

Senate Bill 25

By: Senators Douglas of the 17th, Rogers of the 21st, Staton of the 18th and Shafer of the 48th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-2-33 of the Official Code of Georgia Annotated, relating to the
2 issuance of license plates, payment and disposition of fees, and compensation of tag agents,
3 so as to require proof of citizenship to obtain a motor vehicle tag; to amend Code Section
4 40-5-20, relating to driver's license required, surrender of prior licenses, and local licenses
5 prohibited, so as to require proof of citizenship before obtaining a driver's license; to amend
6 Code Section 48-5-40, relating to definitions relative to tax exemptions, so as to change a
7 certain definition; to amend Code Section 48-5-45, relating to application for homestead
8 exemption and unlawful to solicit fee to file application for another, so as to require proof
9 of citizenship before obtaining exemption; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 style="text-align:center">**SECTION 1.**

12 Code Section 40-2-33 of the Official Code of Georgia Annotated, relating to the issuance of
13 license plates, payment and disposition of fees, and compensation of tag agents, is amended
14 by inserting at the end thereof the following:

15 "(d) The initial issuance of any tag shall not be made unless the applicant presents at the
16 time of application valid documentary evidence of United States citizenship or continuing
17 legal status in the United States. The only acceptable documents shall be a birth certificate
18 issued by a state or territory of the United States, a United States passport, or documents
19 issued by the federal government providing the applicant's continuing legal status in the
20 United States. Any person who makes a false statement or who produces an invalid
21 document in relation to the requirements of this subsection shall be guilty of a felony and
22 upon conviction shall be punished by a fine not to exceed \$5,000.00 or by imprisonment
23 for not less than one nor more than five years, or both."

SECTION 2.

Code Section 40-5-20, relating to driver's license required, surrender of prior licenses, and local licenses prohibited, is amended by inserting at the end thereof the following:

"(e) Except as provided in Code Section 40-5-21.1, no license shall be issued to any person unless he or she presents at the time of application valid documentary evidence of United States citizenship or continuing legal status in the United States. The only acceptable documents shall be a birth certificate issued by a state or territory of the United States, a United States passport, or documents issued by the federal government proving the applicant's continuing legal status in the United States. Any person who makes a false statement or who produces an invalid document in relation to the requirements of this subsection shall be guilty of a felony and upon conviction shall be punished by a fine not to exceed \$5,000.00 or by imprisonment for not less than one nor more than five years, or both."

SECTION 3.

Code Section 48-5-40, relating to definitions relative to tax exemptions, is amended by striking the word "and" at the end of subparagraph (M) of paragraph (3), by striking the period at the end of subparagraph (N) of paragraph (3) and inserting in lieu thereof "; and", and by inserting immediately following subparagraph (N) the following:

"(O) Each owner of the homestead must be a citizen or lawful resident of the United States."

SECTION 4.

Code Section 48-5-45, relating to application for homestead exemption and unlawful to solicit fee to file application for another, is amended by inserting at the end of subsection (a) a new paragraph to read as follows:

"(3) At the time of making application for a homestead exemption, the applicant must present valid documentary evidence of United States citizenship or continuing legal status in the United States. The only acceptable documents shall be a birth certificate issued by a state or territory of the United States, a United States passport, or documents issued by the federal government providing the applicant's continuing legal status in the United States."

SECTION 5.

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