT

1 To provide for a homestead exemption from certain City of Austell ad valorem taxes for
2 municipal purposes in an amount equal to the amount by which the current year assessed
3 value of a homestead exceeds the base year assessed value of such homestead; to provide for
4 definitions; to specify the terms and conditions of the exemption and the procedures relating
5 thereto; 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 As used in this Act, the term:

10 (1) "Ad valorem taxes for municipal purposes" means all municipal ad valorem taxes for
11 municipal purposes levied by, for, or on behalf of the City of Austell, including, but not
12 limited to, taxes to pay interest on and to retire municipal bonded indebtedness.

13 (2) "Base year" means the taxable year immediately preceding the taxable year in which
14 the exemption under this Act is first granted to the most recent owner of such homestead.

15 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
16 the O.C.G.A., with the additional qualification that it shall include only the primary
17 residence and not more than five contiguous acres of land immediately surrounding such
18 residence.

19 **SECTION 2.**

20 Each resident of the City of Austell is granted an exemption on that person's homestead from
21 all City of Austell ad valorem taxes for municipal purposes in an amount equal to the amount
22 by which the current year assessed value of that homestead exceeds the base year assessed
23 value of that homestead. This exemption shall not apply to taxes assessed on improvements
24 to the homestead or additional land that is added to the homestead after January 1 of the base
25 year. If any real property is removed from the homestead, the base year assessed value shall

1 be recalculated accordingly. The value of that property in excess of such exempted amount
2 shall remain subject to taxation.

3 **SECTION 3.**

4 A person shall not receive the homestead exemption granted by Section 2 of this Act unless
5 the person or person's agent files an application with the governing authority of the City of
6 Austell, or the designee thereof, giving such information relative to receiving such exemption
7 as will enable the governing authority of the City of Austell, or the designee thereof, to make
8 a determination as to whether such owner is entitled to such exemption.

9 **SECTION 4.**

10 The governing authority of the City of Austell, or the designee thereof, shall provide
11 application forms for the exemption granted by Section 2 of this Act which shall require such
12 information as may be necessary to determine the initial and continuing eligibility of the
13 owner for the exemption.

14 **SECTION 5.**

15 The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of the
16 O.C.G.A. The exemption shall be automatically renewed from year to year as long as the
17 owner occupies the residence as a homestead. After a person has filed the proper application
18 as provided in Section 3 of this Act, it shall not be necessary to make application thereafter
19 for any year and the exemption shall continue to be allowed to such person. It shall be the
20 duty of any person granted the homestead exemption under Section 2 of this Act to notify the
21 governing authority of the City of Austell, or the designee thereof, in the event that person
22 for any reason becomes ineligible for that exemption.

23 **SECTION 6.**

24 The exemption granted by this Act shall not apply to or affect state ad valorem taxes, county
25 ad valorem taxes for county purposes, or county or independent school district ad valorem
26 taxes for educational purposes. The homestead exemption granted by Section 2 of this Act
27 shall be in addition to and not in lieu of any other homestead exemption applicable to
28 municipal ad valorem taxes.

29 **SECTION 7.**

30 The exemption granted by Section 2 of this Act shall apply to all taxable years beginning on
31 or after January 1, 2002.

