

Senate Bill 307

By: Senators Carter of the 1st and Jackson of the 2nd

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To provide for a homestead exemption from Town of Thunderbolt ad valorem taxes for
 2 municipal purposes in the amount of the assessed value of the homestead for residents of that
 3 town who are 65 years of age or older and whose income does not exceed \$30,000.00; to
 4 provide for definitions; to specify the terms and conditions of the exemption and the
 5 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 Town of Thunderbolt, including, but not
 12 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded
 13 indebtedness.

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

16 (3) "Income" means federal adjusted gross income determined pursuant to the Internal
 17 Revenue Code of 1986, as amended, for federal income tax purposes. Income shall
 18 include the gross income of a spouse, or any other person, residing within the homestead.

19 (4) "Senior citizen" means a person who is 65 years of age or older on or before January
 20 1 of the year in which application for the exemption under subsection (b) of this section
 21 is made.

22 (b) Each resident of the Town of Thunderbolt who is a senior citizen is granted an
 23 exemption on that person's homestead from Town of Thunderbolt ad valorem taxes for
 24 municipal purposes in the amount of the assessed value of that homestead. The exemption
 25 under this subsection shall only be granted if that person's income, together with the

26 income of the spouse and any other person who also occupies and resides at such
27 homestead, does not exceed \$30,000.00 for the immediately preceding year.

28 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
29 section unless such person or person's agent files an application with the governing
30 authority of the Town of Thunderbolt, or the designee thereof, giving such person's age,
31 income, and such additional information relative to receiving such exemption as will enable
32 the governing authority of the Town of Thunderbolt, or the designee thereof, to make a
33 determination regarding the initial and continuing eligibility of such person for such
34 exemption. The governing authority of the Town of Thunderbolt, or the designee thereof,
35 shall provide application forms for this purpose.

36 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1
37 of the O.C.G.A., as amended. The exemption shall be automatically renewed from year
38 to year so long as the person granted the homestead exemption under subsection (b) of this
39 section occupies the residence as a homestead. After a person has filed the proper
40 application as provided in subsection (c) of this section, it shall not be necessary to make
41 application thereafter for any year, and the exemption shall continue to be allowed to such
42 person. It shall be the duty of any person granted the homestead exemption under
43 subsection (b) of this section to notify the governing authority of the Town of Thunderbolt,
44 or the designee thereof, in the event that person for any reason becomes ineligible for that
45 exemption.

46 (e) The exemption granted by subsection (b) of this section shall not apply to or affect any
47 state ad valorem taxes, county ad valorem taxes for county purposes, or county or
48 independent school district ad valorem taxes for educational purposes. The homestead
49 exemption granted by subsection (b) of this section shall be in addition to and not in lieu
50 of any other homestead exemption applicable to Town of Thunderbolt ad valorem taxes for
51 municipal purposes.

52 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
53 beginning on or after January 1, 2015.

54 **SECTION 2.**

55 The municipal election superintendent of the Town of Thunderbolt shall call and conduct an
56 election as provided in this section for the purpose of submitting this Act to the electors of
57 the Town of Thunderbolt for approval or rejection. The municipal election superintendent
58 shall conduct that election in 2014 on a date specified in Code Section 21-2-540 of the
59 O.C.G.A. and shall issue the call and conduct that election as provided by general law. The
60 municipal election superintendent shall cause the date and purpose of the election to be

61 published once a week for two weeks immediately preceding the date thereof in the official
 62 organ of Chatham County. The ballot shall have written or printed thereon the words:

63 " YES Shall the Act be approved which provides a homestead exemption from
 64 Town of Thunderbolt ad valorem taxes for municipal purposes in the
 65 NO amount of the assessed value of the homestead for residents of that city who
 66 are 65 years of age or older and whose income does not exceed
 67 \$30,000.00?"

68 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 69 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 70 such question are for approval of the Act, Section 1 of this Act shall become of full force and
 71 effect on January 1, 2015. If the Act is not so approved or if the election is not conducted
 72 as provided in this section, Section 1 of this Act shall not become effective, and this Act shall
 73 be automatically repealed on the first day of January immediately following that election
 74 date. The expense of such election shall be borne by the Town of Thunderbolt. It shall be
 75 the municipal election superintendent's duty to certify the result thereof to the Secretary of
 76 State.

77 **SECTION 3.**

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

80 **SECTION 4.**

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