Senate Bill 197

By: Senator Thompson of the 33rd

AS PASSED

A BILL TO BE ENTITLED

AN ACT

To amend a former local constitutional amendment, Ga. L. 1976, p. 1908, which former local constitutional amendment was continued in effect as statutory law pursuant to Article VII, Section II, Paragraph IV of the Constitution of Georgia and which provided a homestead exemption from City of Powder Springs ad valorem taxes for municipal purposes in the amount of $2,000.00 of the assessed value of the homestead for resident homeowners of that city and a homestead exemption from City of Powder Springs ad valorem taxes for municipal purposes in the amount of $4,000.00 of the assessed value of the homestead for resident homeowners who are 65 years of age or over, so as to increase the amount of the $4,000.00 homestead exemption to $12,000.00; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

The former local constitutional amendment, Ga. L. 1976, p. 1908, which former local constitutional amendment was continued in effect as statutory law pursuant to Article VII, Section II, Paragraph IV of the Constitution of Georgia and which provided a homestead exemption from City of Powder Springs ad valorem taxes for municipal purposes in the amount of $2,000.00 of the assessed value of the homestead for resident homeowners of that city and a homestead exemption from City of Powder Springs ad valorem taxes for municipal purposes in the amount of $4,000.00 of the assessed value of the homestead for resident homeowners who are 65 years of age or over, is amended by striking the second undesignated paragraph of Section 1 and inserting in its place the following:

"A homestead of each resident who is 65 years of age or older of the City of Powder Springs actually occupied by the owner primarily as such is hereby exempted from all city ad valorem taxes, except taxes levied by said city for the payment of interest on and retirement of bonded indebtedness, in an amount of $12,000.00 of its value."

SECTION 2.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the municipal election superintendent of the City of Powder Springs shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the City of Powder Springs for approval or rejection. The municipal election superintendent shall conduct that election on the Tuesday after the first Monday in November, 2005, and shall issue the call and conduct that election as provided by general law. The municipal election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Cobb County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the Act be approved which increases the homestead exemption from City of Powder Springs ad valorem taxes for municipal purposes for residents of that city who are 65 years of age or over from $4,000.00 to $12,000.00?"
( ) NO

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect on January 1, 2006. If the Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by the City of Powder Springs. It shall be the municipal election superintendent´s duty to certify the result thereof to the Secretary of State.

SECTION 3.

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

SECTION 4.

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