

House Bill 590 (AS PASSED HOUSE AND SENATE)

By: Representatives Fludd of the 66<sup>th</sup>, Lakly of the 72<sup>nd</sup>, Abdul-Salaam of the 74<sup>th</sup>, Jordan of the 77<sup>th</sup>, and Yates of the 73<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide for a homestead exemption from City of Peachtree City ad valorem taxes for  
2 municipal purposes in the amount of \$5,000.00 of the assessed value of the homestead for  
3 residents of that city who are 65 years of age or over and whose income does not exceed  
4 \$30,000.00; to provide for definitions; to specify the terms and conditions of the exemption  
5 and the 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 municipal purposes" means all ad valorem taxes for municipal  
11 purposes levied by, for, or on behalf of the City of Peachtree City, except for any ad  
12 valorem taxes to pay interest on and to retire municipal bonded indebtedness.

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

15 (3) "Income" means federal adjusted gross income determined pursuant to the Internal  
16 Revenue Code of 1986, as amended, for federal income tax purposes.

17 (4) "Senior citizen" means a person who is 65 years of age or over on or before January  
18 1 of the year in which application for the exemption under subsection (b) of this section  
19 is made.

20 (b) Each resident of the City of Peachtree City who is a senior citizen is granted an  
21 exemption on that person's homestead from City of Peachtree City ad valorem taxes for  
22 municipal purposes in the amount of \$5,000.00 of the assessed value of that homestead. The  
23 exemption granted by this subsection shall only be granted if that person's income together  
24 with the income of the spouse who also occupies and resides at such homestead does not  
25 exceed \$30,000.00 for the immediately preceding year. The value of that property in excess  
26 of such exempted amount shall remain subject to taxation.

1 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
2 section unless the person or person's agent files an application with the governing authority  
3 of the City of Peachtree City, or the designee thereof, giving such information relative to  
4 receiving such exemption as will enable the governing authority of the City of Peachtree  
5 City, or the designee thereof, to make a determination as to whether such owner is entitled  
6 to such exemption. Such application shall be filed on an annual basis, and shall also include  
7 an affidavit of the age of the applicant.

8 (d) The governing authority of the City of Peachtree City, or the designee thereof, shall  
9 provide application and affidavit forms for the exemptions granted by this section which  
10 shall require such information as may be necessary to determine the initial and continuing  
11 eligibility of the owner for the exemption under subsection (b) of this section.

12 (e) The exemption under subsection (b) of this section shall be claimed and returned as  
13 provided in Code Section 48-5-50.1 of the O.C.G.A. The exemption under subsection (b)  
14 of this section shall be renewed each year unless the governing authority of Peachtree City,  
15 or the designee thereof, determines that such person is ineligible for that exemption. It shall  
16 be the duty of any person granted the homestead exemption under subsection (b) of this  
17 section to notify the governing authority of the City of Peachtree City, or the designee  
18 thereof, in the event that person for any reason becomes ineligible for that exemption.

19 (f) The exemption granted by subsection (b) of this section shall not apply to or affect state  
20 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
21 school district ad valorem taxes for educational purposes. The homestead exemption granted  
22 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
23 exemption applicable to municipal ad valorem taxes for municipal purposes.

24 (g) The exemption granted by subsection (b) of this section shall apply to all taxable years  
25 beginning on or after January 1, 2006.

26

## **SECTION 2.**

27 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the municipal  
28 election superintendent of the City of Peachtree City shall call and conduct an election as  
29 provided in this section for the purpose of submitting this Act to the electors of the City of  
30 Peachtree City for approval or rejection. The municipal election superintendent shall  
31 conduct that election on the Tuesday after the first Monday in November, 2005, and shall  
32 issue the call and conduct that election as provided by general law. The municipal election  
33 superintendent shall cause the date and purpose of the election to be published once a week  
34 for two weeks immediately preceding the date thereof in the official organ of Fayette County.  
35 The ballot shall have written or printed thereon the words:

