

Senate Bill 343

By: Senator Parent of the 42nd

A BILL TO BE ENTITLED
AN ACT

1 To provide a homestead exemption from City of Decatur independent school district ad
2 valorem taxes for educational purposes for five years in the full amount of the assessed value
3 of the homestead for residents of that school district who are 65 years of age or older; 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 educational purposes" means all ad valorem taxes for
11 educational purposes levied by, for, or on behalf of the City of Decatur independent
12 school district, except for any ad valorem taxes to pay interest on and to retire
13 independent school district bonded 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) "Senior citizen" means a person who is 65 years of age or older on or before January
17 1 of the year in which application for the exemption under subsection (b) of this section
18 is made.

19 (b) Each resident of the City of Decatur independent school district who is a senior citizen
20 is granted an exemption on that person's homestead from City of Decatur independent school
21 district ad valorem taxes for educational purposes in the full amount of the assessed value
22 of that homestead. The value of that property in excess of such exempted amount shall
23 remain subject to taxation.

24 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
25 section unless such person or person's agent files an application with the governing authority
26 of the City of Decatur, or the designee thereof, giving the person's age and such additional

27 information relative to receiving such exemption as will enable the governing authority of
 28 the City of Decatur, or the designee thereof, to make a determination regarding the initial and
 29 continuing eligibility of such person for such exemption. The governing authority of the City
 30 of Decatur, or the designee thereof, shall provide application forms for this purpose.

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

40 (e) The exemption granted by subsection (b) of this section shall not apply to or affect any
 41 state ad valorem taxes, county ad valorem taxes for county purposes, municipal ad valorem
 42 taxes for municipal purposes, or county school district ad valorem taxes for educational
 43 purposes. The homestead exemption granted by subsection (b) of this section shall be in
 44 addition to and not in lieu of any other homestead exemption applicable to City of Decatur
 45 independent school district ad valorem taxes for educational purposes.

46 (f) The exemption granted by subsection (b) of this section shall apply to taxable years
 47 beginning on or after January 1, 2017, and ending on or before December 30, 2021.

48 SECTION 2.

49 The municipal election superintendent of the City of Decatur shall call and conduct an
 50 election as provided in this section for the purpose of submitting this Act to the electors of
 51 the City of Decatur independent school district for approval or rejection. The municipal
 52 election superintendent shall conduct that election in conjunction with the November, 2016,
 53 general election and shall issue the call and conduct that election as provided by general law.
 54 The municipal election superintendent shall cause the date and purpose of the election to be
 55 published once a week for two weeks immediately preceding the date thereof in the official
 56 organ of DeKalb County. The ballot shall have written or printed thereon the words:

57 "() YES Shall the Act be approved which provides a homestead exemption from City
 58 of Decatur independent school district ad valorem taxes for educational
 59 () NO purposes for five years in the full amount of the assessed value of the
 60 homestead for residents of that school district who are 65 years of age or
 61 older?"

62 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
63 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
64 such question are for approval of the Act, Section 1 of this Act shall become of full force and
65 effect on January 1, 2017. If the Act is not so approved or if the election is not conducted
66 as provided in this section, Section 1 of this Act shall not become effective, and this Act shall
67 be automatically repealed on the first day of January immediately following that election
68 date. The expense of such election shall be borne by the City of Decatur. It shall be the
69 election superintendent's duty to certify the result thereof to the Secretary of State.

70 **SECTION 3.**

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

73 **SECTION 4.**

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