

House Bill 1768 (AS PASSED HOUSE AND SENATE)

By: Representatives Childers of the 13<sup>th</sup>, Post 1, Smith of the 13<sup>th</sup>, Post 2, and Reece of the 11<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing for a homestead exemption from Floyd County School District  
2 ad valorem taxes for educational purposes for certain residents of that school district,  
3 approved March 28, 1986 (Ga. L. 1986, p. 5057), as amended, particularly by an Act  
4 approved April 13, 2001, (Ga. L. 2001, p. 3757), so as to change the definition of homestead  
5 for purposes of the homestead exemption for persons who are 62 to 64 years of age and  
6 whose household income does not exceed \$25,000.00 and the homestead exemption for  
7 persons who are 65 years of age or over regardless of income; to provide for a referendum,  
8 effective dates, and automatic repeal under certain circumstances; to repeal conflicting laws;  
9 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 Floyd County School District ad valorem  
13 taxes for educational purposes for certain residents of that school district, approved March  
14 28, 1986 (Ga. L. 1986, p. 5057), as amended, particularly by an Act approved April 13, 2001,  
15 (Ga. L. 2001, p. 3757), is amended by striking Sections 2 and 2A and inserting in their places  
16 new Sections 2 and 2A to read as follows:

17 "SECTION 2.

18 (a)(1) Each resident of the Floyd County School District who is at least 62 years of age but  
19 less than 65 years of age is granted an exemption on that person's homestead from all  
20 Floyd County School District ad valorem taxes for educational purposes in the greater of  
21 the following amounts:

- 22 (A) One-half of the full value of that homestead; or  
23 (B) Ten thousand dollars of the assessed value of that homestead.

1 (2) For purposes of this subsection, the term 'homestead' shall include the dwelling in  
2 which the applicant resides, and a detached garage adjacent thereto, and not more than  
3 one acre of the land immediately surrounding such dwelling and garage.

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

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

#### 10 SECTION 2A.

11 (a) Each resident of the Floyd County School District who is 65 years of age or older is  
12 granted an exemption on that person's homestead from all Floyd County School District  
13 ad valorem taxes for educational purposes in the amount of \$40,000.00 of the assessed  
14 value of that homestead. For purposes of this subsection, the term 'homestead' shall include  
15 the dwelling in which the applicant resides, and a detached garage adjacent thereto, and not  
16 more than one acre of the land immediately surrounding such dwelling and garage.

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

#### 19 SECTION 2.

20 The exemption granted by this Act shall apply to all taxable years beginning on or after  
21 January 1, 2004.

#### 22 SECTION 3.

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

