

House Bill 847

By: Representatives Smith of the 12th, Childers of the 13th and Reece of the 11th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for a homestead exemption from ad valorem taxes of the City
2 of Rome independent school district for certain residents of that school district, approved
3 March 25, 1986 (Ga. L. 1986, p. 4530), as amended, so as to provide for a homestead
4 exemption for persons who are 62 to 64 years of age and whose household income does not
5 exceed \$25,000.00; to provide for a homestead exemption for persons who are 65 years of
6 age or older regardless of income; to change certain definitions; to specify the terms,
7 conditions, and procedures relative to the exemptions; to provide for a referendum, effective
8 dates, applicability, and automatic repeal under certain circumstances; to repeal conflicting
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act providing for a homestead exemption from ad valorem taxes of the City of Rome
13 independent school district for certain residents of that school district, approved March 25,
14 1986 (Ga. L. 1986, p. 4530), as amended, is amended by striking paragraphs (3) and (3.1)
15 of Section 1 and inserting in their place the following:

16 "(3) 'Homestead' means homestead as defined and qualified in Code Section 48-5-40 of
17 the O.C.G.A. with the additional qualification that it shall include only the homestead
18 residence and not more than one acre of the land included in that homestead."

19 **SECTION 2.**

20 Said Act is further amended by striking Sections 2, 2.1, and 2.2 and inserting in lieu thereof
21 the following:

22 "SECTION 2.

23 (a) Each resident of the independent school district of the City of Rome who is at least 62
24 years of age but less than 65 years of age is granted an exemption on that person's

1 homestead from all independent school district ad valorem taxes for educational purposes
2 in the greater of the following amounts:

3 (1) One-half of the full value of that homestead; or

4 (2) Ten thousand dollars of the assessed value of that homestead.

5 (b) The homestead exemption granted by subsection (a) of this section shall only be
6 granted if that person's income, together with the income of all members of that person's
7 family residing within such homestead, does not exceed \$25,000.00 for the immediately
8 preceding taxable year.

9 (c) The value of the homestead in excess of such exempted amount shall remain subject
10 to taxation.

11 SECTION 2A.

12 (a) Each resident of the independent school district of the City of Rome who is 65 years
13 of age or older is granted an exemption on that person's homestead from all independent
14 school district ad valorem taxes for educational purposes in the amount of \$40,000.00 of
15 the assessed value of that homestead.

16 (b) The value of the homestead in excess of such exempted amount shall remain subject
17 to taxation."

18 SECTION 3.

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

21 SECTION 4.

22 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
23 superintendent of the City of Rome shall call and conduct an election as provided in this
24 section for the purpose of submitting this Act to the electors of the independent school
25 district of the City of Rome for approval or rejection. The election superintendent shall
26 conduct that election on the date of the November, 2002, state-wide general election and
27 shall issue the call and conduct that election as provided by general law. The superintendent
28 shall cause the date and purpose of the election to be published once a week for two weeks
29 immediately preceding the date thereof in the official organ of Floyd County. The ballot
30 shall have written or printed thereon the words:

31 "() YES Shall the Act be approved which replaces the current homestead exemptions
32 from City of Rome independent school district ad valorem taxes for

33 () NO educational purposes for that school district for residents of that school
34 district with the following: 1) For persons who are 62 to 64 years of age

1 and whose household income does not exceed \$25,000.00, an exemption of
2 the greater of one-half of the full value of the homestead or \$10,000.00 of
3 the assessed value of the homestead; and 2) For persons who are 65 years
4 of age or older, an exemption of \$40,000.00 of the assessed value of the
5 homestead regardless of income?"

6 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
7 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
8 cast on such question are for approval of the Act, then Sections 1 and 2 of this Act shall
9 become of full force and effect on January 1, 2003, and shall be applicable to all taxable
10 years beginning on or after January 1, 2003. If Sections 1 and 2 of this Act are not so
11 approved or if the election is not conducted as provided in this section, then Sections 1 and
12 2 of this Act shall not become effective and this Act shall be immediately repealed on
13 January 1 immediately following that election date. The expense of such election shall be
14 borne by the City of Rome. It shall be the superintendent's duty to certify the result thereof
15 to the Secretary of State.

16 **SECTION 5.**

17 Except as otherwise provided in Section 3 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 6.**

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