

House Bill 1476 (AS PASSED HOUSE AND SENATE)

By: Representative Freeman of the 140<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act restating and reenacting a certain homestead exemption from ad valorem  
2 taxes levied for county and school purposes and a certain homestead exemption from ad  
3 valorem taxes levied for county purposes in Twiggs County approved March 20, 1990 (Ga.  
4 L. 1990, p. 3935), so as to increase the amount of the county exemption and the amount of  
5 the income limitation; to lower the age requirement to 62 years of age or over; to specify the  
6 terms and conditions of such exemption and the procedures relating thereto; to provide for  
7 a referendum, effective dates, applicability, and automatic repeal; to repeal conflicting laws;  
8 and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 An Act restating and reenacting a certain homestead exemption from ad valorem taxes levied  
12 for county and school purposes and a certain homestead exemption from ad valorem taxes  
13 levied for county purposes in Twiggs County approved March 20, 1990 (Ga. L. 1990, p.  
14 3935), is amended by striking Section 5 and inserting in its place a new Section 5 to read as  
15 follows:

16 "SECTION 5.

17 Each resident of Twiggs County who is 62 years of age or older is granted an exemption  
18 from Twiggs County ad valorem taxation for county purposes in the amount specified by this  
19 section on a homestead owned and occupied by the resident as a residence if the resident's  
20 net income, together with the net income of the resident's spouse who also occupies and  
21 resides at such homestead, as net income is defined by Georgia law, from all sources except  
22 as hereinafter provided, does not exceed \$15,000.00 for the immediately preceding taxable  
23 year for income tax purposes. For the purposes of this section, net income shall not include  
24 income received as retirement, survivor, or disability benefits under the federal Social  
25 Security Act or under any other public or private retirement, disability, or pension system,

1 except such income which is in excess of the maximum amount authorized to be paid to an  
 2 individual under the federal Social Security Act; and income from such sources in excess of  
 3 such maximum amount shall be included as net income for the purposes of this section. The  
 4 amount of the exemption granted by this section shall be as follows:

5 (1) The exemption granted by this section shall be \$15,000.00 of the assessed value of  
 6 the homestead for the tax year beginning January 1, 2007;

7 (2) The exemption granted by this section shall be \$25,000.00 of the assessed value of  
 8 the homestead for the tax year beginning January 1, 2008, and for all tax years thereafter."

9 **SECTION 2.**

10 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
 11 superintendent of Twiggs County shall call and conduct an election as provided in this  
 12 section for the purpose of submitting this Act to the electors of Twiggs County for approval  
 13 or rejection. The election superintendent shall conduct that election on the date of the  
 14 November, 2006, state-wide general election and shall issue the call and conduct that election  
 15 as provided by general law. The election superintendent shall cause the date and purpose of  
 16 the election to be published once a week for two weeks immediately preceding the date  
 17 thereof in the official organ of Twiggs County. The ballot shall have written or printed  
 18 thereon the words:

19 "( ) YES Shall the Act be approved which changes the homestead exemption from  
 20 Twiggs County ad valorem taxes for county purposes in the amount of  
 21 ( ) NO \$8,000.00 of the assessed value of the homestead for residents of that  
 22 county who are 65 years of age or over and whose income, not including  
 23 certain retirement income, does not exceed \$10,000.00 so that the  
 24 exemption amount is increased to \$15,000.00 in 2007 and to \$25,000.00 for  
 25 2008 and subsequent years and which increases the income limitation to  
 26 \$15,000.00 and lowers the age qualification to 62 years of age or over?"

27 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 28 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 29 such question are for approval of the Act, Section 1 of this Act shall become of full force and  
 30 effect on January 1, 2007. If the Act is not so approved or if the election is not conducted  
 31 as provided in this section, Section 1 of this Act shall not become effective and this Act shall  
 32 be automatically repealed on the first day of January immediately following that election  
 33 date. The expense of such election shall be borne by Twiggs County. It shall be the election  
 34 superintendent's duty to certify the result thereof to the Secretary of State.

1 **SECTION 3.**

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

4 **SECTION 4.**

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