

House Bill 1662 (AS PASSED HOUSE AND SENATE)

By: Representatives Stoner of the 34th, Post 1, Teilhet of the 34th, Post 2, Dooley of the 33rd,
Post 3, Wilkinson of the 41st, Parsons of the 29th, and others

A BILL TO BE ENTITLED
AN ACT

To amend an Act to provide for a \$10,000.00 homestead exemption from all City of Smyrna ad valorem taxes for certain disabled residents approved January 2, 1989 (Ga. L. 1989, p. 4896), so as to increase the amount of said exemption to \$22,000.00; to increase the income limit; to provide for a referendum; to provide for all related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act to provide for a \$10,000.00 homestead exemption from all City of Smyrna ad valorem taxes for certain disabled residents approved January 2, 1989 (Ga. L. 1989, p. 4896), is amended by striking Section 2 and inserting in lieu thereof the following:

"SECTION 2.

Each resident of the City of Smyrna who is disabled is granted an exemption on that person's homestead from all City of Smyrna ad valorem taxes in the amount of \$22,000.00 if the resident's net income, together with the net income of the person's spouse who also resides at such homestead, as net income is defined by general law, from all sources, including benefits received from any retirement or pension fund when such benefits are based on contributions by the resident or his or her spouse, not including federal old-age, survivor, or disability benefits, does not exceed \$12,000.00 for the immediately preceding taxable year for income tax purposes. The value of the homestead in excess of the exempted amount shall remain subject to taxation."

SECTION 2.

The exemption granted by this Act shall apply to all taxable years beginning on or after January 1, 2005.

SECTION 3.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of the City of Smyrna shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the City of Smyrna for approval or rejection. The election superintendent shall conduct that election on date of the November, 2004, state-wide general election and shall issue the call therefor not less than 30 nor more than 60 days prior to that date. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Cobb County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act be approved which increases the homestead exemption from all City of Smyrna ad valorem taxes for certain disabled residents from () NO \$10,000.00 to \$22,000.00?"

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

SECTION 4.

Except as otherwise provided in Section 3 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

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