

House Bill 1782

By: Representatives Williams of the 4th, Brock of the 5th, White of the 3rd, Post 2, and Forster of the 3rd, Post 1

A BILL TO BE ENTITLED
AN ACT

1 To provide a homestead exemption from City of Dalton independent school district ad
2 valorem taxes for educational purposes in the amount of \$150,000.00 of the assessed value
3 of the homestead for residents of that school district who are 70 years of age or over; 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 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

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

14 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
15 the O.C.G.A., as amended.

16 (3) "Senior citizen" means a person who is 70 years of age or over on or before January
17 1 of the year in which application for the exemption under subsection (b) of this section
18 is made.

19 (b) Each resident of the City of Dalton independent school district who is a senior citizen
20 is granted an exemption on that person's homestead from City of Dalton independent school
21 district ad valorem taxes for educational purposes in the amount of \$150,000.00 of the
22 assessed value of that homestead. The value of that property in excess of such exempted
23 amount shall remain subject to taxation.

24 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
25 section unless the person or person's agent files an application with the governing authority
26 of the City of Dalton, or the designee thereof, giving the person's age and such additional

1 information relative to receiving such exemption as will enable the governing authority of
 2 the City of Dalton, or the designee thereof, to make a determination regarding the initial and
 3 continuing eligibility of such owner for such exemption. The governing authority of the City
 4 of Dalton, or the designee thereof, shall provide application forms for this purpose.

5 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 6 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 7 as long as the owner occupies the residence as a homestead. After a person has filed the
 8 proper application as provided in subsection (c) of this section, it shall not be necessary to
 9 make application thereafter for any year, and the exemption shall continue to be allowed to
 10 such person. It shall be the duty of any person granted the homestead exemption under
 11 subsection (b) of this section to notify the governing authority of the City of Dalton, or the
 12 designee thereof, in the event that person for any reason becomes ineligible for such
 13 exemption.

14 (e) The exemption granted by subsection (b) of this section shall not apply to or affect any
 15 state ad valorem taxes, county ad valorem taxes for county purposes, municipal ad valorem
 16 taxes for municipal purposes, or county school district ad valorem taxes for educational
 17 purposes. The homestead exemption granted by subsection (b) of this section shall be in lieu
 18 of and not in addition to any other homestead exemption applicable to the City of Dalton
 19 independent school district ad valorem taxes for educational purposes.

20 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 21 beginning on or after January 1, 2005.

22 **SECTION 2.**

23 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the municipal
 24 election superintendent of the City of Dalton shall call and conduct an election as provided
 25 in this section for the purpose of submitting this Act to the electors of the City of Dalton
 26 independent school district for approval or rejection. The municipal election superintendent
 27 shall conduct that election on the date of the November, 2004, state-wide general election
 28 and shall issue the call and conduct that election as provided by general law. The municipal
 29 election superintendent shall cause the date and purpose of the election to be published once
 30 a week for two weeks immediately preceding the date thereof in the official organ of
 31 Whitfield County. The ballot shall have written or printed thereon the words:

32 "() YES Shall the Act be approved which provides a homestead exemption from City
 33 of Dalton independent school district ad valorem taxes for educational
 34 () NO purposes in the amount of \$150,000.00 of the assessed value of the
 35 homestead for residents of that school district who are 70 years of age or
 36 over?"

1 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
2 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
3 cast on such question are for approval of the Act, Section 1 of this Act shall become of full
4 force and effect on January 1, 2005. If the Act is not so approved or if the election is not
5 conducted as provided in this section, Section 1 of this Act shall not become effective and
6 this Act shall be automatically repealed on the first day of January immediately following
7 that election date. The expense of such election shall be borne by the City of Dalton. It shall
8 be the election superintendent's duty to certify the result thereof to the Secretary of State.

9 **SECTION 3.**

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

12 **SECTION 4.**

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