

House Bill 286

By: Representatives Yates of the 73rd, Hitchens of the 161st, and Deffenbaugh of the 1st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
2 relating to prestige license plates and special license plates for certain persons and vehicles,
3 so as to provide for a definition of "disabled veteran"; to provide for issuance of free motor
4 vehicle license plates to disabled veterans; to provide for eligibility; to provide for
5 revalidation of such license plates; to provide for the transfer of such license plates upon
6 death; to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to
7 ad valorem taxation of property, so as to provide for a definition of "disabled veteran" for
8 homestead exemption purposes; to provide for an exemption to motor vehicle ad valorem
9 taxes for disabled veterans; to provide for related matters; to repeal conflicting laws; and for
10 other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

13 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
14 prestige license plates and special license plates for certain persons and vehicles, is amended
15 by revising Code Section 40-2-69, relating to free license plates and revalidation decals for
16 certain disabled veterans, as follows:

17 "40-2-69.

18 (a) Any disabled veteran ~~who was discharged under honorable conditions and who served~~
19 ~~on active duty in the armed forces of the United States or on active duty in a reserve~~
20 ~~component of the United States, including the National Guard, who is a citizen and resident~~
21 of this state shall, upon application therefor, be issued a free motor vehicle license plate.
22 ~~upon presentation of proof that such veteran is receiving or that he or she is entitled to~~
23 ~~receive a statutory award from the United States Department of Veterans Affairs for~~ As
24 used in this Code section, the term 'disabled veteran' means any veteran who was
25 discharged under honorable conditions and who has been adjudicated by the United States
26 Department of Veterans Affairs as being 100 percent totally disabled or as being less than

27 100 percent totally disabled but is compensated at the 100 percent level due to individual
 28 unemployability and is entitled to receive a statutory award from the United States
 29 Department of Veterans Affairs for:

- 30 (1) Loss or permanent loss of use of one or both feet;
 31 (2) Loss or permanent loss of use of one or both hands;
 32 (3) Loss of sight in one or both eyes; or
 33 (4) Permanent impairment of vision of both eyes of the following status: central visual
 34 acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity
 35 of more than 20/200 if there is a field defect in which the peripheral field has contracted
 36 to such an extent that the widest diameter of visual field subtends on angular distance no
 37 greater than 20 degrees in the better eye.

38 (b) Any disabled veteran ~~who was discharged under honorable conditions and who has~~
 39 ~~been adjudicated by the United States Department of Veterans Affairs as being 100 percent~~
 40 ~~totally disabled and entitled to receive service connected benefits~~ shall, upon application
 41 therefor, be issued a free motor vehicle license plate upon presentation of proof that he or
 42 she is receiving or that he or she is entitled to receive benefits for a 100 percent service
 43 ~~connected disability, as long as he or she is 100 percent disabled~~ qualifies as a disabled
 44 veteran. A disabled veteran who claims that ~~such 100 percent total~~ his or her disability is
 45 permanent shall furnish proof of such permanent disability through a letter from the United
 46 States Department of Veterans Affairs.

47 (c)(1) Once a disabled veteran has established his or her eligibility to receive free motor
 48 vehicle license plates as a result of being permanently disabled, he or she shall be entitled
 49 to receive free plates or free revalidation decals in succeeding years on any automobile,
 50 private passenger pickup truck, motorcycle, station wagon, or van type vehicle of
 51 three-quarter tons or less that he or she may own or jointly with his or her spouse or
 52 minor child own or acquire in the future.

53 (2) Once a disabled veteran has established his or her eligibility to receive free motor
 54 vehicle license plates ~~as a result of having a 100 percent total disability which~~ but his or
 55 her disability has not been determined to be a permanent disability, he or she shall be
 56 entitled to receive free plates or free revalidation decals in succeeding years upon
 57 furnishing, on an annual basis, proof of ~~such 100 percent disability~~ his or her status as a
 58 disabled veteran through a letter from the United States Department of Veterans Affairs.
 59 Such free plates or free revalidation decals shall apply to any automobile, private
 60 passenger pickup truck, motorcycle, station wagon, or van type vehicle of three-quarter
 61 tons or less that he or she may own or jointly with his or her spouse or minor child own
 62 or acquire in the future.

63 (3)(A) Two license plates or revalidation decals each year shall be furnished for
 64 vehicles other than motorcycles to disabled veterans qualifying under this Code section
 65 unless the originals are lost. Such plates shall be fastened to both the front and the rear
 66 of the vehicle.

67 (B) One license plate or revalidation decal each year shall be furnished for motorcycles
 68 to disabled veterans qualifying under this Code section unless the original is lost. Such
 69 plate shall be fastened to the rear of the vehicle.

