

## House Bill 596 (COMMITTEE SUBSTITUTE)

By: Representatives Jacobs of the 80<sup>th</sup>, Taylor of the 79<sup>th</sup>, Kendrick of the 93<sup>rd</sup>, Holcomb of the 81<sup>st</sup>, Mitchell of the 88<sup>th</sup>, and others

## A BILL TO BE ENTITLED

## AN ACT

1 To amend an Act providing for a homestead exemption from certain DeKalb County ad  
 2 valorem taxes for county purposes in an amount equal to the amount by which the current  
 3 year assessed value of a homestead exceeds the base year assessed value of such homestead,  
 4 approved May 5, 2006 (Ga. L. 2006, p. 4636), as amended, so as to modify the time  
 5 limitation on such exemption; to provide for a referendum, effective dates, and automatic  
 6 repeal; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act providing for a homestead exemption from certain DeKalb County ad valorem taxes  
 10 for county purposes in an amount equal to the amount by which the current year assessed  
 11 value of a homestead exceeds the base year assessed value of such homestead, approved  
 12 May 5, 2006 (Ga. L. 2006, p. 4636), as amended, is amended by revising subsection (f) of  
 13 Section 1 as follows:

14 "(f)(1) Except as provided in paragraph (2) of this subsection, the exemption granted by  
 15 subsection (b) of this section shall apply only to taxable years 2007 through 2021. Except  
 16 as provided in paragraph (2) of this subsection, unless renewed or extended by  
 17 subsequent Act of the General Assembly, the exemption granted by subsection (b) of this  
 18 section shall not apply to taxable year 2022 or any subsequent taxable year.

19 (2) If the General Assembly enacts an equalized homestead option sales and use tax and  
 20 such tax is placed into effect in DeKalb County during the period the exemption granted  
 21 by subsection (b) of this section is in effect, the exemption granted by subsection (b) of  
 22 this section shall be tolled for as long as the equalized homestead option sales and use tax  
 23 is in effect. Upon the cessation of the collection of the equalized homestead option sales  
 24 and use tax, the exemption granted by subsection (b) of this section shall resume for the  
 25 number of years that remained in the period set forth in paragraph (1) of this subsection  
 26 at the time of the imposition of the equalized homestead option sales and use tax."

27

**SECTION 2.**

28 Provided that the General Assembly enacts an equalized homestead option sales and use tax  
 29 in its 2015-2016 biennial session, the election superintendent of DeKalb County shall call  
 30 and conduct an election as provided in this section for the purpose of submitting this Act to  
 31 the electors of DeKalb County for approval or rejection. If the General Assembly does not  
 32 enact an equalized homestead option sales and use tax in its 2015-2016 biennial session, no  
 33 such election shall be held. If such election is held, the election superintendent shall conduct  
 34 such election on the Tuesday next following the first Monday in November, 2016. The  
 35 election superintendent shall issue the call and conduct such election as provided by general  
 36 law. The election superintendent shall cause the date and purpose of the election to be  
 37 published once a week for two weeks immediately preceding the date thereof in the official  
 38 organ of DeKalb County. The ballot shall have written or printed thereon the words:

39 "( ) YES Shall the Act be approved which amends the homestead exemption from  
 40 ( ) NO DeKalb County ad valorem taxes for county purposes in an amount equal to  
 41 the amount by which the current year assessed value of a homestead exceeds  
 42 the base year assessed value of such homestead by extending the time  
 43 limitation on such exemption?"

44 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 45 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 46 such question are for approval of the Act, Section 1 of this Act shall become of full force and  
 47 effect on January 1, 2017, and shall apply to all taxable years beginning on or after that date.  
 48 If the Act is not so approved or if the General Assembly does not enact an equalized  
 49 homestead option sales and use tax in its 2015-2016 biennial session, Section 1 of this Act  
 50 shall not become effective and this Act shall be automatically repealed on the first day of  
 51 January immediately following such election date. The expense of such election shall be  
 52 borne by DeKalb County. It shall be the duty of the election superintendent of DeKalb  
 53 County to certify the results thereof to the Secretary of State.

54

**SECTION 3.**

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

57

**SECTION 4.**

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