

Senate Bill 37

By: Senator Johnson of the 1st

A BILL TO BE ENTITLED  
AN ACT

1 To provide for a homestead exemption from City of Richmond Hill ad valorem taxes for  
2 municipal purposes in an amount equal to the amount by which the current year assessed  
3 value of a homestead exceeds the adjusted base year assessed value of such homestead; to  
4 provide for definitions; to specify the terms and conditions of the exemption and the  
5 procedures relating thereto; to provide for a referendum, effective dates, and automatic  
6 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 municipal purposes" means all municipal ad valorem taxes for  
11 municipal purposes levied by, for, or on behalf of the City of Richmond Hill, including,  
12 but not limited to, ad valorem taxes to pay interest on and to retire municipal bonded  
13 indebtedness.

14 (2) "Base year" means the taxable year immediately preceding the taxable year in which  
15 the exemption under this Act is first granted to the most recent owner of such homestead;  
16 provided, however, that in the event a reassessment of the homestead causes the actual  
17 assessed value of that homestead to be increased, the governing authority of the City of  
18 Richmond Hill, or the designee thereof, shall adjust the base year assessed value by the  
19 lesser of 3 percent; the percentage change in the Consumer Price Index as reported by the  
20 United States Department of Labor Bureau of Labor Statistics; or the actual percentage  
21 increase in the actual assessed value.

22 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
23 the O.C.G.A., as amended, with the additional qualification that it shall include only the  
24 primary residence and not more than five contiguous acres of land immediately  
25 surrounding such residence.

1 (b)(1) Each resident of the City of Richmond Hill is granted an exemption on that  
2 person's homestead from City of Richmond Hill ad valorem taxes for municipal purposes  
3 in an amount equal to the amount by which the current year assessed value of that  
4 homestead exceeds the adjusted base year assessed value of that homestead. This  
5 exemption shall not apply to taxes assessed on improvements to the homestead or  
6 additional land that is added to the homestead after January 1 of the base year. If any real  
7 property is removed from the homestead, the base year assessed value shall be  
8 recalculated accordingly. The value of that property in excess of such exempted amount  
9 shall remain subject to taxation.

10 (2) In all other cases, the unremarried surviving spouse of the deceased spouse who has  
11 been granted the exemption provided for in paragraph (1) of this subsection shall  
12 continue to receive the exemption provided under paragraph (1) of this subsection, so  
13 long as that unremarried surviving spouse continues to occupy the home as a residence  
14 and homestead.

15 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
16 section unless the person or person's agent files an application with the governing authority  
17 of the City of Richmond Hill, or the designee thereof, giving such information relative to  
18 receiving such exemption as will enable the governing authority of the City of Richmond  
19 Hill, or the designee thereof, to make a determination regarding the initial and continuing  
20 eligibility of such owner for such exemption. The governing authority of the City of  
21 Richmond Hill, or the designee thereof, shall provide application forms for this purpose.

22 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
23 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
24 as long as the owner occupies the residence as a homestead. After a person has filed the  
25 proper application as provided in subsection (c) of this section, it shall not be necessary to  
26 make application thereafter for any year and the exemption shall continue to be allowed to  
27 such person. It shall be the duty of any person granted the homestead exemption under  
28 subsection (b) of this section to notify the governing authority of the City of Richmond Hill,  
29 or the designee thereof, in the event that person for any reason becomes ineligible for that  
30 exemption.

31 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
32 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
33 school district ad valorem taxes for educational purposes. The homestead exemption granted  
34 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
35 exemption applicable to municipal ad valorem taxes for municipal purposes.

36 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
37 beginning on or after January 1, 2007.