70 (4) In the event of the death of the person who received the special license plates
 71 pursuant to this Code section, upon complying with the motor vehicle laws relating to
 72 registration and licensing of motor vehicles, his or her unremarried surviving spouse or
 73 minor child may continue to receive the free special license plates and revalidation decals
 74 until the remarriage of the surviving spouse or death of the surviving spouse or minor
 75 child."

76 SECTION 2.

77 Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem
 78 taxation of property, is amended in Code Section 48-5-48, relating to eligibility and filing
 79 requirements for homestead extension for a qualified disabled veteran, by revising paragraph
 80 (1) of subsection (a) as follows:

81 "~~(1) A wartime veteran who was discharged under honorable conditions and who has~~
 82 ~~been adjudicated by the Department of Veterans Affairs of the United States as being~~
 83 ~~totally and permanently disabled and entitled to receive service-connected benefits so~~
 84 ~~long as he or she is 100 percent disabled and receiving or entitled to receive benefits for~~
 85 ~~a 100 percent service-connected disability~~ Any veteran who was discharged under
 86 honorable conditions and who has been adjudicated by the United States Department of
 87 Veterans Affairs as being 100 percent totally disabled or as being less than 100 percent
 88 totally disabled but is compensated at the 100 percent level due to individual
 89 unemployability and is entitled to receive a statutory award from the United States
 90 Department of Veterans Affairs for:

91 (A) Loss or permanent loss of use of one or both feet;

92 (B) Loss or permanent loss of use of one or both hands;

93 (C) Loss of sight in one or both eyes; or

94 (D) Permanent impairment of vision of both eyes of the following status: central visual
 95 acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity
 96 of more than 20/200 if there is a field defect in which the peripheral field has contracted
 97 to such an extent that the widest diameter of visual field subtends on angular distance
 98 no greater than 20 degrees in the better eye;"

99

SECTION 3.

100 Said chapter is further amended by revising Code Section 48-5-478, relating to constitutional
 101 exemption from ad valorem taxation for disabled veterans, as follows:

102 "48-5-478.

103 (a) A motor vehicle owned by or leased to a disabled veteran who is a citizen and resident
 104 of Georgia this state and on which such disabled veteran actually places the free disabled
 105 veteran motor vehicle license plate he or she receives from the State of Georgia pursuant
 106 to Code Section 40-2-69 is hereby exempted from all ad valorem taxes for state, county,
 107 municipal, and school purposes. ~~The~~ As used in this Code section, the term 'disabled
 108 veteran,' ~~as used in this Code section,~~ means any ~~wartime~~ veteran who was discharged
 109 under honorable conditions and who has been adjudicated by the United States Department
 110 of Veterans Affairs as being 100 percent totally ~~and permanently~~ disabled or as being less
 111 than 100 percent totally disabled but is being compensated at the 100 percent level due to
 112 individual unemployability and is entitled to receive ~~service-connected~~ service connected
 113 benefits and any veteran who is receiving or who is entitled to receive a statutory award
 114 from the United States Department of Veterans Affairs for:

115 (1) Loss or permanent loss of use of one or both feet;

116 (2) Loss or permanent loss of use of one or both hands;

117 (3) Loss of sight in one or both eyes; or

118 (4) Permanent impairment of vision of both eyes of the following status: ~~Central~~ central
 119 visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual
 120 acuity of more than 20/200 if there is a field defect in which the peripheral field has
 121 contracted to such an extent that the widest diameter of visual field subtends on angular
 122 distance no greater than 20 degrees in the better eye.

123 (b) Once a disabled veteran has established his or her eligibility for such ad valorem tax
 124 exemption by being 100 percent totally disabled, he or she shall be entitled to receive such
 125 ad valorem tax exemption in succeeding years thereafter. A disabled veteran who claims
 126 100 percent total disability shall furnish proof of such disability through a letter from the
 127 United States Department of Veterans Affairs.

128 (c) Once a disabled veteran has established his or her eligibility for such ad valorem tax
 129 exemption but his or her disability has not been adjudicated a 100 percent total disability,
 130 he or she shall be entitled to such ad valorem tax exemption in succeeding years upon
 131 furnishing, on an annual basis, proof of his or her status as a disabled veteran through a
 132 letter from the United States Department of Veterans Affairs.

133 (d) In the event of the death of the disabled veteran who received such ad valorem tax
 134 exemption pursuant to this Code section, upon complying with the motor vehicle laws

135 relating to registration and licensing of motor vehicles, his or her unmarried surviving
136 spouse or minor child may continue to receive the exemption."

137 **SECTION 4.**

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