

House Bill 515

By: Representatives Irvin of the 45th, Ashe of the 46th, McClinton of the 68th, Brooks of the 54th and Dean of the 48th

A BILL TO BE ENTITLED
AN ACT

1 To provide for a homestead exemption from certain City of Atlanta 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 adjusted base year assessed value of such homestead; to
4 provide for definitions; to specify the terms and conditions of the exemption and the
5 procedures relating thereto; to provide for applicability; to provide for a referendum,
6 effective dates, and automatic repeal; to provide for severability; to repeal conflicting laws;
7 and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 (a) As used in this Act, the term:

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

14 (2) "Adjusted base year assessed value" means an amount equal to the assessed value of
15 such homestead for the base year, increased annually by the percentage of any increase
16 in the Consumer Price Index for all Urban Consumers published by the Bureau of Labor
17 Statistics of the United States Department of Labor from the base year to the current year.
18 However, in the event that the assessed value for the current year is less than or equal to
19 the assessed value for the base year, then the adjusted base year assessed value shall equal
20 the current year assessed value.

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

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

1 (b) Each resident of the City of Atlanta is granted an exemption on that person's
2 homestead from all City of Atlanta ad valorem taxes for municipal purposes in an amount
3 equal to the amount, if any, by which the current year assessed value of that homestead
4 exceeds its adjusted base year assessed value. This exemption shall not apply to taxes
5 assessed on improvements to the homestead or additional land that is added to the
6 homestead after January 1 of the base year. If any real property is removed from the
7 homestead, the adjusted base year assessed value shall be calculated reflecting such
8 removal. The value of that property in excess of such exempted amount shall remain
9 subject to taxation.

10 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
11 section unless the person or person's agent files an application with the governing authority
12 of the City of Atlanta, or the designee thereof, giving such information relative to receiving
13 such exemption as will enable the governing authority of the City of Atlanta, or the
14 designee thereof, to make a determination as to whether such owner is entitled to such
15 exemption.

16 (d) The governing authority of the City of Atlanta, or the designee thereof, shall provide
17 application forms for the exemption granted by subsection (b) of this section which shall
18 require such information as may be necessary to determine the initial and continuing
19 eligibility of the owner for the exemption.

20 (e) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1
21 of the O.C.G.A. The exemption shall be automatically renewed from year to year as long
22 as the owner occupies the residence as a homestead. After a person has filed the proper
23 application as provided in subsection (c) of this section, it shall not be necessary to make
24 application thereafter for any year and the exemption shall continue to be allowed to such
25 person. It shall be the duty of any person granted the homestead exemption under
26 subsection (b) of this section to notify the governing authority of the City of Atlanta, or the
27 designee thereof, in the event that person for any reason becomes ineligible for that
28 exemption.

29 (f) The exemption granted by this Act shall not apply to or affect state ad valorem taxes,
30 county ad valorem taxes for county purposes, or county or independent school district ad
31 valorem taxes for educational purposes. The homestead exemption granted by subsection
32 (b) of this section shall be in addition to and not in lieu of any other homestead exemption
33 applicable to municipal ad valorem taxes.

34 (g) The exemption granted by subsection (b) of this section shall apply to all taxable years
35 beginning on or after January 1, 2002.

36 **SECTION 2.**

1 **SECTION 5.**

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