

Senate Bill 89

By: Senator Thompson of the 33<sup>rd</sup>

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

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

1 homestead, the base year assessed value shall be recalculated accordingly. The value of that  
2 property in excess of such exempted amount 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 Powder Springs, or the designee thereof, giving such information relative to receiving such  
7 exemption as will enable the governing authority of the City of Powder Springs, or the  
8 designee thereof, to make a determination as to whether such owner is entitled to such  
9 exemption.

10 **SECTION 4.**

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

15 **SECTION 5.**

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

24 **SECTION 6.**

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

30 **SECTION 7.**

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

