

The House Committee on State Planning and Community Affairs - Local Legislation offers the following substitute to HB 363:

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing an additional \$2,000.00 homestead exemption from City of
2 Decatur ad valorem taxes for certain residents of said city, approved March 27, 1985 (Ga.
3 L. 1985, p. 4140), as amended, so as to provide for a homestead exemption from all City of
4 Decatur independent school district ad valorem taxes for educational purposes in the amount
5 of not less than \$10,000.00 and not more than \$50,000.00 of the assessed value of that
6 homestead for residents of the City of Decatur with such amount to be determined annually
7 by the board of education of the independent school district for certain residents of that
8 school district who are 62 years of age or older and whose annual household income does not
9 exceed \$25,000.00; to provide for definitions; to specify the terms and conditions of the
10 exemption and the procedures relating thereto; to provide for applicability; to provide for a
11 referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other
12 purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

14 An Act providing an additional \$2,000.00 homestead exemption from City of Decatur ad
15 valorem taxes for certain residents of said city, approved March 27, 1985 (Ga. L. 1985, p.
16 4140), as amended, is amended by striking Section 2 and inserting in its place a new Section
17 2 to read as follows:
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"SECTION 2.

19 (a) Each resident of the City of Decatur independent school district who is 62 years of age
20 or over on or before January 1 of the year in which application for the exemption under this
21 Act is made is granted an exemption on that person's homestead from all City of Decatur
22 independent school district ad valorem taxes for educational purposes in the amount of not
23 less than \$10,000.00 and not more than \$50,000.00 of the assessed value of that homestead
24 with such amount to be determined annually by the board of education of the independent
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1 school district if that person's income, together with the income of the spouse of such
 2 person who resides within such homestead, does not exceed \$25,000.00 for the
 3 immediately preceding taxable year. The amount of such exemption may be increased
 4 from one year to the next as determined by such board of education within the range
 5 authorized under this subsection but shall not be reduced. The value of that property in
 6 excess of such exempted amount shall remain subject to taxation.

7 (b) The exemption granted by subsection (a) of this section shall apply to all taxable years
 8 beginning on or after January 1, 2002."

9 SECTION 2.

10 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the municipal
 11 election superintendent of City of Decatur shall call and conduct an election as provided in
 12 this section for the purpose of submitting this Act to the electors of the City of Decatur for
 13 approval or rejection. The municipal election superintendent shall conduct that election on
 14 the Tuesday after the first Monday in November, 2001, and shall issue the call and conduct
 15 that election as provided by general law. The municipal superintendent shall cause the date
 16 and purpose of the election to be published once a week for two weeks immediately
 17 preceding the date thereof in the official organ of DeKalb County. The ballot shall have
 18 written or printed thereon the words:

19 "() YES Shall the Act be approved which provides a homestead exemption from all
 20 City of Decatur independent school district ad valorem taxes for educational
 21 () NO purposes in the amount of not less than \$10,000.00 and not more than
 22 \$50,000.00 of the assessed value of that homestead with such amount to be
 23 determined annually by the board of education of the independent school
 24 district for certain residents of that school district who are 62 years of age
 25 or older and whose annual household income does not exceed \$25,000.00?"

26 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
 27 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
 28 cast on such question are for approval of the Act, Section 1 of this Act shall become of full
 29 force and effect on January 1, 2002. If the Act is not so approved or if the election is not
 30 conducted as provided in this section, Section 1 of this Act shall not become effective and
 31 this Act shall be automatically repealed on the first day of January immediately following
 32 that election date. The expense of such election shall be borne by the City of Decatur. It
 33 shall be the municipal election superintendent's duty to certify the result thereof to the
 34 Secretary of State.

SECTION 3.

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Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

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SECTION 4.

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